

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 903

Introduced by Kolowski, 31.

Read first time January 09, 2020

Committee:

1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301,
2 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes
3 Supplement, 2019; to provide for Down Syndrome Awareness License
4 Plates; to harmonize provisions; and to repeal the original
5 sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Supplement, 2019, is
2 amended to read:

3 60-301 Sections 60-301 to 60-3,244 and sections 7 and 8 of this act
4 shall be known and may be cited as the Motor Vehicle Registration Act.

5 Sec. 2. Section 60-393, Revised Statutes Supplement, 2019, is
6 amended to read:

7 60-393 Any owner who has two or more motor vehicles or trailers
8 required to be registered under the Motor Vehicle Registration Act may
9 register all such motor vehicles or trailers on a calendar-year basis or
10 on an annual basis for the same registration period beginning in a month
11 chosen by the owner. When electing to establish the same registration
12 period for all such motor vehicles or trailers, the owner shall pay the
13 registration fee, the motor vehicle tax imposed in section 60-3,185, the
14 motor vehicle fee imposed in section 60-3,190, and the alternative fuel
15 fee imposed in section 60-3,191 on each motor vehicle for the number of
16 months necessary to extend its current registration period to the
17 registration period under which all such motor vehicles or trailers will
18 be registered. Credit shall be given for registration paid on each motor
19 vehicle or trailer when the motor vehicle or trailer has a later
20 expiration date than that chosen by the owner except as otherwise
21 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
22 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and
23 60-3,244 and section 8 of this act. Thereafter all such motor vehicles or
24 trailers shall be registered on an annual basis starting in the month
25 chosen by the owner.

26 Sec. 3. Section 60-395, Revised Statutes Supplement, 2019, is
27 amended to read:

28 60-395 (1) Except as otherwise provided in subsection (2) of this
29 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,
30 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,
31 60-3,242, and 60-3,244 and section 8 of this act, the registration shall

1 expire and the registered owner or lessee may, by returning the
2 registration certificate, the license plates, and, when appropriate, the
3 validation decals and by either making application on a form prescribed
4 by the department to the county treasurer of the occurrence of an event
5 described in subdivisions (a) through (e) of this subsection or, in the
6 case of a change in situs, displaying to the county treasurer the
7 registration certificate of such other state as evidence of a change in
8 situs, receive a refund of that part of the unused fees and taxes on
9 motor vehicles or trailers based on the number of unexpired months
10 remaining in the registration period from the date of any of the
11 following events:

12 (a) Upon transfer of ownership of any motor vehicle or trailer;

13 (b) In case of loss of possession because of fire, theft,
14 dismantlement, or junking;

15 (c) When a salvage branded certificate of title is issued;

16 (d) Whenever a type or class of motor vehicle or trailer previously
17 registered is subsequently declared by legislative act or court decision
18 to be illegal or ineligible to be operated or towed on the public roads
19 and no longer subject to registration fees, the motor vehicle tax imposed
20 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,
21 and the alternative fuel fee imposed in section 60-3,191;

22 (e) Upon a trade-in or surrender of a motor vehicle under a lease;
23 or

24 (f) In case of a change in the situs of a motor vehicle or trailer
25 to a location outside of this state.

26 (2) If the date of the event falls within the same calendar month in
27 which the motor vehicle or trailer is acquired, no refund shall be
28 allowed for such month.

29 (3) If the transferor or lessee acquires another motor vehicle at
30 the time of the transfer, trade-in, or surrender, the transferor or
31 lessee shall have the credit provided for in this section applied toward

1 payment of the motor vehicle fees and taxes then owing. Otherwise, the
2 transferor or lessee shall file a claim for refund with the county
3 treasurer upon an application form prescribed by the department.

4 (4) The registered owner or lessee shall make a claim for refund or
5 credit of the fees and taxes for the unexpired months in the registration
6 period within sixty days after the date of the event or shall be deemed
7 to have forfeited his or her right to such refund or credit.

8 (5) For purposes of this section, the date of the event shall be:
9 (a) In the case of a transfer or loss, the date of the transfer or loss;
10 (b) in the case of a change in the situs, the date of registration in
11 another state; (c) in the case of a trade-in or surrender under a lease,
12 the date of trade-in or surrender; (d) in the case of a legislative act,
13 the effective date of the act; and (e) in the case of a court decision,
14 the date the decision is rendered.

15 (6) Application for registration or for reassignment of license
16 plates and, when appropriate, validation decals to another motor vehicle
17 or trailer shall be made within thirty days of the date of purchase.

18 (7) If a motor vehicle or trailer was reported stolen under section
19 60-178, a refund under this section shall not be reduced for a lost plate
20 charge and a credit under this section may be reduced for a lost plate
21 charge but the applicant shall not be required to pay the plate fee for
22 new plates.

23 (8) The county treasurer shall refund the motor vehicle fee and
24 registration fee from the fees which have not been transferred to the
25 State Treasurer. The county treasurer shall make payment to the claimant
26 from the undistributed motor vehicle taxes of the taxing unit where the
27 tax money was originally distributed. No refund of less than two dollars
28 shall be paid.

29 Sec. 4. Section 60-396, Revised Statutes Supplement, 2019, is
30 amended to read:

31 60-396 Whenever the registered owner files an application with the

1 county treasurer showing that a motor vehicle, trailer, or semitrailer is
2 disabled and has been removed from service, the registered owner may, by
3 returning the registration certificate, the license plates, and, when
4 appropriate, the validation decals or, in the case of the unavailability
5 of such registration certificate or certificates, license plates, or
6 validation decals, then by making an affidavit to the county treasurer of
7 such disablement and removal from service, receive a credit for a portion
8 of the registration fee from the fee deposited with the State Treasurer
9 at the time of registration based upon the number of unexpired months
10 remaining in the registration year except as otherwise provided in
11 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,
12 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and 60-3,244
13 and section 8 of this act. The owner shall also receive a credit for the
14 unused portion of the motor vehicle tax and fee based upon the number of
15 unexpired months remaining in the registration year. When the owner
16 registers a replacement motor vehicle, trailer, or semitrailer at the
17 time of filing such affidavit, the credit may be immediately applied
18 against the registration fee and the motor vehicle tax and fee for the
19 replacement motor vehicle, trailer, or semitrailer. When no such
20 replacement motor vehicle, trailer, or semitrailer is so registered, the
21 county treasurer shall forward the application and affidavit, if any, to
22 the State Treasurer who shall determine the amount, if any, of the
23 allowable credit for the registration fee and issue a credit certificate
24 to the owner. For the motor vehicle tax and fee, the county treasurer
25 shall determine the amount, if any, of the allowable credit and issue a
26 credit certificate to the owner. When such motor vehicle, trailer, or
27 semitrailer is removed from service within the same month in which it was
28 registered, no credits shall be allowed for such month. The credits may
29 be applied against taxes and fees for new or replacement motor vehicles,
30 trailers, or semitrailers incurred within one year after cancellation of
31 registration of the motor vehicle, trailer, or semitrailer for which the

1 credits were allowed. When any such motor vehicle, trailer, or
2 semitrailer is reregistered within the same registration year in which
3 its registration has been canceled, the taxes and fees shall be that
4 portion of the registration fee and the motor vehicle tax and fee for the
5 remainder of the registration year.

6 Sec. 5. Section 60-3,104, Revised Statutes Supplement, 2019, is
7 amended to read:

8 60-3,104 The department shall issue the following types of license
9 plates:

10 (1) Amateur radio station license plates issued pursuant to section
11 60-3,126;

12 (2) Apportionable vehicle license plates issued pursuant to section
13 60-3,203;

14 (3) Autocycle license plates issued pursuant to section 60-3,100;

15 (4) Boat dealer license plates issued pursuant to section 60-379;

16 (5) Breast Cancer Awareness Plates issued pursuant to sections
17 60-3,230 and 60-3,231;

18 (6) Bus license plates issued pursuant to section 60-3,144;

19 (7) Choose Life License Plates issued pursuant to sections 60-3,232
20 and 60-3,233;

21 (8) Commercial motor vehicle license plates issued pursuant to
22 section 60-3,147;

23 (9) Dealer or manufacturer license plates issued pursuant to
24 sections 60-3,114 and 60-3,115;

25 (10) Disabled veteran license plates issued pursuant to section
26 60-3,124;

27 (11) Down Syndrome Awareness License Plates issued pursuant to
28 section 8 of this act;

29 (12) ~~(11)~~ Farm trailer license plates issued pursuant to section
30 60-3,151;

31 (13) ~~(12)~~ Farm truck license plates issued pursuant to section

- 1 60-3,146;
- 2 (14) ~~(13)~~ Farm trucks with a gross weight of over sixteen tons
- 3 license plates issued pursuant to section 60-3,146;
- 4 (15) ~~(14)~~ Fertilizer trailer license plates issued pursuant to
- 5 section 60-3,151;
- 6 (16) ~~(15)~~ Former military vehicle license plates issued pursuant to
- 7 section 60-3,236;
- 8 (17) ~~(16)~~ Gold Star Family license plates issued pursuant to
- 9 sections 60-3,122.01 and 60-3,122.02;
- 10 (18) ~~(17)~~ Handicapped or disabled person license plates issued
- 11 pursuant to section 60-3,113;
- 12 (19) ~~(18)~~ Historical vehicle license plates issued pursuant to
- 13 sections 60-3,130 to 60-3,134;
- 14 (20) ~~(19)~~ Local truck license plates issued pursuant to section
- 15 60-3,145;
- 16 (21) ~~(20)~~ Metropolitan utilities district license plates issued
- 17 pursuant to section 60-3,228;
- 18 (22) ~~(21)~~ Military Honor Plates issued pursuant to sections
- 19 60-3,122.03 and 60-3,122.04;
- 20 (23) ~~(22)~~ Minitruck license plates issued pursuant to section
- 21 60-3,100;
- 22 (24) ~~(23)~~ Motor vehicle license plates for motor vehicles owned or
- 23 operated by the state, counties, municipalities, or school districts
- 24 issued pursuant to section 60-3,105;
- 25 (25) ~~(24)~~ Motor vehicles exempt pursuant to section 60-3,107;
- 26 (26) ~~(25)~~ Motorcycle license plates issued pursuant to section
- 27 60-3,100;
- 28 (27) ~~(26)~~ Mountain Lion Conservation Plates issued pursuant to
- 29 sections 60-3,226 and 60-3,227;
- 30 (28) ~~(27)~~ Native American Cultural Awareness and History Plates
- 31 issued pursuant to sections 60-3,234 and 60-3,235;

1 ~~(29)~~ ~~(28)~~ Nebraska Cornhusker Spirit Plates issued pursuant to
2 sections 60-3,127 to 60-3,129;

3 ~~(30)~~ ~~(29)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to
4 sections 60-3,223 to 60-3,225;

5 ~~(31)~~ ~~(30)~~ Nonresident owner thirty-day license plates issued
6 pursuant to section 60-382;

7 ~~(32)~~ ~~(31)~~ Passenger car having a seating capacity of ten persons or
8 less and not used for hire issued pursuant to section 60-3,143 other than
9 autocycles;

10 ~~(33)~~ ~~(32)~~ Passenger car having a seating capacity of ten persons or
11 less and used for hire issued pursuant to section 60-3,143 other than
12 autocycles;

13 ~~(34)~~ ~~(33)~~ Pearl Harbor license plates issued pursuant to section
14 60-3,122;

15 ~~(35)~~ ~~(34)~~ Personal-use dealer license plates issued pursuant to
16 section 60-3,116;

17 ~~(36)~~ ~~(35)~~ Personalized message license plates for motor vehicles,
18 trailers, and semitrailers, except motor vehicles, trailers, and
19 semitrailers registered under section 60-3,198, issued pursuant to
20 sections 60-3,118 to 60-3,121;

21 ~~(37)~~ ~~(36)~~ Prisoner-of-war license plates issued pursuant to section
22 60-3,123;

23 ~~(38)~~ ~~(37)~~ Prostate Cancer Awareness Plates issued pursuant to
24 section 60-3,240;

25 ~~(39)~~ ~~(38)~~ Public power district license plates issued pursuant to
26 section 60-3,228;

27 ~~(40)~~ ~~(39)~~ Purple Heart license plates issued pursuant to section
28 60-3,125;

29 ~~(41)~~ ~~(40)~~ Recreational vehicle license plates issued pursuant to
30 section 60-3,151;

31 ~~(42)~~ ~~(41)~~ Repossession license plates issued pursuant to section

1 60-375;

2 ~~(43)~~ (42) Sammy's Superheroes license plates for childhood cancer
3 awareness issued pursuant to section 60-3,242;

4 ~~(44)~~ (43) Special interest motor vehicle license plates issued
5 pursuant to section 60-3,135.01;

6 ~~(45)~~ (44) Specialty license plates issued pursuant to sections
7 60-3,104.01 and 60-3,104.02;

8 ~~(46)~~ (45) Trailer license plates issued for trailers owned or
9 operated by the state, counties, municipalities, or school districts
10 issued pursuant to section 60-3,106;

11 ~~(47)~~ (46) Support Our Troops Plates issued pursuant to sections
12 60-3,243 and 60-3,244;

13 ~~(48)~~ (47) Trailer license plates issued pursuant to section
14 60-3,100;

15 ~~(49)~~ (48) Trailer license plates issued for trailers owned or
16 operated by a metropolitan utilities district or public power district
17 pursuant to section 60-3,228;

18 ~~(50)~~ (49) Trailers exempt pursuant to section 60-3,108;

19 ~~(51)~~ (50) Transporter license plates issued pursuant to section
20 60-378;

21 ~~(52)~~ (51) Trucks or combinations of trucks, truck-tractors, or
22 trailers which are not for hire and engaged in soil and water
23 conservation work and used for the purpose of transporting pipe and
24 equipment exclusively used by such contractors for soil and water
25 conservation construction license plates issued pursuant to section
26 60-3,149;

27 ~~(53)~~ (52) Utility trailer license plates issued pursuant to section
28 60-3,151;

29 ~~(54)~~ (53) Well-boring apparatus and well-servicing equipment license
30 plates issued pursuant to section 60-3,109; and

31 ~~(55)~~ (54) Wildlife Conservation Plates issued pursuant to section

1 60-3,238.

2 Sec. 6. Section 60-3,130.04, Revised Statutes Supplement, 2019, is
3 amended to read:

4 60-3,130.04 (1) An owner of a historical vehicle eligible for
5 registration under section 60-3,130 may use a license plate or plates
6 designed by this state in the year corresponding to the model year when
7 the vehicle was manufactured in lieu of the plates designed pursuant to
8 section 60-3,130.03 subject to the approval of the department. The
9 department shall inspect the plate or plates and may approve the plate or
10 plates if it is determined that the model-year license plate or plates
11 are legible and serviceable and that the license plate numbers do not
12 conflict with or duplicate other numbers assigned and in use. An
13 original-issued license plate or plates that have been restored to
14 original condition may be used when approved by the department.

15 (2) The department may consult with a recognized car club in
16 determining whether the year of the license plate or plates to be used
17 corresponds to the model year when the vehicle was manufactured.

18 (3) If only one license plate is used on the vehicle, the license
19 plate shall be placed on the rear of the vehicle. The owner of a
20 historical vehicle may use only one plate on the vehicle even for years
21 in which two license plates were issued for vehicles in general.

22 (4) License plates used pursuant to this section corresponding to
23 the year of manufacture of the vehicle shall not be personalized message
24 license plates, Pearl Harbor license plates, prisoner-of-war license
25 plates, disabled veteran license plates, Purple Heart license plates,
26 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,
27 handicapped or disabled person license plates, specialty license plates,
28 special interest motor vehicle license plates, Military Honor Plates,
29 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,
30 Prostate Cancer Awareness Plates, Down Syndrome Awareness License Plates,
31 Mountain Lion Conservation Plates, Choose Life License Plates, Native

1 American Cultural Awareness and History Plates, Sammy's Superheroes
2 license plates for childhood cancer awareness, Wildlife Conservation
3 Plates, or Support Our Troops Plates.

4 Sec. 7. (1) The department shall design license plates to be known
5 as Down Syndrome Awareness License Plates. The design shall include the
6 words "Down syndrome awareness" inside a heart-shaped yellow and blue
7 ribbon. The design shall be selected on the basis of limiting the
8 manufacturing cost of each plate to an amount less than or equal to the
9 amount charged for license plates pursuant to section 60-3,102. The
10 department shall make applications available for this type of plate
11 beginning January 1, 2022. The department may adopt and promulgate rules
12 and regulations to carry out this section and section 8 of this act.

13 (2) One type of license plates under this section shall be
14 alphanumeric plates. The department shall:

15 (a) Assign a designation up to five characters; and

16 (b) Not use a county designation.

17 (3) One type of license plates under this section shall be
18 personalized message plates. Such plates shall be issued subject to the
19 same conditions specified for personalized message license plates in
20 section 60-3,118, except that a maximum of five characters may be used.

21 Sec. 8. (1) Beginning January 1, 2022, a person may apply to the
22 department for Down Syndrome Awareness License Plates in lieu of regular
23 license plates on an application prescribed and provided by the
24 department for any motor vehicle, trailer, or semitrailer, except for a
25 motor vehicle, trailer, or semitrailer registered under section 60-3,198.
26 An applicant receiving a license plate under this section for a farm
27 truck with a gross weight of over sixteen tons or a commercial motor
28 vehicle registered for a gross weight of five tons or over shall affix
29 the appropriate tonnage decal to the license plate. The department shall
30 make forms available for such applications through the county treasurers.
31 Each application for initial issuance or renewal of Down Syndrome

1 Awareness License Plates shall be accompanied by a fee of forty dollars.
2 Fees collected pursuant to this subsection shall be remitted to the State
3 Treasurer. The State Treasurer shall credit sixty percent of the fees for
4 initial issuance and renewal of Down Syndrome Awareness License Plates to
5 the Department of Motor Vehicles Cash Fund and forty percent of the fees
6 to the Highway Trust Fund.

7 (2) When the department receives an application for Down Syndrome
8 Awareness License Plates, the department may deliver the plates and
9 registration certificate to the applicant by United States mail or to the
10 county treasurer of the county in which the motor vehicle, trailer, or
11 semitrailer is registered and the delivery of the plates and registration
12 certificate shall be made through a secure process and system. The county
13 treasurer or the department shall issue plates under this section in lieu
14 of regular license plates when the applicant complies with the other
15 provisions of the Motor Vehicle Registration Act for registration of the
16 motor vehicle, trailer, or semitrailer. If Down Syndrome Awareness
17 License Plates are lost, stolen, or mutilated, the licensee shall be
18 issued replacement license plates upon request pursuant to section
19 60-3,157.

20 (3)(a) The owner of a motor vehicle, trailer, or semitrailer bearing
21 Down Syndrome Awareness License Plates may apply to the county treasurer
22 to have such plates transferred to a motor vehicle, trailer, or
23 semitrailer other than the motor vehicle, trailer, or semitrailer for
24 which such plates were originally purchased if such motor vehicle,
25 trailer, or semitrailer is owned by the owner of the plates.

26 (b) The owner may have the unused portion of the fee for the plates
27 credited to the other motor vehicle, trailer, or semitrailer that will
28 bear the plates at the rate of eight and one-third percent per month for
29 each full month left in the registration period.

30 (c) Application for such transfer shall be accompanied by a fee of
31 three dollars. Fees collected pursuant to this subsection shall be

1 remitted to the State Treasurer for credit to the Department of Motor
2 Vehicles Cash Fund.

3 Sec. 9. Original sections 60-301, 60-393, 60-395, 60-396, 60-3,104,
4 and 60-3,130.04, Revised Statutes Supplement, 2019, are repealed.