

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1088

Introduced by Friesen, 34.

Read first time January 21, 2020

Committee:

- 1 A BILL FOR AN ACT relating to motor vehicle registration; to amend
- 2 section 60-3,104.02, Revised Statutes Cumulative Supplement, 2018;
- 3 to provide for personalized message specialty license plates and a
- 4 fee; to provide an operative date; and to repeal the original
- 5 section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-3,104.02, Revised Statutes Cumulative
2 Supplement, 2018, is amended to read:

3 60-3,104.02 (1) The department shall issue specialty license plates
4 for any organization which certifies that it meets the requirements of
5 this section. The department shall work with the organization to design
6 the plates.

7 (2) The department shall make applications available pursuant to
8 section 60-3,104.01 for each type of specialty license plate when it is
9 designed. The department shall not manufacture specialty license plates
10 for an organization until the department has received two hundred fifty
11 prepaid applications for specialty license plates designed for that
12 organization. The department may revoke the approval for an
13 organization's specialty license plate if the total number of registered
14 vehicles that obtained such plate is less than two hundred fifty within
15 three years after receiving approval.

16 (3) In order to have specialty license plates designed and
17 manufactured, an organization shall furnish the department with the
18 following:

19 (a) A copy of its articles of incorporation and, if the organization
20 consists of a group of nonprofit corporations, a copy for each
21 organization;

22 (b) A copy of its charter or bylaws and, if the organization
23 consists of a group of nonprofit corporations, a copy for each
24 organization;

25 (c) Any Internal Revenue Service rulings of the organization's
26 nonprofit tax-exempt status and, if the organization consists of a group
27 of nonprofit corporations, a copy for each organization;

28 (d) A copy of a certificate of existence on file with the Secretary
29 of State under the Nebraska Nonprofit Corporation Act;

30 (e) Two hundred fifty prepaid applications for the alphanumeric
31 specialty license plates; and

1 (f) A completed application for the issuance of the plates on a form
2 provided by the department certifying that the organization meets the
3 following requirements:

4 (i) The organization is a nonprofit corporation or a group of
5 nonprofit corporations with a common purpose;

6 (ii) The primary activity or purpose of the organization serves the
7 community, contributes to the welfare of others, and is not offensive or
8 discriminatory in its purpose, nature, activity, or name;

9 (iii) The name and purpose of the organization does not promote any
10 specific product or brand name that is on a product provided for sale;

11 (iv) The organization is authorized to use any name, logo, or
12 graphic design suggested for the design of the plates;

13 (v) No infringement or violation of any property right will result
14 from such use of such name, logo, or graphic design; and

15 (vi) The organization will hold harmless the State of Nebraska and
16 its employees and agents for any liability which may result from any
17 infringement or violation of a property right based on the use of such
18 name, logo, or graphic design.

19 (4)(a) One type of plate under this section shall be alphanumeric
20 plates. The department shall assign a designation up to five characters
21 and not use a county designation.

22 (b) One type of plate under this section shall be personalized
23 message license plates. Such plates shall be issued subject to the same
24 conditions specified for personalized message license plates in section
25 60-3,118, except that a maximum of five characters may be used.
26 Personalized message specialty license plates under this section shall
27 only be issued after the requirements of subsection 3 of this section
28 have been met. Each initial application for and each application for
29 renewal of a personalized message specialty license plate shall be
30 accompanied by a fee of twenty dollars in addition to the fees required
31 under section 60-3,104.01. The fees shall be remitted to the State

1 Treasurer. The State Treasurer shall credit the fee to the Department of
2 Motor Vehicles Cash Fund.

3 (5) ~~(4)~~ The department may adopt and promulgate rules and
4 regulations to carry out this section.

5 Sec. 2. This act becomes operative on January 1, 2021.

6 Sec. 3. Original section 60-3,104.02, Revised Statutes Cumulative
7 Supplement, 2018, is repealed.