

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 317**

Introduced by Cavanaugh, J., 9.

Read first time January 13, 2021

Committee:

1 A BILL FOR AN ACT relating to motor vehicle registration; to amend  
2 sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04,  
3 Revised Statutes Cumulative Supplement, 2020; to provide for  
4 Nebraska History Plates; to create a fund; to provide powers and  
5 duties; to harmonize provisions; and to repeal the original  
6 sections.

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

1       Section 1. Section 60-301, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3       60-301 Sections 60-301 to 60-3,254 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 Cumulative Supplement,  
6 2020, is 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,  
23 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254 and  
24 section 8 of this act. Thereafter all such motor vehicles or trailers  
25 shall be registered on an annual basis starting in the month chosen by  
26 the owner.

27       Sec. 3. Section 60-395, Revised Statutes Cumulative Supplement,  
28 2020, is amended to read:

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

1 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254  
2 and section 8 of this act, the registration shall expire and the  
3 registered owner or lessee may, by returning the registration  
4 certificate, the license plates, and, when appropriate, the validation  
5 decals and by either making application on a form prescribed by the  
6 department to the county treasurer of the occurrence of an event  
7 described in subdivisions (a) through (e) of this subsection or, in the  
8 case of a change in situs, displaying to the county treasurer the  
9 registration certificate of such other state as evidence of a change in  
10 situs, receive a refund of that part of the unused fees and taxes on  
11 motor vehicles or trailers based on the number of unexpired months  
12 remaining in the registration period from the date of any of the  
13 following events:

14 (a) Upon transfer of ownership of any motor vehicle or trailer;  
15 (b) In case of loss of possession because of fire, natural disaster,  
16 theft, dismantlement, or junking;  
17 (c) When a salvage branded certificate of title is issued;  
18 (d) Whenever a type or class of motor vehicle or trailer previously  
19 registered is subsequently declared by legislative act or court decision  
20 to be illegal or ineligible to be operated or towed on the public roads  
21 and no longer subject to registration fees, the motor vehicle tax imposed  
22 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,  
23 and the alternative fuel fee imposed in section 60-3,191;

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

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

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

31 (3) If the transferor or lessee acquires another motor vehicle at

1 the time of the transfer, trade-in, or surrender, the transferor or  
2 lessee shall have the credit provided for in this section applied toward  
3 payment of the motor vehicle fees and taxes then owing. Otherwise, the  
4 transferor or lessee shall file a claim for refund with the county  
5 treasurer upon an application form prescribed by the department.

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

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

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

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

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

31 Sec. 4. Section 60-396, Revised Statutes Cumulative Supplement,

1 2020, is amended to read:

2 60-396 Whenever the registered owner files an application with the  
3 county treasurer showing that a motor vehicle, trailer, or semitrailer is  
4 disabled and has been removed from service, the registered owner may, by  
5 returning the registration certificate, the license plates, and, when  
6 appropriate, the validation decals or, in the case of the unavailability  
7 of such registration certificate or certificates, license plates, or  
8 validation decals, then by making an affidavit to the county treasurer of  
9 such disablement and removal from service, receive a credit for a portion  
10 of the registration fee from the fee deposited with the State Treasurer  
11 at the time of registration based upon the number of unexpired months  
12 remaining in the registration year except as otherwise provided in  
13 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,  
14 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, 60-3,244,  
15 60-3,246, 60-3,248, 60-3,250, 60-3,252, and 60-3,254 and section 8 of  
16 this act. The owner shall also receive a credit for the unused portion of  
17 the motor vehicle tax and fee based upon the number of unexpired months  
18 remaining in the registration year. When the owner registers a  
19 replacement motor vehicle, trailer, or semitrailer at the time of filing  
20 such affidavit, the credit may be immediately applied against the  
21 registration fee and the motor vehicle tax and fee for the replacement  
22 motor vehicle, trailer, or semitrailer. When no such replacement motor  
23 vehicle, trailer, or semitrailer is so registered, the county treasurer  
24 shall forward the application and affidavit, if any, to the State  
25 Treasurer who shall determine the amount, if any, of the allowable credit  
26 for the registration fee and issue a credit certificate to the owner. For  
27 the motor vehicle tax and fee, the county treasurer shall determine the  
28 amount, if any, of the allowable credit and issue a credit certificate to  
29 the owner. When such motor vehicle, trailer, or semitrailer is removed  
30 from service within the same month in which it was registered, no credits  
31 shall be allowed for such month. The credits may be applied against taxes

1 and fees for new or replacement motor vehicles, trailers, or semitrailers  
2 incurred within one year after cancellation of registration of the motor  
3 vehicle, trailer, or semitrailer for which the credits were allowed. When  
4 any such motor vehicle, trailer, or semitrailer is reregistered within  
5 the same registration year in which its registration has been canceled,  
6 the taxes and fees shall be that portion of the registration fee and the  
7 motor vehicle tax and fee for the remainder of the registration year.

8 Sec. 5. Section 60-3,104, Revised Statutes Cumulative Supplement,  
9 2020, is amended to read:

10 60-3,104 The department shall issue the following types of license  
11 plates:

12 (1) Amateur radio station license plates issued pursuant to section  
13 60-3,126;

14 (2) Apportionable vehicle license plates issued pursuant to section  
15 60-3,203;

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

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

18 (5) Breast Cancer Awareness Plates issued pursuant to sections  
19 60-3,230 and 60-3,231;

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

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

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

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

27 (10) Disabled veteran license plates issued pursuant to section  
28 60-3,124;

29 (11) Donate Life Plates issued pursuant to sections 60-3,245 and  
30 60-3,246;

31 (12) Down Syndrome Awareness Plates issued pursuant to sections

1       60-3,247 and 60-3,248;

2           (13) Farm trailer license plates issued pursuant to section

3       60-3,151;

4           (14) Farm truck license plates issued pursuant to section 60-3,146;

5           (15) Farm trucks with a gross weight of over sixteen tons license

6       plates issued pursuant to section 60-3,146;

7           (16) Fertilizer trailer license plates issued pursuant to section

8       60-3,151;

9           (17) Former military vehicle license plates issued pursuant to

10      section 60-3,236;

11          (18) Gold Star Family license plates issued pursuant to sections

12      60-3,122.01 and 60-3,122.02;

13          (19) Handicapped or disabled person license plates issued pursuant

14      to section 60-3,113;

15          (20) Historical vehicle license plates issued pursuant to sections

16      60-3,130 to 60-3,134;

17          (21) Local truck license plates issued pursuant to section 60-3,145;

18          (22) Metropolitan utilities district license plates issued pursuant

19      to section 60-3,228;

20          (23) Military Honor Plates issued pursuant to sections 60-3,122.03

21      and 60-3,122.04;

22          (24) Minitruck license plates issued pursuant to section 60-3,100;

23          (25) Motor vehicle license plates for motor vehicles owned or

24      operated by the state, counties, municipalities, or school districts

25      issued pursuant to section 60-3,105;

26          (26) Motor vehicles exempt pursuant to section 60-3,107;

27          (27) Motorcycle license plates issued pursuant to section 60-3,100;

28          (28) Mountain Lion Conservation Plates issued pursuant to sections

29      60-3,226 and 60-3,227;

30          (29) Native American Cultural Awareness and History Plates issued

31      pursuant to sections 60-3,234 and 60-3,235;

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

3                   (31) Nebraska History Plates issued pursuant to sections 7 and 8 of  
4    this act;

5                   (32) (31) Nebraska 150 Sesquicentennial Plates issued pursuant to  
6    sections 60-3,223 to 60-3,225;

7                   (33) (32) Nonresident owner thirty-day license plates issued  
8    pursuant to section 60-382;

9                   (34) (33) Passenger car having a seating capacity of ten persons or  
10    less and not used for hire issued pursuant to section 60-3,143 other than  
11    autocycles;

12                   (35) (34) Passenger car having a seating capacity of ten persons or  
13    less and used for hire issued pursuant to section 60-3,143 other than  
14    autocycles;

15                   (36) (35) Pearl Harbor license plates issued pursuant to section  
16    60-3,122;

17                   (37) (36) Personal-use dealer license plates issued pursuant to  
18    section 60-3,116;

19                   (38) (37) Personalized message license plates for motor vehicles,  
20    trailers, and semitrailers, except motor vehicles, trailers, and  
21    semitrailers registered under section 60-3,198, issued pursuant to  
22    sections 60-3,118 to 60-3,121;

23                   (39) (38) Pets for Vets Plates issued pursuant to sections 60-3,249  
24    and 60-3,250;

25                   (40) (39) Prisoner-of-war license plates issued pursuant to section  
26    60-3,123;

27                   (41) (40) Prostate Cancer Awareness Plates issued pursuant to  
28    section 60-3,240;

29                   (42) (41) Public power district license plates issued pursuant to  
30    section 60-3,228;

31                   (43) (42) Purple Heart license plates issued pursuant to section

1 60-3,125;

2        (44) ~~(43)~~ Recreational vehicle license plates issued pursuant to  
3 section 60-3,151;

4        (45) ~~(44)~~ Repossession license plates issued pursuant to section  
5 60-375;

6        (46) ~~(45)~~ Sammy's Superheroes license plates for childhood cancer  
7 awareness issued pursuant to section 60-3,242;

8        (47) ~~(46)~~ Special interest motor vehicle license plates issued  
9 pursuant to section 60-3,135.01;

10        (48) ~~(47)~~ Specialty license plates issued pursuant to sections  
11 60-3,104.01 and 60-3,104.02;

12        (49) ~~(48)~~ Support the Arts Plates issued pursuant to sections  
13 60-3,251 and 60-3,252;

14        (50) ~~(49)~~ Support Our Troops Plates issued pursuant to sections  
15 60-3,243 and 60-3,244;

16        (51) ~~(50)~~ The Good Life Is Outside Plates issued pursuant to  
17 sections 60-3,253 and 60-3,254;

18        (52) ~~(51)~~ Trailer license plates issued for trailers owned or  
19 operated by the state, counties, municipalities, or school districts  
20 issued pursuant to section 60-3,106;

21        (53) ~~(52)~~ Trailer license plates issued for trailers owned or  
22 operated by a metropolitan utilities district or public power district  
23 pursuant to section 60-3,228;

24        (54) ~~(53)~~ Trailer license plates issued pursuant to section  
25 60-3,100;

26        (55) ~~(54)~~ Trailers exempt pursuant to section 60-3,108;

27        (56) ~~(55)~~ Transporter license plates issued pursuant to section  
28 60-378;

29        (57) ~~(56)~~ Trucks or combinations of trucks, truck-tractors, or  
30 trailers which are not for hire and engaged in soil and water  
31 conservation work and used for the purpose of transporting pipe and

1 equipment exclusively used by such contractors for soil and water  
2 conservation construction license plates issued pursuant to section  
3 60-3,149;

4 (58) ~~(57)~~ Utility trailer license plates issued pursuant to section  
5 60-3,151;

6 (59) ~~(58)~~ Well-boring apparatus and well-servicing equipment license  
7 plates issued pursuant to section 60-3,109; and

8 (60) ~~(59)~~ Wildlife Conservation Plates issued pursuant to section  
9 60-3,238.

10 Sec. 6. Section 60-3,130.04, Revised Statutes Cumulative Supplement,  
11 2020, is amended to read:

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

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

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

30 (4) License plates used pursuant to this section corresponding to  
31 the year of manufacture of the vehicle shall not be personalized message

1 license plates, Pearl Harbor license plates, prisoner-of-war license  
2 plates, disabled veteran license plates, Purple Heart license plates,  
3 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,  
4 Nebraska History Plates, handicapped or disabled person license plates,  
5 specialty license plates, special interest motor vehicle license plates,  
6 Military Honor Plates, Nebraska 150 Sesquicentennial Plates, Breast  
7 Cancer Awareness Plates, Prostate Cancer Awareness Plates, Mountain Lion  
8 Conservation Plates, Choose Life License Plates, Donate Life Plates, Down  
9 Syndrome Awareness Plates, Native American Cultural Awareness and History  
10 Plates, Sammy's Superheroes license plates for childhood cancer  
11 awareness, Wildlife Conservation Plates, Pets for Vets Plates, Support  
12 the Arts Plates, Support Our Troops Plates, or The Good Life Is Outside  
13 Plates.

14 Sec. 7. (1) The department shall design license plates to be known  
15 as Nebraska History Plates. The design shall be selected in consultation  
16 with the Nebraska State Historical Society and shall reflect the  
17 importance of historical preservation in Nebraska and the value of our  
18 shared Nebraska history. Each design shall be selected on the basis of  
19 limiting the manufacturing cost of each plate to an amount less than or  
20 equal to the amount charged for license plates pursuant to section  
21 60-3,102. The department shall make applications available for this type  
22 of plate by January 1, 2023. The department may adopt and promulgate  
23 rules and regulations to carry out this section and section 8 of this  
24 act.

25 (2) One type of Nebraska History Plates shall be alphanumeric  
26 plates. The department shall: (a) Assign a designation up to five  
27 characters; and (b) not use a county designation.

28 (3) One type of Nebraska History Plates shall be personalized  
29 message plates. Such plates shall be issued subject to the same  
30 conditions specified for personalized message license plates in section  
31 60-3,118, except that a maximum of five characters may be used.

1       (4) The department shall cease to issue Nebraska History Plates  
2 beginning with the next license plate issuance cycle after the license  
3 plate issuance cycle that begins in 2025 pursuant to section 60-3,101 if  
4 the total number of registered vehicles that obtained such plates is less  
5 than five hundred per year within any prior consecutive two-year period.

6       Sec. 8. (1) Beginning January 1, 2023, a person may apply to the  
7 department for Nebraska History Plates in lieu of regular license plates  
8 on an application prescribed and provided by the department for any motor  
9 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or  
10 semitrailer registered under section 60-3,198. An applicant receiving  
11 Nebraska History Plates for a farm truck with a gross weight of over  
12 sixteen tons or a commercial truck or truck-tractor with a gross weight  
13 of five tons or over shall affix the appropriate tonnage decal to the  
14 plate. The department shall make forms available for such applications  
15 through the county treasurers. The license plates shall be issued upon  
16 payment of the license fee described in subsection (2) of this section.

17       (2)(a) In addition to all other fees required for registration under  
18 the Motor Vehicle Registration Act, each application for initial issuance  
19 or renewal of alphanumeric Nebraska History Plates shall be accompanied  
20 by a fee of five dollars. County treasurers collecting fees pursuant to  
21 this subdivision shall remit such fees to the State Treasurer. The State  
22 Treasurer shall credit five dollars of the fee to the Support Nebraska  
23 History Cash Fund.

24       (b) In addition to all other fees required for registration under  
25 the Motor Vehicle Registration Act, each application for initial issuance  
26 or renewal of personalized message Nebraska History Plates shall be  
27 accompanied by a fee of forty dollars. County treasurers collecting fees  
28 pursuant to this subdivision shall remit such fees to the State  
29 Treasurer. The State Treasurer shall credit twenty-five percent of the  
30 fee for initial issuance and renewal of such plates to the Department of  
31 Motor Vehicles Cash Fund and seventy-five percent of the fee to the

1    Support Nebraska History Cash Fund.

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

14        (b) The county treasurer or the department may issue temporary  
15   license stickers to the applicant under this section for the applicant to  
16   lawfully operate the vehicle pending receipt of the license plates. No  
17   charge in addition to the registration fee shall be made for the issuance  
18   of a temporary license sticker under this subdivision. The department  
19   shall furnish temporary license stickers for issuance by the county  
20   treasurer at no cost to the counties. The department may adopt and  
21   promulgate rules and regulations regarding the design and issuance of  
22   temporary license stickers.

23        (4) The owner of a motor vehicle, trailer, or semitrailer bearing  
24   Nebraska History Plates may apply to the county treasurer to have such  
25   plates transferred to a motor vehicle or trailer other than the motor  
26   vehicle or trailer for which such plates were originally purchased if  
27   such motor vehicle or trailer is owned by the owner of the plates. The  
28   owner may have the unused portion of the fee for the plates credited to  
29   the other motor vehicle or trailer which will bear the plates at the rate  
30   of eight and one-third percent per month for each full month left in the  
31   registration period. Application for such transfer shall be accompanied

1 by a fee of three dollars. Fees collected pursuant to this subsection  
2 shall be remitted to the State Treasurer for credit to the Department of  
3 Motor Vehicles Cash Fund.

4 (5) If the cost of manufacturing Nebraska History Plates at any time  
5 exceeds the amount charged for license plates pursuant to section  
6 60-3,102, any money to be credited to the Support Nebraska History Cash  
7 Fund shall instead be credited first to the Highway Trust Fund in an  
8 amount equal to the difference between the manufacturing costs of  
9 Nebraska History Plates and the amount charged pursuant to section  
10 60-3,102 with respect to such plates and the remainder shall be credited  
11 to the Support Nebraska History Cash Fund.

12 Sec. 9. The Support Nebraska History Cash Fund is created. The fund  
13 shall consist of money credited to the fund under section 8 of this act  
14 and any other gifts, bequests, grants, or other contributions or  
15 donations to the fund from public or private entities. The Nebraska State  
16 Historical Society shall administer and distribute the Support Nebraska  
17 History Cash Fund. The fund shall be expended to promote the history of  
18 Nebraska on the Internet, to support history education for children in  
19 Nebraska, and for costs directly related to the administration of the  
20 fund. Any money in the fund available for investment shall be invested by  
21 the state investment officer pursuant to the Nebraska Capital Expansion  
22 Act and the Nebraska State Funds Investment Act.

23 Sec. 10. Original sections 60-301, 60-393, 60-395, 60-396,  
24 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2020,  
25 are repealed.