

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 661**

Introduced by Krist, 10.

Read first time January 08, 2014

Committee:

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-204, 32-309,  
2 32-312.05, 32-321, 32-323, 32-325, 32-902, and 60-484.02,  
3 Reissue Revised Statutes of Nebraska, sections 32-312 and  
4 32-915, Revised Statutes Cumulative Supplement, 2012, and  
5 sections 32-101 and 60-484, Revised Statutes Supplement,  
6 2013; to provide for voter registration on the Secretary  
7 of State's web site; to provide for electronic  
8 transmission of certain voter registration applications;  
9 to provide for use of records of the Department of Motor  
10 Vehicles for purposes of voter registration; to harmonize  
11 provisions; and to repeal the original sections.

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

1           Section 1. Section 32-101, Revised Statutes Supplement,  
2   2013, is amended to read:

3           32-101 Sections 32-101 to 32-1551 and section 3 of this  
4 act shall be known and may be cited as the Election Act.

5           Sec. 2. Section 32-204, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7           32-204 The Election Administration Fund is hereby  
8 created. The fund shall consist of federal funds, state funds, gifts,  
9 and grants appropriated for the administration of elections. The  
10 Secretary of State shall use the fund for voting systems, provisional  
11 voting, computerized statewide voter registration lists, voter  
12 registration, ~~by mail,~~ training or informational materials related to  
13 elections, and any other costs related to elections. Any money in the  
14 fund available for investment shall be invested by the state  
15 investment officer pursuant to the Nebraska Capital Expansion Act and  
16 the Nebraska State Funds Investment Act. The State Treasurer shall  
17 transfer any money in the Voter Registration Cash Fund on February  
18 21, 2003, to the Election Administration Fund.

19           Sec. 3. (1) The Secretary of State in conjunction with  
20 the Department of Motor Vehicles shall, on or before July 1, 2015,  
21 develop and implement a registration application process which may be  
22 used statewide to register to vote and update voter registration  
23 records electronically using the Secretary of State's web site. An  
24 applicant who has a valid Nebraska motor vehicle operator's license  
25 or state identification card may use the application process to

1 register to vote or to update his or her voter registration record  
2 with changes in his or her personal information or other information  
3 related to his or her eligibility to vote. For each electronic  
4 application, the Secretary of State shall obtain a copy of the  
5 electronic representation of the applicant's signature from the  
6 Department of Motor Vehicles' records of his or her motor vehicle  
7 operator's license or state identification card for purposes of voter  
8 registration.

9 (2) The application shall contain substantially all the  
10 information provided in section 32-312 and the following  
11 informational statements:

12 (a) An applicant who submits this application  
13 electronically is affirming that the information in the application  
14 is true. Any applicant who submits this application electronically  
15 knowing that any of the information in the application is false shall  
16 be guilty of a Class IV felony under section 32-1502 of the statutes  
17 of Nebraska. The penalty for a Class IV felony is up to five years  
18 imprisonment, a fine of up to ten thousand dollars, or both;

19 (b) An applicant who submits this application  
20 electronically is agreeing to the use of his or her signature from  
21 the Department of Motor Vehicles' records of his or her motor vehicle  
22 operator's license or state identification card for purposes of voter  
23 registration;

24 (c) To vote at the polling place on election day, the  
25 completed application must be submitted on or before the third Friday

1 before the election; and

2 (d) The election commissioner or county clerk will, upon  
3 receipt of the application for registration, send an acknowledgment  
4 of registration to the applicant indicating whether the application  
5 is proper or not.

6 Sec. 4. Section 32-309, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 32-309 (1) Upon receipt of a completed voter registration  
9 application, a county treasurer, a license examiner of the Department  
10 of Motor Vehicles, and any other person who issues motor vehicle  
11 operators' licenses or state identification cards shall deliver the  
12 completed voter registration application to the election commissioner  
13 or county clerk of the county in which the county treasurer, license  
14 examiner, or other person is located not later than ten days after  
15 receipt by the county treasurer, license examiner, or other person,  
16 except that if the voter registration application is received within  
17 five days prior to the third Friday preceding any election, it shall  
18 be delivered not later than five days after its original filing date.  
19 The election commissioner or county clerk shall, if necessary,  
20 forward the voter registration application to the election  
21 commissioner or county clerk of the county in which the applicant  
22 resides within such prescribed time limits. Any information on  
23 whether an applicant registers or declines to register and the  
24 location of the office at which he or she registers shall be  
25 confidential and shall only be used for voter registration purposes.

1           (2) The Department of Motor Vehicles, in conjunction with  
2 the Secretary of State, shall, on or before January 1, 2016, develop  
3 and implement a process to electronically transmit voter registration  
4 application information received under this section to the election  
5 commissioner or county clerk of the county in which the applicant  
6 resides within the time limits prescribed in subsection (1) of this  
7 section. For each voter registration application for which  
8 information is transmitted electronically pursuant to this  
9 subsection, the Secretary of State shall obtain a copy of the  
10 electronic representation of the applicant's signature from the  
11 Department of Motor Vehicles' records of his or her motor vehicle  
12 operator's license or state identification card for purposes of voter  
13 registration.

14           Sec. 5. Section 32-312, Revised Statutes Cumulative  
15 Supplement, 2012, is amended to read:

16           32-312 The registration application prescribed by the  
17 Secretary of State pursuant to section 32-311.01 or section 3 of this  
18 act shall provide the instructional statements and request the  
19 information from the applicant as provided in this section.

20           CITIZENSHIP—"Are you a citizen of the United States of  
21 America?" with boxes to check to indicate whether the applicant is or  
22 is not a citizen of the United States.

23           AGE—"Are you at least eighteen years of age or will you  
24 be eighteen years of age on or before the first Tuesday following the  
25 first Monday of November of this year?" with boxes to check to

1 indicate whether or not the applicant will be eighteen years of age  
2 or older on election day.

3           WARNING—"If you checked 'no' in response to either of  
4 these questions, do not complete this application."

5           NAME—the name of the applicant giving the first and last  
6 name in full, the middle name in full or the middle initial, and the  
7 maiden name of the applicant, if applicable.

8           RESIDENCE—the name and number of the street, avenue, or  
9 other location of the dwelling where the applicant resides if there  
10 is a number. If the registrant resides in a hotel, apartment,  
11 tenement house, or institution, such additional information shall be  
12 included as will give the exact location of such registrant's place  
13 of residence. If the registrant lives in an incorporated or  
14 unincorporated area not identified by the use of roads, road names,  
15 or house numbers, the registrant shall state the section, township,  
16 and range of his or her residence and the corporate name of the  
17 school district as described in section 79-405 in which he or she is  
18 located.

19           POSTAL ADDRESS—the address at which the applicant  
20 receives mail if different from the residence address.

21           ADDRESS OF LAST REGISTRATION—the name and number of the  
22 street, avenue, or other location of the dwelling from which the  
23 applicant last registered.

24           TELEPHONE NUMBERS—the telephone number of the applicant  
25 at work and at home. At the request of the applicant, a designation

1 shall be made that the telephone number is an unlisted number, and  
2 such designation shall preclude the listing of the applicant's  
3 telephone number on any list of voter registrations.

4 EMAIL ADDRESS—an email address of the applicant. At the  
5 request of the applicant, a designation shall be made that the email  
6 address is private, and such designation shall preclude the listing  
7 of the applicant's email address on any list of voter registrations.

8 DRIVER'S LICENSE NUMBER OR LAST FOUR DIGITS OF SOCIAL  
9 SECURITY NUMBER—if the applicant has a Nebraska driver's license, the  
10 license number, and if the applicant does not have a Nebraska  
11 driver's license, the last four digits of the applicant's social  
12 security number.

13 DATE OF APPLICATION FOR REGISTRATION—the month, day, and  
14 year when the applicant presented himself or herself for  
15 registration, ~~or~~—when the applicant completed and signed the  
16 registration application if the application was submitted by mail or  
17 delivered to the election official by the applicant's personal  
18 messenger or personal agent, or when the completed application was  
19 submitted if the registration application was completed pursuant to  
20 section 3 of this act.

21 PLACE OF BIRTH—show the state, country, kingdom, empire,  
22 or dominion where the applicant was born.

23 DATE OF BIRTH—show the date of the applicant's birth. The  
24 applicant shall be at least eighteen years of age or attain eighteen  
25 years of age on or before the first Tuesday after the first Monday in

1 November to have the right to register and vote in any election in  
2 the present calendar year.

3           REGISTRATION TAKEN BY—show the signature of the  
4 authorized official or staff member accepting the application  
5 pursuant to section 32-309 or 32-310 or at least one of the deputy  
6 registrars taking the application pursuant to section 32-306, if  
7 applicable.

8           PARTY AFFILIATION—show the party affiliation of the  
9 applicant as Democrat, Republican, or Other ..... or show no party  
10 affiliation as Nonpartisan. (Note: If you wish to vote in both  
11 partisan and nonpartisan primary elections for state and local  
12 offices, you must indicate a political party affiliation on the  
13 registration application. If you register without a political party  
14 affiliation (nonpartisan), you will receive only the nonpartisan  
15 ballots for state and local offices at primary elections. If you  
16 register without a political party affiliation, you may vote in  
17 partisan primary elections for congressional offices.)

18           OTHER—information the Secretary of State determines will  
19 assist in the proper and accurate registration of the voter.

20           Immediately following the spaces for inserting  
21 information as provided in this section, the following statement  
22 shall be printed:

23           To the best of my knowledge and belief, I declare under  
24 penalty of election falsification that:

25           (1) I live in the State of Nebraska at the address



1 provided in this application;

2 (2) I have not been convicted of a felony or, if  
3 convicted, it has been at least two years since I completed my  
4 sentence for the felony, including any parole term;

5 (3) I have not been officially found to be non compos  
6 mentis (mentally incompetent); and

7 (4) I am a citizen of the United States.

8 Any registrant who signs this application knowing that  
9 any of the information in the application is false shall be guilty of  
10 a Class IV felony under section 32-1502 of the statutes of Nebraska.  
11 The penalty for a Class IV felony is up to five years imprisonment, a  
12 fine of up to ten thousand dollars, or both.

13 APPLICANT'S SIGNATURE—require the applicant to affix his  
14 or her signature to the application.

15 Sec. 6. Section 32-312.05, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 32-312.05 The date that a person's voter registration  
18 record or an update of his or her voter registration record becomes  
19 effective is the date the person presented himself or herself in  
20 person to register, the date the registration application was  
21 delivered to the election commissioner or county clerk, or the date  
22 the registration application was received by the election  
23 commissioner or county clerk if the person submitted the registration  
24 application by mail or pursuant to section 3 of this act.

25 Sec. 7. Section 32-321, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           32-321 (1) Any elector may request a voter registration  
3 application from the office of the Secretary of State or the election  
4 commissioner or county clerk. The Secretary of State and the election  
5 commissioner or county clerk shall make registration applications  
6 prescribed by the Secretary of State available and may place the  
7 applications in public places. The Secretary of State and the  
8 election commissioner or county clerk may require that all unused  
9 applications be returned to his or her office and may place  
10 reasonable limits on the amount of applications requested.

11           (2) If an elector returns the completed application to  
12 the office of the Secretary of State or submits an application to the  
13 Secretary of State pursuant to section 3 of this act, the office  
14 shall deliver the application to the election commissioner or county  
15 clerk of the county in which the elector resides not later than ten  
16 days after receipt by the office, except that if the application is  
17 returned to the office or submitted pursuant to section 3 of this act  
18 within five days prior to the third Friday preceding any election, it  
19 shall be delivered not later than five days after the date it is  
20 returned. The deadline for returning a completed application to the  
21 office of the Secretary of State or submitting an application  
22 pursuant to section 3 of this act is the close of business on the  
23 third Friday preceding an election to be registered to vote at such  
24 election. A registration application received after the deadline  
25 shall not be processed by the election commissioner or county clerk

1 until after the election. The office of the Secretary of State shall  
2 be a designated voter registration agency for purposes of section 7  
3 of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg-5,  
4 as such section existed on March 11, 2008.

5 (3) If an elector mails the registration application to  
6 the election commissioner or county clerk:

7 (a)(i) The application shall be postmarked on or before  
8 the third Friday before the next election; or

9 (ii) The application shall be received not later than the  
10 second Tuesday before the next election if the postmark is  
11 unreadable; and

12 (b) The application shall be processed by the election  
13 office as a proper registration for the voter to be entitled to vote  
14 on the day of the next election.

15 (4) If the registration application arrives after the  
16 registration deadline, the application shall not be processed until  
17 after the election. Written notice shall be given to any applicant  
18 whose registration application failed to meet the registration  
19 deadline or was found to be incorrect or incomplete and shall state  
20 the specific reason for rejection. If the application is incomplete,  
21 the election commissioner or county clerk shall notify the applicant  
22 of the failure to provide the required information, including failure  
23 to provide identification if required, and provide the applicant with  
24 the opportunity to submit an identification document as described in  
25 section 32-318.01 prior to the deadline for voter registration or to

1 complete and submit a corrected registration application in a timely  
2 manner to allow for the proper registration of the applicant prior to  
3 the next election. All postage costs related to returning  
4 registration applications to the election commissioner or county  
5 clerk shall be paid by the registrant.

6 Sec. 8. Section 32-323, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 32-323 Registration pursuant to section 3 of this act or  
9 by mail shall not constitute a valid registration for purposes of  
10 signing any type of petition requiring the validation of the  
11 signatures of registered voters until a complete and correct  
12 registration application has been received by the election  
13 commissioner or county clerk. A signature on a petition shall be  
14 considered a valid signature as of the date that the election  
15 commissioner or county clerk receives the registration application of  
16 the registrant.

17 Sec. 9. Section 32-325, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 32-325 (1) A registration application completed and  
20 signed by a registered voter seeking to update his or her voter  
21 registration record shall be completed in person at or delivered or  
22 mailed to the office of the election commissioner or county clerk or  
23 submitted pursuant to section 3 of this act to the Secretary of  
24 State. To avoid additional requirements at the polling place pursuant  
25 to section 32-914.01, 32-914.02, or 32-915, an application to update

1 a voter registration record must be:

2 (a) Completed or delivered by the applicant in person at  
3 the office of the election commissioner or county clerk on or before  
4 the deadline prescribed in section 32-302; or

5 (b) Delivered by a personal messenger or personal agent,  
6 submitted pursuant to section 3 of this act, or mailed so that it is  
7 received by the election commissioner or county clerk on or before  
8 the deadline prescribed in section 32-321.

9 (2) After verifying the signature on the previous  
10 registration of the registered voter, the election commissioner or  
11 county clerk shall make the change of name, party affiliation, or  
12 address on all pertinent election records. The election commissioner  
13 or county clerk shall send an acknowledgment card to the registered  
14 voter indicating that the change of registration has been completed  
15 and shall include the address of the registered voter's new polling  
16 place.

17 Sec. 10. Section 32-902, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 32-902 (1) The election commissioner or county clerk  
20 shall cause instructions for the guidance of registered voters in  
21 preparing their ballots to be printed in large, clear type on cards  
22 in English. He or she shall furnish at least five such cards to each  
23 polling place in each precinct at the same time and in the same  
24 manner as the printed ballots. The judges or clerks of election shall  
25 post such cards in each voting booth on the day of election. The card

1 shall contain full instructions on preparing and casting ballots,  
2 including how to cast a write-in vote. The form and contents of the  
3 cards shall be approved by the Secretary of State.

4 (2) The election commissioner or county clerk shall cause  
5 voting information to be posted in each polling place on the day of  
6 election. The voting information shall include the following  
7 information as approved by the Secretary of State:

8 (a) Information regarding the date of the election and  
9 the hours during which polling places will be open;

10 (b) Instructions for voters who registered to vote  
11 pursuant to section 3 of this act or by mail and first-time voters;

12 (c) General information on voting rights under applicable  
13 federal and state laws, including information on the right of an  
14 individual to cast a provisional ballot and instructions on how to  
15 contact the appropriate officials if these rights are alleged to have  
16 been violated; and

17 (d) General information on federal and state laws  
18 regarding prohibitions on acts of fraud and misrepresentation.

19 Sec. 11. Section 32-915, Revised Statutes Cumulative  
20 Supplement, 2012, is amended to read:

21 32-915 (1) A person whose name does not appear on the  
22 precinct list of registered voters at the polling place for the  
23 precinct in which he or she resides, whose name appears on the  
24 precinct list of registered voters at the polling place for the  
25 precinct in which he or she resides at a different residence address

1 as described in section 32-914.02, or whose name appears with a  
2 notation that he or she received a ballot for early voting may vote a  
3 provisional ballot if he or she:

4 (a) Claims that he or she is a registered voter who has  
5 continuously resided in the county in which the precinct is located  
6 since registering to vote;

7 (b) Is not entitled to vote under section 32-914.01 or  
8 32-914.02;

9 (c) Has not registered to vote or voted in any other  
10 county since registering to vote in the county in which the precinct  
11 is located;

12 (d) Has appeared to vote at the polling place for the  
13 precinct to which the person would be assigned based on his or her  
14 residence address; and

15 (e) Completes and signs a registration application before  
16 voting.

17 (2) A voter whose name appears on the precinct list of  
18 registered voters for the polling place with a notation that the  
19 voter is required to present identification pursuant to section  
20 32-318.01 but fails to present identification may vote a provisional  
21 ballot if he or she completes and signs a registration application  
22 before voting.

23 (3) Each person voting by provisional ballot shall  
24 enclose his or her ballot in an envelope marked Provisional Ballot  
25 and shall, by signing the certification on the front of the envelope

1 or a separate form attached to the envelope, certify to the following  
2 facts:

3 (a) I am a registered voter in ..... County;

4 (b) My name or address did not correctly appear on the  
5 precinct list of registered voters;

6 (c) I registered to vote on or about this  
7 date .....

8 (d) I registered to vote  
9 .... in person at the election office or a voter  
10 registration site,

11 .... by mail,

12 .... by using the Secretary of State's web site,

13 ~~.... on a form~~ through the Department of Motor Vehicles,

14 .... on a form through another state agency,

15 .... in some other way;

16 (e) I have not resided outside of this county or voted  
17 outside of this county since registering to vote in this county;

18 (f) My current address is shown on the registration  
19 application completed as a requirement for voting by provisional  
20 ballot; and

21 (g) I am eligible to vote in this election and I have not  
22 voted and will not vote in this election except by this ballot.

23 (4) The voter shall sign the certification under penalty  
24 of election falsification. The following statements shall be on the  
25 front of the envelope or on the attached form: By signing the front



1 of this envelope or the attached form you are certifying to the  
2 information contained on this envelope or the attached form under  
3 penalty of election falsification. Election falsification is a Class  
4 IV felony and may be punished by up to five years imprisonment, a  
5 fine of up to ten thousand dollars, or both.

6 (5) If the person's name does not appear on the precinct  
7 list of registered voters for the polling place and the judge or  
8 clerk of election determines that the person's residence address is  
9 located in another precinct within the same county, the judge or  
10 clerk of election shall direct the person to his or her correct  
11 polling place to vote.

12 Sec. 12. Section 60-484, Revised Statutes Supplement,  
13 2013, is amended to read:

14 60-484 (1)(a) This subsection applies until the  
15 implementation date designated by the director on or before January  
16 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's  
17 License Act, no resident of the State of Nebraska shall operate a  
18 motor vehicle upon the alleys or highways of this state until the  
19 person has obtained an operator's license for that purpose.

20 (b) Application for an operator's license or a state  
21 identification card shall be made in a manner prescribed by the  
22 department. Such application may be made to department personnel in  
23 any county. Department personnel shall conduct the examination of the  
24 applicant and deliver to each successful applicant an issuance  
25 certificate containing the statements made pursuant to subdivision

1 (c) of this subsection.

2 (c) The applicant (i) shall provide his or her full legal  
3 name, date of birth, mailing address, gender, race or ethnicity, and  
4 social security number, two forms of proof of address of his or her  
5 principal residence unless the applicant is a program participant  
6 under the Address Confidentiality Act, evidence of identity as  
7 required by subdivision (1)(f) of this subsection, and a brief  
8 physical description of himself or herself, (ii) may complete the  
9 voter registration portion pursuant to section 32-308, (iii) shall be  
10 provided the advisement language required by subsection (5) of  
11 section 60-6,197, (iv) shall answer the following:

12 (A) Have you within the last three months (e.g. due to  
13 diabetes, epilepsy, mental illness, head injury, stroke, heart  
14 condition, neurological disease, etc.):

15 (I) lost voluntary control or consciousness ... yes ...  
16 no

17 (II) experienced vertigo or multiple episodes of  
18 dizziness or fainting ... yes ... no

19 (III) experienced disorientation ... yes ... no

20 (IV) experienced seizures ... yes ... no

21 (V) experienced impairment of memory, memory loss ...  
22 yes ... no

23 Please explain: .....

24 (B) Do you experience any condition which affects your  
25 ability to operate a motor vehicle? (e.g. due to loss of, or

1 impairment of, foot, leg, hand, arm; neurological or neuromuscular  
2 disease, etc.) ... yes ... no

3 Please explain: .....

4 (C) Since the issuance of your last driver's license/  
5 permit, has your health or medical condition changed or worsened? ...  
6 yes ... no

7 Please explain, including how the above affects your  
8 ability to drive: ....., and (v) may answer the  
9 following:

10 (A) Do you wish to register to vote as part of this  
11 application process?

12 (B) Do you wish to have the word "veteran" displayed on  
13 the front of your operator's license or state identification card to  
14 show that you served in the armed forces of the United States? (To be  
15 eligible you must register with the Nebraska Department of Veterans'  
16 Affairs registry.)

17 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE  
18 FOLLOWING QUESTIONS:

19 (C) Do you wish to be an organ and tissue donor?

20 (D) Do you wish to receive any additional specific  
21 information regarding organ and tissue donation and the Donor  
22 Registry of Nebraska?

23 (E) Do you wish to donate \$1 to promote the Organ and  
24 Tissue Donor Awareness and Education Fund?

25 (d) Application for an operator's license or state

1 identification card shall include a signed oath, affirmation, or  
2 declaration of the applicant that the information provided on the  
3 application for the license or card is true and correct.

4 (e) The social security number shall not be printed on  
5 the operator's license or state identification card and shall be used  
6 only (i) to furnish information to the United States Selective  
7 Service System under section 60-483, (ii) with the permission of the  
8 director in connection with the verification of the status of an  
9 individual's driving record in this state or any other state, (iii)  
10 for purposes of child support enforcement pursuant to section  
11 42-358.08 or 43-512.06, (iv) to furnish information regarding an  
12 applicant for or holder of a commercial driver's license with a  
13 hazardous materials endorsement to the Transportation Security  
14 Administration of the United States Department of Homeland Security  
15 or its agent, or (v) to furnish information to the Department of  
16 Revenue under section 77-362.02.

17 (f)(i) Each individual applying for an operator's license  
18 or a state identification card shall furnish proof of date of birth  
19 and identity with documents containing a photograph or with nonphoto  
20 identity documents which include his or her full legal name and date  
21 of birth. Such documents shall include, but not be limited to, any  
22 valid Nebraska operator's license or Nebraska state identification  
23 card, a valid operator's license or identification card from another  
24 state or jurisdiction of the United States, a certified birth  
25 certificate, a valid United States passport, or any other United

1 States-based identification as approved by the director.

2 (ii) Any individual under the age of eighteen years  
3 applying for an operator's license or a state identification card  
4 shall provide a certified copy of his or her birth certificate or, if  
5 such individual is unable to provide a certified copy of his or her  
6 birth certificate, other reliable proof of his or her identity and  
7 age, as required in subdivision (1)(f)(i) of this section,  
8 accompanied by a certification signed by a parent or guardian  
9 explaining the inability to produce a copy of such birth certificate.  
10 The applicant also may be required to furnish proof to department  
11 personnel that the parent or guardian signing the certification is in  
12 fact the parent or guardian of such applicant.

13 (iii) An applicant may present other documents as proof  
14 of identification and age designated by the director. Any documents  
15 accepted shall be recorded according to a written exceptions process  
16 established by the director.

17 (g) Any individual applying for an operator's license or  
18 a state identification card who indicated his or her wish to have the  
19 word "veteran" displayed on the front of such license or card shall  
20 comply with section 60-4,189.

21 (2)(a) This subsection applies beginning on an  
22 implementation date designated by the director on or before January  
23 1, 2014. Except as otherwise provided in the Motor Vehicle Operator's  
24 License Act, no resident of the State of Nebraska shall operate a  
25 motor vehicle upon the alleys or highways of this state until the

1 person has obtained an operator's license for that purpose.

2 (b) Application for an operator's license or a state  
3 identification card shall be made in a manner prescribed by the  
4 department. Such application may be made to department personnel in  
5 any county. Department personnel shall conduct the examination of the  
6 applicant and deliver to each successful applicant an issuance  
7 certificate containing the statements made pursuant to subdivision  
8 (c) of this subsection.

9 (c) The applicant shall provide his or her full legal  
10 name, date of birth, mailing address, gender, race or ethnicity, and  
11 social security number, two forms of proof of address of his or her  
12 principal residence unless the applicant is a program participant  
13 under the Address Confidentiality Act, evidence of identity as  
14 required by subdivision (2)(f) of this subsection, and a brief  
15 physical description of himself or herself. The applicant (i) may  
16 also complete the voter registration portion pursuant to section  
17 32-308, (ii) shall be provided the advisement language required by  
18 subsection (5) of section 60-6,197, (iii) shall answer the following:

19 (A) Have you within the last three months (e.g. due to  
20 diabetes, epilepsy, mental illness, head injury, stroke, heart  
21 condition, neurological disease, etc.):

22 (I) lost voluntary control or consciousness ... yes ...  
23 no

24 (II) experienced vertigo or multiple episodes of  
25 dizziness or fainting ... yes ... no

1 (III) experienced disorientation ... yes ... no

2 (IV) experienced seizures ... yes ... no

3 (V) experienced impairment of memory, memory loss ...

4 yes ... no

5 Please explain: .....

6 (B) Do you experience any condition which affects your  
7 ability to operate a motor vehicle? (e.g. due to loss of, or  
8 impairment of, foot, leg, hand, arm; neurological or neuromuscular  
9 disease, etc.) ... yes ... no

10 Please explain: .....

11 (C) Since the issuance of your last driver's license/  
12 permit, has your health or medical condition changed or worsened? ...  
13 yes ... no

14 Please explain, including how the above affects your  
15 ability to drive: ....., and (iv) may answer the  
16 following:

17 (A) Do you wish to register to vote as part of this  
18 application process?

19 (B) Do you wish to have the word "veteran" displayed on  
20 the front of your operator's license or state identification card to  
21 show that you served in the armed forces of the United States? (To be  
22 eligible you must register with the Nebraska Department of Veterans'  
23 Affairs registry.)

24 OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE  
25 FOLLOWING QUESTIONS:

1 (C) Do you wish to be an organ and tissue donor?

2 (D) Do you wish to receive any additional specific  
3 information regarding organ and tissue donation and the Donor  
4 Registry of Nebraska?

5 (E) Do you wish to donate \$1 to promote the Organ and  
6 Tissue Donor Awareness and Education Fund?

7 (d) Application for an operator's license or state  
8 identification card shall include a signed oath, affirmation, or  
9 declaration of the applicant that the information provided on the  
10 application for the license or card is true and correct.

11 (e) The social security number shall not be printed on  
12 the operator's license or state identification card and shall be used  
13 only (i) to furnish information to the United States Selective  
14 Service System under section 60-483, (ii) with the permission of the  
15 director in connection with the verification of the status of an  
16 individual's driving record in this state or any other state, (iii)  
17 for purposes of child support enforcement pursuant to section  
18 42-358.08 or 43-512.06, (iv) to furnish information regarding an  
19 applicant for or holder of a commercial driver's license with a  
20 hazardous materials endorsement to the Transportation Security  
21 Administration of the United States Department of Homeland Security  
22 or its agent, ~~or~~(v) to furnish information to the Department of  
23 Revenue under section 77-362.02, or (vi) to furnish information to  
24 the Secretary of State for purposes of the Election Act.

25 (f)(i) Each individual applying for an operator's license



1 or a state identification card shall furnish proof of date of birth  
2 and identity with documents containing a photograph or with nonphoto  
3 identity documents which include his or her full legal name and date  
4 of birth. Such documents shall be those provided in subsection (2) of  
5 section 60-484.04.

6 (ii) Any individual under the age of eighteen years  
7 applying for an operator's license or a state identification card  
8 shall provide a certified copy of his or her birth certificate or, if  
9 such individual is unable to provide a certified copy of his or her  
10 birth certificate, other reliable proof of his or her identity and  
11 age, as required in subdivision (2)(f)(i) of this section,  
12 accompanied by a certification signed by a parent or guardian  
13 explaining the inability to produce a copy of such birth certificate.  
14 The applicant also may be required to furnish proof to department  
15 personnel that the parent or guardian signing the certification is in  
16 fact the parent or guardian of such applicant.

17 (iii) An applicant may present other documents as proof  
18 of identification and age designated by the director. Any documents  
19 accepted shall be recorded according to a written exceptions process  
20 established by the director.

21 (g) Any individual applying for an operator's license or  
22 a state identification card who indicated his or her wish to have the  
23 word "veteran" displayed on the front of such license or card shall  
24 comply with section 60-4,189.

25 (h) No person shall be a holder of an operator's license

1 and a state identification card at the same time.

2           Sec. 13. Section 60-484.02, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           60-484.02 (1) Each applicant for an operator's license or  
5 state identification card shall have his or her digital image taken.  
6 Digital images shall be preserved for use as prescribed in sections  
7 60-4,119, 60-4,151, and 60-4,180. The images shall be used for  
8 issuing operators' licenses and state identification cards. The  
9 images may be retrieved only by the Department of Motor Vehicles for  
10 issuing renewal, duplicate, and replacement operators' licenses and  
11 state identification cards and may not be otherwise released except  
12 in accordance with subsection (3) of this section.

13           (2) Upon application for an operator's license or state  
14 identification card, each applicant shall provide his or her  
15 signature in a form prescribed by the department. Digital signatures  
16 shall be preserved for use on original, renewal, duplicate, and  
17 replacement operators' licenses and state identification cards and  
18 may not be otherwise released except in accordance with subsection  
19 ~~(3)~~(4) of this section.

20           (3) No officer, employee, agent, or contractor of the  
21 department or law enforcement officer shall release a digital image  
22 ~~or a digital signature~~ except to a federal, state, or local law  
23 enforcement agency, a certified law enforcement officer employed in  
24 an investigative position by a federal, state, or local agency, or a  
25 driver licensing agency of another state for the purpose of carrying

1 out the functions of the agency or assisting another agency in  
2 carrying out its functions upon the verification of the identity of  
3 the person requesting the release of the information and the  
4 verification of the purpose of the requester in requesting the  
5 release. Any officer, employee, agent, or contractor of the  
6 department or law enforcement officer that knowingly discloses or  
7 knowingly permits disclosure of a digital image or digital signature  
8 in violation of this section shall be guilty of a Class I  
9 misdemeanor.

10 (4) No officer, employee, agent, or contractor of the  
11 department or law enforcement officer shall release a digital  
12 signature except (a) to a federal, state, or local law enforcement  
13 agency, a certified law enforcement officer employed in an  
14 investigative position by a state or federal agency, or a driver  
15 licensing agency of another state for the purpose of carrying out the  
16 functions of the agency or assisting another agency in carrying out  
17 its functions upon the verification of the identity of the person  
18 requesting the release of the information and the verification of the  
19 purpose of the requester in requesting the release or (b) to the  
20 office of the Secretary of State for the purpose of voter  
21 registration as described in section 32-309 or section 3 of this act  
22 upon the verification of the identity of the person requesting the  
23 release of the information and the verification of the purpose of the  
24 requester in requesting the release. No employee or official in the  
25 office of the Secretary of State shall release a digital signature

1 except to a federal, state, or local law enforcement agency, a  
2 certified law enforcement officer employed in an investigative  
3 position by a state or federal agency, or a driver licensing agency  
4 of another state for the purpose of carrying out the functions of the  
5 agency or assisting another agency in carrying out its functions upon  
6 the verification of the identity of the person requesting the release  
7 of the information and the verification of the purpose of the  
8 requester in requesting the release. Any officer, employee, agent, or  
9 contractor of the department, law enforcement officer, or employee or  
10 official in the office of the Secretary of State that knowingly  
11 discloses or knowingly permits disclosure of a digital signature in  
12 violation of this section shall be guilty of a Class I misdemeanor.

13           Sec. 14. Original sections 32-204, 32-309, 32-312.05,  
14 32-321, 32-323, 32-325, 32-902, and 60-484.02, Reissue Revised  
15 Statutes of Nebraska, sections 32-312 and 32-915, Revised Statutes  
16 Cumulative Supplement, 2012, and sections 32-101 and 60-484, Revised  
17 Statutes Supplement, 2013, are repealed.