

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 691**

Introduced by Cavanaugh, 6.

Read first time January 23, 2019

Committee:

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-201,
- 2 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised
- 3 Statutes Cumulative Supplement, 2018; to provide for Ornate Box
- 4 Turtle Conservation Plates; to create a fund; to harmonize
- 5 provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-201, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section  
4 2 of this act and the State Park System Construction Alternatives Act  
5 shall be known and may be cited as the Game Law.

6 Sec. 2. The Game and Parks Commission Turtle Habitat Fund is  
7 created. The fund shall consist of money credited pursuant to section 10  
8 of this act and any other money as determined by the Legislature. The  
9 commission shall use the fund to develop and support turtle habitat  
10 programs. Any money in the fund available for investment shall be  
11 invested by the state investment officer pursuant to the Nebraska Capital  
12 Expansion Act and the Nebraska State Funds Investment Act.

13 Sec. 3. Section 60-301, Revised Statutes Cumulative Supplement,  
14 2018, is amended to read:

15 60-301 Sections 60-301 to 60-3,235 and sections 9 and 10 of this act  
16 shall be known and may be cited as the Motor Vehicle Registration Act.

17 Sec. 4. Section 60-393, Revised Statutes Cumulative Supplement,  
18 2018, is amended to read:

19 60-393 Any owner who has two or more motor vehicles or trailers  
20 required to be registered under the Motor Vehicle Registration Act may  
21 register all such motor vehicles or trailers on a calendar-year basis or  
22 on an annual basis for the same registration period beginning in a month  
23 chosen by the owner. When electing to establish the same registration  
24 period for all such motor vehicles or trailers, the owner shall pay the  
25 registration fee, the motor vehicle tax imposed in section 60-3,185, the  
26 motor vehicle fee imposed in section 60-3,190, and the alternative fuel  
27 fee imposed in section 60-3,191 on each motor vehicle for the number of  
28 months necessary to extend its current registration period to the  
29 registration period under which all such motor vehicles or trailers will  
30 be registered. Credit shall be given for registration paid on each motor  
31 vehicle or trailer when the motor vehicle or trailer has a later

1 expiration date than that chosen by the owner except as otherwise  
2 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,  
3 60-3,224, 60-3,227, 60-3,233, and 60-3,235, and section 10 of this act.

4 Thereafter all such motor vehicles or trailers shall be registered on an  
5 annual basis starting in the month chosen by the owner.

6 Sec. 5. Section 60-395, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8 60-395 (1) Except as otherwise provided in subsection (2) of this  
9 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,  
10 60-3,224, 60-3,227, 60-3,231, 60-3,233, and 60-3,235, and section 10 of  
11 this act, the registration shall expire and the registered owner or  
12 lessee may, by returning the registration certificate, the license  
13 plates, and, when appropriate, the validation decals and by either making  
14 application on a form prescribed by the department to the county  
15 treasurer of the occurrence of an event described in subdivisions (a)  
16 through (e) of this subsection or, in the case of a change in situs,  
17 displaying to the county treasurer the registration certificate of such  
18 other state as evidence of a change in situs, receive a refund of that  
19 part of the unused fees and taxes on motor vehicles or trailers based on  
20 the number of unexpired months remaining in the registration period from  
21 the date of any of the following events:

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

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

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

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

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

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

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

8 (3) If the transferor or lessee acquires another motor vehicle at  
9 the time of the transfer, trade-in, or surrender, the transferor or  
10 lessee shall have the credit provided for in this section applied toward  
11 payment of the motor vehicle fees and taxes then owing. Otherwise, the  
12 transferor or lessee shall file a claim for refund with the county  
13 treasurer upon an application form prescribed by the department.

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

18 (5) For purposes of this section, the date of the event shall be:  
19 (a) In the case of a transfer or loss, the date of the transfer or loss;  
20 (b) in the case of a change in the situs, the date of registration in  
21 another state; (c) in the case of a trade-in or surrender under a lease,  
22 the date of trade-in or surrender; (d) in the case of a legislative act,  
23 the effective date of the act; and (e) in the case of a court decision,  
24 the date the decision is rendered.

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

28 (7) If a motor vehicle or trailer was reported stolen under section  
29 60-178, a refund under this section shall not be reduced for a lost plate  
30 charge and a credit under this section may be reduced for a lost plate  
31 charge but the applicant shall not be required to pay the plate fee for

1 new plates.

2 (8) The county treasurer shall refund the motor vehicle fee and  
3 registration fee from the fees which have not been transferred to the  
4 State Treasurer. The county treasurer shall make payment to the claimant  
5 from the undistributed motor vehicle taxes of the taxing unit where the  
6 tax money was originally distributed. No refund of less than two dollars  
7 shall be paid.

8 Sec. 6. Section 60-396, Revised Statutes Cumulative Supplement,  
9 2018, is amended to read:

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

1 credit for the registration fee and issue a credit certificate to the  
2 owner. For the motor vehicle tax and fee, the county treasurer shall  
3 determine the amount, if any, of the allowable credit and issue a credit  
4 certificate to the owner. When such motor vehicle or trailer is removed  
5 from service within the same month in which it was registered, no credits  
6 shall be allowed for such month. The credits may be applied against taxes  
7 and fees for new or replacement motor vehicles or trailers incurred  
8 within one year after cancellation of registration of the motor vehicle  
9 or trailer for which the credits were allowed. When any such motor  
10 vehicle or trailer is reregistered within the same registration year in  
11 which its registration has been canceled, the taxes and fees shall be  
12 that portion of the registration fee and the motor vehicle tax and fee  
13 for the remainder of the registration year.

14 Sec. 7. Section 60-3,104, Revised Statutes Cumulative Supplement,  
15 2018, is amended to read:

16 60-3,104 The department shall issue the following types of license  
17 plates:

18 (1) Amateur radio station license plates issued pursuant to section  
19 60-3,126;

20 (2) Apportionable vehicle license plates issued pursuant to section  
21 60-3,203;

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

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

24 (5) Breast Cancer Awareness Plates issued pursuant to sections  
25 60-3,230 and 60-3,231;

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

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

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

31 (9) Dealer or manufacturer license plates issued pursuant to

1 sections 60-3,114 and 60-3,115;

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

4 (11) Farm trailer license plates issued pursuant to section  
5 60-3,151;

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

7 (13) Farm trucks with a gross weight of over sixteen tons license  
8 plates issued pursuant to section 60-3,146;

9 (14) Fertilizer trailer license plates issued pursuant to section  
10 60-3,151;

11 (15) Gold Star Family license plates issued pursuant to sections  
12 60-3,122.01 and 60-3,122.02;

13 (16) Handicapped or disabled person license plates issued pursuant  
14 to section 60-3,113;

15 (17) Historical vehicle license plates issued pursuant to sections  
16 60-3,130 to 60-3,134;

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

18 (19) Metropolitan utilities district license plates issued pursuant  
19 to section 60-3,228;

20 (20) Military Honor Plates issued pursuant to sections 60-3,122.03  
21 and 60-3,122.04;

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

23 (22) 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 (23) Motor vehicles exempt pursuant to section 60-3,107;

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

28 (25) Mountain Lion Conservation Plates issued pursuant to sections  
29 60-3,226 and 60-3,227;

30 (26) Native American Cultural Awareness and History Plates issued  
31 pursuant to sections 60-3,234 and 60-3,235;

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

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

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

7 (30) Ornate Box Turtle Conservation Plates issued pursuant to  
8 sections 9 and 10 of this act;

9 (31) ~~(30)~~ 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 (32) ~~(31)~~ 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 (33) ~~(32)~~ Pearl Harbor license plates issued pursuant to section  
16 60-3,122;

17 (34) ~~(33)~~ Personal-use dealer license plates issued pursuant to  
18 section 60-3,116;

19 (35) ~~(34)~~ 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 (36) ~~(35)~~ Prisoner-of-war license plates issued pursuant to section  
24 60-3,123;

25 (37) ~~(36)~~ Public power district license plates issued pursuant to  
26 section 60-3,228;

27 (38) ~~(37)~~ Purple Heart license plates issued pursuant to section  
28 60-3,125;

29 (39) ~~(38)~~ Recreational vehicle license plates issued pursuant to  
30 section 60-3,151;

31 (40) ~~(39)~~ Repossession license plates issued pursuant to section



1 60-375;

2 ~~(41)~~ ~~(40)~~ Special interest motor vehicle license plates issued  
3 pursuant to section 60-3,135.01;

4 ~~(42)~~ ~~(41)~~ Specialty license plates issued pursuant to sections  
5 60-3,104.01 and 60-3,104.02;

6 ~~(43)~~ ~~(42)~~ Trailer license plates issued for trailers owned or  
7 operated by the state, counties, municipalities, or school districts  
8 issued pursuant to section 60-3,106;

9 ~~(44)~~ ~~(43)~~ Trailer license plates issued pursuant to section  
10 60-3,100;

11 ~~(45)~~ ~~(44)~~ Trailer license plates issued for trailers owned or  
12 operated by a metropolitan utilities district or public power district  
13 pursuant to section 60-3,228;

14 ~~(46)~~ ~~(45)~~ Trailers exempt pursuant to section 60-3,108;

15 ~~(47)~~ ~~(46)~~ Transporter license plates issued pursuant to section  
16 60-378;

17 ~~(48)~~ ~~(47)~~ Trucks or combinations of trucks, truck-tractors, or  
18 trailers which are not for hire and engaged in soil and water  
19 conservation work and used for the purpose of transporting pipe and  
20 equipment exclusively used by such contractors for soil and water  
21 conservation construction license plates issued pursuant to section  
22 60-3,149;

23 ~~(49)~~ ~~(48)~~ Utility trailer license plates issued pursuant to section  
24 60-3,151; and

25 ~~(50)~~ ~~(49)~~ Well-boring apparatus and well-servicing equipment license  
26 plates issued pursuant to section 60-3,109.

27 Sec. 8. Section 60-3,130.04, Revised Statutes Cumulative Supplement,  
28 2018, is amended to read:

29 60-3,130.04 (1) An owner of a historical vehicle eligible for  
30 registration under section 60-3,130 may use a license plate or plates  
31 designed by this state in the year corresponding to the model year when

1 the vehicle was manufactured in lieu of the plates designed pursuant to  
2 section 60-3,130.03 subject to the approval of the department. The  
3 department shall inspect the plate or plates and may approve the plate or  
4 plates if it is determined that the model-year license plate or plates  
5 are legible and serviceable and that the license plate numbers do not  
6 conflict with or duplicate other numbers assigned and in use. An  
7 original-issued license plate or plates that have been restored to  
8 original condition may be used when approved by the department.

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

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

16 (4) License plates used pursuant to this section corresponding to  
17 the year of manufacture of the vehicle shall not be personalized message  
18 license plates, Pearl Harbor license plates, prisoner-of-war license  
19 plates, disabled veteran license plates, Purple Heart license plates,  
20 amateur radio station license plates, Nebraska Cornhusker Spirit Plates,  
21 handicapped or disabled person license plates, specialty license plates,  
22 special interest motor vehicle license plates, Military Honor Plates,  
23 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,  
24 Mountain Lion Conservation Plates, Choose Life License Plates, ~~or~~ Native  
25 American Cultural Awareness and History Plates, or Ornate Box Turtle  
26 Conservation Plates.

27 Sec. 9. (1) The department shall design license plates to be known  
28 as Ornate Box Turtle Conservation Plates. The department shall create no  
29 more than three designs reflecting support for the conservation of Ornate  
30 Box Turtles. Each design shall be selected on the basis of limiting the  
31 manufacturing cost of each plate to an amount less than or equal to the

1 amount charged for license plates pursuant to section 60-3,102. The  
2 department shall make applications available for this type of plate by  
3 January 1, 2020. The department may adopt and promulgate rules and  
4 regulations to carry out this section and section 10 of this act.

5 (2) One type of Ornate Box Turtle Conservation Plates shall be  
6 alphanumeric plates. The department shall:

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

8 (b) Not use a county designation.

9 (3) One type of Ornate Box Turtle Conservation Plates shall be  
10 personalized message plates. Such plates shall be issued subject to the  
11 same conditions specified for personalized message license plates in  
12 section 60-3,118, except that a maximum of five characters may be used.

13 Sec. 10. (1) Beginning January 1, 2020, a person may apply to the  
14 department for Ornate Box Turtle Conservation Plates in lieu of regular  
15 license plates on an application prescribed and provided by the  
16 department for any motor vehicle, trailer, or semitrailer, except for a  
17 motor vehicle, trailer, or semitrailer registered under section 60-3,198.  
18 An applicant receiving an Ornate Box Turtle Conservation Plate for a farm  
19 truck with a gross weight of over sixteen tons shall affix the  
20 appropriate tonnage decal to the plate. The department shall make forms  
21 available for such applications through the county treasurers. The  
22 license plates shall be issued upon payment of the license fee described  
23 in subsection (2) of this section.

24 (2)(a) In addition to all other fees required for registration under  
25 the Motor Vehicle Registration Act, each application for initial issuance  
26 of alphanumeric Ornate Box Turtle Conservation Plates shall be  
27 accompanied by a fee of five dollars. An application for renewal of such  
28 plates shall be accompanied by a fee of five dollars. County treasurers  
29 collecting fees pursuant to this subdivision shall remit them to the  
30 State Treasurer. The State Treasurer shall credit five dollars of the fee  
31 to the Game and Parks Commission Turtle Habitat Fund.

1       (b) In addition to all other fees required for registration under  
2 the Motor Vehicle Registration Act, each application for initial issuance  
3 or renewal of personalized message Ornate Box Turtle Conservation Plates  
4 shall be accompanied by a fee of forty dollars. County treasurers  
5 collecting fees pursuant to this subdivision shall remit them to the  
6 State Treasurer. The State Treasurer shall credit twenty-five percent of  
7 the fee for initial issuance and renewal of such plates to the Department  
8 of Motor Vehicles Cash Fund and seventy-five percent of the fee to the  
9 Game and Parks Commission Turtle Habitat Fund.

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

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

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

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

12 Sec. 11. Original sections 37-201, 60-301, 60-393, 60-395, 60-396,  
13 60-3,104, and 60-3,130.04, Revised Statutes Cumulative Supplement, 2018,  
14 are repealed.