



## **NEBRASKA**

### ***Commercial Vehicle Safety Plan***

### **Federal Motor Carrier Safety Administration's Motor Carrier Safety Assistance Program**

**Fiscal Years 2020 - 2022  
Annual Update FY 2021**

**Date of Approval: June 09, 2021**

**FINAL CVSP**



**U.S. Department of Transportation  
Federal Motor Carrier Safety Administration**

## Part 1 - MCSAP Overview

### Part 1 Section 1 - Introduction

The Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved accidents, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.209, 350.211 and 350.213](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before the due date each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. Currently, the State must submit a performance-based plan or annual update each year to receive MCSAP funds.

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview (FY 2020 - 2022)
- Part 2: Crash Reduction and National Program Elements (FY 2020 - 2022)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2020 - 2022)
- Part 4: Financial Information (FY 2021)
- Part 5: Certifications and Documents (FY 2021)

You will find that each of the five eCVSP parts listed above contains different subsections. Each subsection category will provide you with detailed explanation and instruction on what to do for completing the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit a 3-year plan or an Annual Update to a 3-year plan. As used within the eCVSP, the term 'State' means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

#### REMINDERS FOR FY 2021:

**Multi-Year plans**—All States will be utilizing the multi-year CVSP format. This means that objectives, projected goals, and activities in the plan will cover a full three-year period. The financial information and certifications will be updated each fiscal year.

**Annual Updates for Multi-Year plans**—States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will review the project plan submitted the previous year and indicate any updates for the upcoming fiscal year by answering the "Yes/No" question provided in each Section of Parts 1-3.

- If Yes is indicated selected, the information provided for Year 1 will be editable and State users can make any necessary changes to their project plan. (Note: Trend Analysis information that supports your current activities is not editable.) Answer carefully as there is only one opportunity to select "Yes" before the question is locked.
- If "No" is selected, then no information in this section will be editable and the user should move forward to the next section.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2020 plans. States must carefully review and update this information to reflect FY 2021 activities prior to submission to FMCSA. The financial information and certifications will be updated each fiscal year.

- Any information that is added should detail major programmatic changes. Do not include minor modifications that reflect normal business operations (e.g., personnel changes).
- Add any updates to the narrative areas and indicate changes by preceding it with a heading (e.g., FY 2021 update). Include descriptions of the changes to your program, including how data tables were modified.

**Personally Identifiable Information - PII** is information which, on its own or matched with other data, would permit identification of an individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized

individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

States are reminded **not** to include any PII in their CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

## Part 1 Section 2 - Mission/Goal Statement

Please review the description of your State's lead CMV agency's goals or mission. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

### Instructions:

*Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.*

**NOTE:** Please do not include information on any other FMCSA grant activities or expenses in the CVSP.

The mission of the Nebraska State Patrol (NSP) is to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. This includes protecting the rights of all persons by respecting and preserving the dignity of all individuals. Through innovation and cooperation, we strive to promote and maintain the spirit of teamwork that is the tradition of the NSP. The NSP is committed to professional public service reflecting recognition of the inherent value of each individual in our society. Our troopers strive to earn and maintain trust, respect, and confidence by exemplifying the belief that the freedoms, rights, and dignity of all person(s) must be protected and preserved to this and we pledge ourselves to the highest standards of morality, fairness, dedication, professionalism, and courage.

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .228. Nationally, there was an 9% increase in fatalities from 2016 to 2017. (2017 Annual Truck/Bus Crash Facts). At .228, Nebraska's 2018 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. To accomplish this rate, Nebraska seeks a reduction of accidents to 40 from 46 for an annual average of .191 fatalities/100M VMT, putting it below the 5 year average, and accomplished by an annual reduction of 2 fatal accidents per year. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled.

FY2021 Update: Nebraska VMT increased in 2019 to 21,261 million miles traveled. This represents an increase of 1.2% over the previous year. Fatal accidents involving commercial motor vehicles rose to 52 for the 2019 calendar year, with a total loss of 66 lives, due to several accidents involving multiple fatalities. This puts the fatality rate per 100 million VMT at .31, which is a rise from the previous year. Efforts to understand and mitigate these trends will follow in this Plan, with the goal of reducing fatalities to a rate that is below the 5 year trend.

The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in accidents. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. Additionally, the Nebraska State Patrol Carrier Enforcement Division will seek to impact accident causation factors such as following too close, speeding, distracted driving and right of way infringement. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year.

### Part 1 Section 3 - MCSAP Structure Explanation

Please review your State's CMV enforcement program description. You must answer the questions about your grant activities. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

#### Instructions:

*Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant.*

**NOTE:** Please do not include activities or expenses associated with any other FMCSA grant program.

The Governor of the State of Nebraska has designated the Nebraska State Patrol (NSP) as the "lead agency" of the Motor Carrier Safety Assistance Program (MCSAP) since the inception of MCSAP in 1987. The Carrier Enforcement Division within NSP administers the MCSAP and has an authorized strength of 89 Troopers that conduct Roadside Inspections (fixed and portable), Compliance Reviews, and Safety Audits. At the current time, the Division has several open positions, and has a current manpower allocation of approximately 80 persons. Additionally, approximately 200 Traffic Troopers conduct Level III roadside inspections that are not funded by MCSAP however their hours are utilized as part of NSP's Maintenance of Effort. Total manpower for all divisions totals approximately 280 persons. In addition, nine civilians support the MCSAP either in a full or part-time basis.

The Safety Audit and Compliance Review section began in 1989. The task of this section is to conduct in-depth reviews of Carrier Compliance with the applicable safety regulations, to include those involving hazardous material regulations. One Lieutenant and one Sergeant oversee the three investigators assigned to the Compliance Review program and three investigators assigned to the New Entrant Safety Audit program.

The Commercial Vehicle Enforcement (CVE) team was formed in 1997 and focuses on enforcement of moving violations committed by commercial motor vehicles and performing inspections on all CMV's stopped. Work efforts are concentrated in specific high accident counties which are determined by the Nebraska Department of Roads Accident Records Data Base.

**Part 1 Section 4 - MCSAP Structure**

Please review your State's MCSAP structure information. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

**Instructions:**

Complete the following tables for the MCSAP lead agency, each subrecipient and non-funded agency conducting eligible CMV safety activities.

The tables below show the total number of personnel participating in MCSAP activities, including full time and part time personnel. This is the total number of non-duplicated individuals involved in all MCSAP activities within the CVSP. (The agency and subrecipient names entered in these tables will be used in the National Program Elements—Roadside Inspections area.)

The national program elements sub-categories represent the number of personnel involved in that specific area of enforcement. FMCSA recognizes that some staff may be involved in more than one area of activity.

Lead Agency Information	
Agency Name:	NEBRASKA STATE PATROL
Enter total number of personnel participating in MCSAP activities	80
<b>National Program Elements</b>	<b>Enter # personnel below</b>
Driver and Vehicle Inspections	280
Traffic Enforcement Activities	280
Investigations*	6
Public Education and Awareness	80
Data Collection and Reporting	8
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	
Enter total number of personnel participating in MCSAP activities	0
<b>National Program Elements</b>	<b>Enter # personnel below</b>
Driver and Vehicle Inspections	0
Traffic Enforcement Activities	0
Investigations*	0
Public Education and Awareness	0
Data Collection and Reporting	0
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	
Total # of MCSAP Participating Personnel:	

## Part 2 - Crash Reduction and National Program Elements

### Part 2 Section 1 - Overview

*Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2020 - 2022 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.*

*In past years, the program effectiveness summary trend analysis and performance goals were separate areas in the CVSP. Beginning in FY 2017, these areas have been merged and categorized by the National Program Elements as described in [49 CFR 350.109](#). This change is intended to streamline and incorporate this information into one single area of the CVSP based upon activity type.*

**Note:** *For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the State Quarterly Report and CVSP Data Dashboard, and/or the CVSP Toolkit on the A&I Online website. The Data Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <http://ai.fmcsa.dot.gov/StatePrograms/Home.aspx>. A user id and password are required to access this system.*

*In addition, States can utilize other data sources available on the A&I Online website as well as internal State data sources. It is important to reference the data source used in developing problem statements, baselines and performance goals/objectives.*



## Part 2 Section 2 - CMV Crash Reduction

Please review the description of your State's crash reduction problem statement, goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing commercial motor vehicle (CMV) related crashes.

### Trend Analysis for 2014 - 2018

#### Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
  - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
  - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.

### ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

**Goal measurement as defined by your State:** Large Truck Fatal Crashes per 100M VMT

If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	46	0.50	0.22
01/01/2017	12/31/2017	48	0.50	0.23
01/01/2016	12/31/2016	42	0.50	0.27
01/01/2015	12/31/2015	33	0.50	0.16
01/01/2014	12/31/2014	41	0.50	0.26

**MOTORCOACH/PASSENGER CARRIER CRASHES**

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

**Goal measurement as defined by your State:** Actual # Fatal Crashes

**If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:**

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	1	0	1
01/01/2017	12/31/2017	0	0	0
01/01/2016	12/31/2016	0	0	0
01/01/2015	12/31/2015	0	0	0
01/01/2014	12/31/2014	1	0	1

## Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

Hazardous material is anything that is listed in the hazardous materials table or that meets the definition of any of the hazard classes as specified by Federal law. The Secretary of Transportation has determined that hazardous materials are those materials capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous material includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and all other materials listed in the hazardous materials table.

For the purposes of the table below, HM crashes involve a release/spill of HM that is part of the manifested load. (This does not include fuel spilled from ruptured CMV fuel tanks as a result of the crash).

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g., large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

**Goal measurement as defined by your State:** Actual # Fatal Crashes

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	2	0	2
01/01/2016	12/31/2016	4	0	4
01/01/2015	12/31/2015	1	0	1
01/01/2014	12/31/2014	1	0	1

**Enter the data sources and capture dates of the data listed in each of the tables above.**

Nebraska Office of Highway Safety (Motor Vehicles Traveled in Nebraska) and the Nebraska Department of Transportation Accidents and Records Division July 15, 2019 FMCSA A&I July 2, 2019

**Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.**

Crash prediction is difficult and involves many factors. Nebraska has generally seen an increase in million miles driven within our State, with a slight reduction in 2018. Since 2104, fatal accidents have generally crept up numerically, but have seen a slight decrease related to 100 million VMT recently. Nebraska sets a goal of not more than .50 fatalities/ 100 million VMT, and has consistently met that goal. The Nebraska State Safety Plan calls for a rate of .90 fatalities, and the goal of the Nebraska State Patrol Carrier Division help to achieve this goal.

Nebraska recognizes work zone crashes are proportionally more dangerous when CMV's are involved. Emphasis will be placed on High Accident Counties and work zone enforcement. The Nebraska State Patrol is working in cooperation with the Nebraska Department of Roads and the Nebraska Information and Analysis Center (NIAC) to leverage GIS mapping technologies that can be utilized to identify patterns of pre-accident identifiers as well as actual accident data that can be used to guide enforcement and awareness efforts.

**Narrative Overview for FY 2020 - 2022****Instructions:**

*The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.*

**Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.**

Nebraska has a total of 93 counties, with an over representation of CMV accidents in identified high accident Counties (HACs). In the calendar year 2018, the top 10 HACs represented 55.6% or 831 CMV crashes compared to 44.4% or 663 CMV crashes in all other counties within the state.

NSP Carrier Enforcement has determined the top 10 High Accident Counties to monitor in FY 2019 are: Douglas, Lancaster, Sarpy, Hall, Lincoln, Seward, Buffalo, Dawson, York and Keith counties.

Less populous counties in the state that play host to large truck stops are also areas of concern due to a relatively low traffic count compared to accidents. Additional enforcement efforts will focus on Cheyenne, Hamilton and Kimball counties for these reasons.

**Enter the data source and capture date:**

FMCSA A&I Downloadable Crash Data, MCMIS 07/15/2019 Safetynet 7/15/2019

**Projected Goal for FY 2020 - 2022:**

**In the table below, state the crash reduction goal for each of the three fiscal years. The method of measurement should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal could be 4 percent.**

Fiscal Year	Annual Crash Reduction Goals
2020	2
2021	2
2022	2

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .228. Nationally, there was an 9% increase in fatalities from 2016 to 2017. (2017 Annual Truck/Bus Crash Facts). At .228, Nebraska's 2018 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. To accomplish this rate,

Nebraska seeks a reduction of accidents to 40 from 46 for an annual average of .191 fatalities/100M VMT, putting it below the 5 year average, and accomplished by an annual reduction of 2 fatal accidents per year. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled. The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in accidents. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year.

***Program Activities for FY 2020 - 2022: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.***

1. The Nebraska State Patrol will perform a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2020, a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2021 and a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2022 in HACs with emphasis on high traffic volume corridors in these localities.

2. The CVE Team will conduct at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2020, at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2021 and at least 1 selective enforcement with Level I, II, and III inspections in each HAC in 2022, with emphasis on high traffic volume corridors, including truck stops and rest areas that host large commercial vehicles in these localities.

**FY2021 Update:** The CVE team will be increased to 7 members for FY2021. The program will receive oversight and direction from the MCSAP Sergeant who will coordinate with the division's Analyst to identify areas of concern in near real-time review of accidents, construction zones and aggressive driving behaviors. Once identified, the team will be dispatched for saturation enforcement over a period of 2-3 days, with location changes every week or two. The projection is that the hyper-vigilance of accident trends and immediate reaction to problem areas will drive down accidents and fatalities in highly targeted geographical areas such as small corridors on individual highways, intersections, truck stops, etc.

3. The state will continue to utilize the Metropolitan Aggressive Preventative Selective program and continue to conduct a minimum of 1 selective per High Accident corridor, and devote additional effort to the corridors that are generating the highest accident counts for the state, for a total of 14 selectives in 2020, 14 selectives in 2021 and 14 selectives in 2022.

**FY2021 Update:**

4. The state plans to participate in activity to support the R.O.U.T.E.S. initiative, as defined by the United States Department of Transportation. According to data provided by USDOT, 46% of fatalities occur on rural roadways. In Nebraska, nearly twice as many miles are travelled on rural roadways as on urban roadways, and rural roadways account for 90% of fatalities in accidents involving commercial motor vehicles. In recognition of this data, Nebraska will be utilizing the CVE team as described above to actively patrol areas that can be identified as high risk areas within the state. Factors such as number of fatalities, types of collisions, seat belt usage, causation factors, time of day, and day of week are all factors which may be considered for additional patrol efforts.

***Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).***

***Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.***

1. Perform 6,800 CMV Level I – III inspections in HACs per year.

**2.** Increase the number of Traffic Enforcement inspections in HACs to 3,100 inspections per year, conducted by the CVE team in response to targeted enforcement as outlined in the activity plan.

3. Conduct 14 MAPS selectives, including a MAPS event held in all of the top 10 HACs. Efforts will be focused on roadside inspections, traffic enforcement and identification of unsafe driving behaviors of both CMVs and passenger vehicles. Cell phone use, distracted driving and other pre-crash indicators will be the key focus issue for traffic enforcement efforts during MAPS events and enforcement activity in the high accident corridors per year.

**4:** Through active and visible enforcement, the goal will be to patrol areas identified during research by the division's Analyst, and see a measurable reduction in fatalities each year of the plan.

## Part 2 Section 3 - Roadside Inspections

Please review the description of your State's overall inspection program and identify if changes are needed for the upcoming fiscal year. You must also update the projected roadside inspection goals for the upcoming fiscal year. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2020 - 2022.

**Note:** In completing this section, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.

### Trend Analysis for 2014 - 2018

Inspection Types	2014	2015	2016	2017	2018
Level 1: Full	7197	6385	6344	5928	6142
Level 2: Walk-Around	2533	2254	2156	1899	2299
Level 3: Driver-Only	20613	19562	19114	16954	21441
Level 4: Special Inspections	0	59	419	128	126
Level 5: Vehicle-Only	436	393	384	378	285
Level 6: Radioactive Materials	1	0	1	3	1
<b>Total</b>	<b>30780</b>	<b>28653</b>	<b>28418</b>	<b>25290</b>	<b>30294</b>

### Narrative Overview for FY 2020 - 2022

#### Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

**Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.**

In 1987, NSP implemented the MCSAP program which implemented the conducting of roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials.

The NSP Carrier Division administers the roadside inspection program which operates thirty one (31) portable units and ten (10) stationary weigh stations. NSP utilized six of these sites as weigh in motion (WIM) and PrePass sites which meet the CVISN Level 1 Core Compliance requirements. These sites are located at North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, Waverly Westbound I-80 and Nebraska City both Eastbound and Westbound on Route 2.

Additional scale sites include two near Hebron, one near Fremont, Highway 30 near North Platte and Highway 6 near Waverly. The North Platte and Waverly sites are utilized to monitor carriers which are bypassing the interstate scale system. All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's Portal. In addition, all Troopers record their citations in TraCs. Carrier Enforcement Troopers in the field conduct all Levels of roadside inspections. Traffic Troopers only conduct Level III inspections.

To improve the Safety Compliance and Performance of Commercial drivers and vehicles the goal of the Nebraska State Patrol is to conduct 31,116 Roadside Inspections. Of this goal approximately 6,400 Level III inspections will be conducted by

Patrol Division personnel during roadside stops of commercial motor vehicles. The remaining 24,716 inspections will be completed by personnel assigned to the Carrier Enforcement Division and be inclusive of any overtime projects.

FMCSA encourages Nebraska to conduct 25% of these inspections as level 1 inspections. Due to winter weather, Troopers are not required to conduct Level 1 inspections due to extremely cold temperatures and the accumulation of snow and ice, making these inspections difficult and dangerous. Winter weather typically begins in November and lasts into March. During the winter months, accident causation is largely defined by driver activity, particularly with speeds too fast for conditions being a primary cause of accidents when the state has snow on the ground. During the winter months of 2018 and early 2019, the average number of all accidents related to driving too fast for conditions is 641. During the remaining months of the year, the average is 62. To help focus efforts on driver activities during inclement weather, the Nebraska State Patrol focuses inspection and enforcement effort on Level 3 inspections during this time. (2018 Monthly Crash Data, Nebraska Department of Transportation).

**FY2021 Update:** Previous highlighting removed to eliminate confusion.

Beginning in the summer of 2020, Nebraska is bringing additional prescreening technologies online at the Waverly Westbound and North Platte Eastbound scale sites, funded by an HP/ITD grant. These sites are priority locations due to their location as the first site of screening for interstate traffic in the eastbound and westbound lanes of Interstate 80. The weigh in motion and camera based system not only screens for weight and tire deficiencies, it identifies registration non-compliance and Out of Service carriers by DOT number. At the time of this writing, the systems are just being brought online, but it is expected that the new technologies will enhance identification of unsafe vehicles and Out of Service carriers, in particular. Baseline information has been established, and monthly review of data will occur to ensure the new systems and equipment are used at maximum effectiveness in several metrics, including carrier compliance with authority and registration in support of the PRISM program in Nebraska. It is also expected that this should help enhance the catch rate on Out of Service Carriers, and improve Nebraska's score to achieve a minimum of 85% as required.

Nebraska actively monitors DataQ inquiries as a daily duty of the MCSAP Sergeant, resulting from roadside inspections. Nebraska sets a goal of all DataQs receiving an initial response within 10 working days and resolving any question or concern identified in a DataQ as quickly as practical, based on circumstances involved like days off, vacation, holidays, training, etc. Outcomes of DataQ findings are routinely used as a training tool for submitting troopers.

The impact of COVID 19 protocols and precautions has had a large impact on the number of inspections we can conduct. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

## **Projected Goals for FY 2020 - 2022**

### **Instructions for Projected Goals:**

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2020 - 2022. For FY 2021, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

**Note:** Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

### **MCSAP Lead Agency**

**Lead Agency is:** NEBRASKA STATE PATROL

**Enter the total number of certified personnel in the Lead agency:** 80

Projected Goals for FY 2021 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	16.95%
Level 2: Walk-Around	1250	0	0	1250	4.02%
Level 3: Driver-Only	24382	0	0	24382	78.36%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.67%
Level 6: Radioactive Materials	0	1	0	1	0.00%
<b>Sub-Total Lead Agency</b>	<b>30046</b>	<b>851</b>	<b>219</b>	<b>31116</b>	

**MCSAP subrecipient agency**

**Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.**

**Subrecipient is:**

**Enter the total number of certified personnel in this funded agency: 0**

Projected Goals for FY 2021 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	%
Level 2: Walk-Around				0	%
Level 3: Driver-Only				0	%
Level 4: Special Inspections				0	%
Level 5: Vehicle-Only				0	%
Level 6: Radioactive Materials				0	%
<b>Sub-Total Funded Agencies</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	



**Non-Funded Agencies**

Total number of agencies:	
Enter the total number of non-funded certified officers:	
Enter the total number of inspections projected for FY 2021:	

**Summary**

## Projected Goals for FY 2021 - Roadside Inspections Summary

<b>Projected Goals for FY 2021 Summary for All Agencies</b>					
<b>MCSAP Lead Agency: NEBRASKA STATE PATROL</b>					
<b># certified personnel: 80</b>					
<b>Subrecipient Agencies:</b>					
<b># certified personnel: 0</b>					
<b>Number of Non-Funded Agencies:</b>					
<b># certified personnel:</b>					
<b># projected inspections:</b>					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4414	850	10	5274	16.95%
Level 2: Walk-Around	1250	0	0	1250	4.02%
Level 3: Driver-Only	24382	0	0	24382	78.36%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.67%
Level 6: Radioactive Materials	0	1	0	1	0.00%
<b>Total ALL Agencies</b>	<b>30046</b>	<b>851</b>	<b>219</b>	<b>31116</b>	

**Note:** If the minimum numbers for Level 1 and Level 3 inspections are less than described in the [MCSAP Comprehensive Policy](#), briefly explain why the minimum(s) will not be met.

Please note the FMCSA encourages Nebraska to conduct 25% of these inspections as level 1 inspections. Due to winter weather, Troopers are not required to conduct Level 1 inspections due to extremely cold temperatures and the accumulation of snow and ice, making these inspections difficult and dangerous. Winter weather typically begins in November and lasts into March.

**Note:** States in Year 2 or Year 3 of a multi-year plan cannot edit the table shown below. It should be used as a reference.

<b>Projected Goals for FY 2021 Roadside Inspections</b>	<b>Lead Agency</b>	<b>Subrecipients</b>	<b>Non-Funded</b>	<b>Total</b>
Enter total number of projected inspections	31116	0	0	31116
Enter total number of certified personnel	80	0	0	80
<b>Projected Goals for FY 2022 Roadside Inspections</b>				
Enter total number of projected inspections	31116	0	0	31116
Enter total number of certified personnel	80	0	0	80

**Part 2 Section 4 - Investigations**

Please review your State's investigation goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year.

☐ The State does not conduct investigations. If this box is checked, the tables and narrative are not required to be completed and won't be displayed.

**Trend Analysis for 2014 - 2018**

Investigative Types - Interstate	2014	2015	2016	2017	2018
Compliance Investigations	2	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	3	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
<b>Total Investigations</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2014	2015	2016	2017	2018
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	52	9	59	45	39
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	20	11	0	32	51
CSA On-Site Comprehensive	0	18	2	0	0
<b>Total Investigations</b>	<b>72</b>	<b>38</b>	<b>61</b>	<b>77</b>	<b>90</b>
Total Security Contact Reviews	0	0	0	0	2
Total Terminal Investigations					

**Narrative Overview for FY 2020 - 2022****Instructions:**

Describe the State's implementation of FMCSA's interventions model to the maximum extent possible for interstate carriers and any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort.

**Projected Goals for FY 2020 - 2022**

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2020 - 2022.

Projected Goals for FY 2020 - 2022 - Investigations						
Investigation Type	FY 2020		FY 2021		FY 2022	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	71	0	71	0	71
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	30	0	30	0	30
CSA On-Site Comprehensive	0	25	0	25	0	25
<b>Total Investigations</b>	<b>0</b>	<b>126</b>	<b>0</b>	<b>126</b>	<b>0</b>	<b>126</b>
Total Security Contact Reviews	0	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0	0

**Add additional information as necessary to describe the carrier investigation estimates.**

The State of Nebraska utilizes the intrastate non-HM prioritization list when making investigatory assignments and follows CSA policy/methodology for all assignments, inclusive of complaint-based investigations (internal and external) with the following exception: The State of Nebraska requires that carriers selected for review who have no prior review history have a comprehensive review conducted upon their operations. All CR personnel received training in Enhanced Investigative Techniques (EIT). EIT will be utilized to pursue, verify records with additional sources, and invest the requisite time to ensure the safe on-road performance of passenger and high-risk carriers is being investigated.

**Program Activities: Describe components of the State's carrier investigation activities. Include the number of personnel participating in this activity.**

Current staffing is three full-time investigators and one sergeant. A cross-trained investigator completes an additional minimum of 6 Reviews to maintain certification. Activities include the examination of a motor carrier's transportation and safety records, training requirements, controlled substance and alcohol program, commercial driver license records, financial responsibility, hours of service, and inspection and maintenance programs. The division's goal is to conduct 126 Intrastate Compliance Reviews and/or CSA Investigations with enforcement as warranted per the Field Operations Training Manual. The investigators will conduct Intrastate Compliance Reviews and/or CSA Investigations on motor carriers with BASICs above threshold and/or which have had non-frivolous complaints made against them with enforcement as warranted, per the Field Operations Training Manual.

**FY2021 Update:** Previous year's highlighting removed to eliminate confusion.

**Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress toward the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program, as well as outputs.**

Track and evaluate the number of Compliance Reviews and/or CSA Investigations conducted inclusive of the number of critical and acute violations discovered per investigation. The Compliance Review Investigative Sergeant will review Compliance Reviews conducted by Investigators to ensure consistency among investigators and adherence to the eFOTM.

The State will conduct a total of 126 Intrastate Compliance Reviews and/or CSA Investigations as a unit per year. The State will monitor progress on a quarterly basis, with each full time investigator conducting a minimum of 10 investigations a quarter for four quarters. On a quarterly basis, the CR Sergeant will meet with each investigator to monitor progress towards this goal and the CR Sergeant will meet with the investigators as a group to monitor their overall progress towards the goal as a unit.

**FY2021 Update:** Previous year's highlighting removed to eliminate confusion.

The impact of COVID 19 protocols and precautions has had an impact on the number of public interactions we can participate in and will have an impact on compliance review activity, as most investigations in Nebraska involve violations that need to be observed during an on-site review. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

## Part 2 Section 5 - Traffic Enforcement

Please review the description of your State's traffic enforcement program, projected goals and monitoring. You must answer the questions about your traffic enforcement activities in the Projected Goals area. You must select "yes" to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

*Traffic enforcement means documented enforcement activities of State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes).*

### Trend Analysis for 2014 - 2018

#### Instructions:

Please refer to the [MCSAP Comprehensive Policy](#) for an explanation of FMCSA's traffic enforcement guidance. Complete the tables below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period being used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12-month period for which data is available).
2. Insert the total number CMV traffic enforcement stops with an inspection, CMV traffic enforcement stops without an inspection, and non-CMV stops in the tables below.
3. Insert the total number of written warnings and citations issued during the measurement period. The number of warnings and citations are combined in the last column.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2017	09/30/2018	6492	6099
10/01/2016	09/30/2017	6233	5452
10/01/2015	09/30/2016	5999	6472
10/01/2014	09/30/2015	5373	8281
10/01/2013	09/30/2014	5354	5990

☒ The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.

☐ The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2018	12/31/2018	758	883
01/01/2017	12/31/2017	516	628
01/01/2016	12/31/2016		
01/01/2015	12/31/2015		
01/01/2014	12/31/2014		

**Enter the source and capture date of the data listed in the tables above.**

Number of CMV Traffic Enforcement Stops with an Inspection: Safetynet, July 18, 2019 Number of Citations and Warnings - CMV: TraCs query July 19, 2018 Number of Stops/Citations/Warnings Non-CMV: TraCs (e-citation) Database query 7/30/2019

### **Narrative Overview for FY 2020 - 2022**

#### **Instructions:**

*Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).*

The mission of the Nebraska State Patrol (NSP) shall be to provide law enforcement of the highest quality to ensure a safe and secure Nebraska. The goals of NSP are to exemplify our values by providing the highest quality of law enforcement and service to all person(s).

The NSP has approximately 80 Troopers assigned to the Carrier Enforcement Division which are certified to conduct NAS Level 1 through 4 inspections. Approximately 200 Troopers are assigned to the Traffic Division which are certified to conduct NAS Level 3 inspections. All NSP Troopers are to enforce CMV traffic enforcement in conjunction with overall highway safety goals and the reduction of highway fatalities.

In 1987 NSP implemented the MCSAP roadside inspection program which examines the driver, the vehicle, and the load for 13 critical items including hazardous materials. The NSP Carrier Division administers the roadside inspection program which operates thirty (31) portable units and ten (10) stationary weigh stations.

NSP utilized seven primary sites. Four of the primary sites include North Platte Eastbound I-80, North Platte Westbound I-80, Waverly Eastbound I-80, and Waverly Westbound I-80. Additional primary sites include Nebraska City, Hebron, and Fremont. Two (2) secondary scales located on Highway 30 near North Platte, and Highway 6 near Waverly are utilized to monitor carriers which are bypassing the interstate scale system.

All Carrier Enforcement and Traffic Troopers are issued Mobile Data Computers which are equipped with ASPEN including access to FMCSA's portal. In addition all Troopers record their citations in TraCs.

There is a need to focus on the "driver" aspects of the CMV safety program. There continue to be traffic enforcement violations discovered on both CMV's and non-CMV's that are likely to increase the likelihood of a motor vehicle crash. Concentrating on driver violations will assist in continuing to reduce the fatality rate to an ultimate State goal (all motor vehicles) of .90 fatalities per 100,000,000 vehicle miles traveled.

The NSP MCSAP Program Lieutenant will review data and provide field supervisory personnel with monthly reports as well as Quarterly Statistics on the number of Traffic Enforcement Inspections and selective being conducted. Additionally these statistics are reviewed during quarterly supervisor meetings.

All NSP Troopers enforce highway safety laws and regulations either on a full time or part time basis (traveling to and from the scale facility assigned). Additionally, the Commercial Vehicle Enforcement (CVE) team was formed in 1997 and will have six Carrier Enforcement Troopers assigned. The CVE team is trained to address traffic enforcement laws in areas designated as High Accident Counties (HAC's). Currently, the most accurate reporting of non-CMV traffic enforcement contacts comes from this subgroup of officers, because of their unique role coding. Non-CMV traffic enforcement goals are being set based on documented activity of the CVE team, and may be exceeded based on the success of newly implemented reporting mechanisms.

Safetynet is utilized to gather the number of CMV Traffic Enforcement stops with an inspection. TraCS is utilized to gather the number of citations and warnings issued, both for CMV and non-CMV stops.

**Projected Goals for FY 2020 - 2022**

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2020 - 2022. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

**Note: If you answer "No" to "Non-CMV" traffic enforcement activities, the State does not need to meet the average number of 2004/2005 safety activities because no reimbursement will be requested. If you answer "No" and then click the SAVE button, the Planned Safety Activities table will no longer be displayed.**

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	6400	6400	6400
<input type="radio"/>	<input checked="" type="radio"/>	CMV without Inspection			
<input checked="" type="radio"/>	<input type="radio"/>	Non-CMV	500	500	500
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	48	48	48

In order to be eligible to utilize Federal funding for Non-CMV traffic enforcement, States must maintain an average number of safety activities which include the number of roadside inspections, carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2004 and 2005.

The table below displays the information you input into this plan from the roadside inspections, investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2004/2005 activities.

FY 2021 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2021 Activities	Average 2004/05 Activities
31116	126	420	31662	31656

**Describe how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.**

The Nebraska State Patrol derives Traffic Enforcement statistics from Safetynet, TraCS (electronic citation program), and manual collection during enforcement efforts. The NSP implemented tracking code (0757) during calendar year 2017 which would be used for traffic enforcement involving both Carrier and Traffic Troopers which would enforce moving violations of CMVs and vehicles traveling in close proximity of a CMV. The outcome of this tracking code was the ability to quantify efforts toward this goal. For 2018, this activity was tracked for only the CVE Team utilizing a different query method that has successfully produced quantifiable results related to this activity. Producing this report is currently more labor intensive than desired, so additional effort will be made to streamline this reporting requirement. The State of Nebraska has documented Safetynet extractions of data from 2006 indicating a far different result than outlined for the 2004/2005 fiscal years. Our documented average from that time period shows an average of approximately 27,328 inspections each year for the 2 year period. The 2 year results are published in Nebraska's 2004 and 2005 MCSAP review documents, as sourced from Safetynet at the time. The Carrier Enforcement Commander will be kept apprised of the progress in achieving the 2004/2005 Average Activities. The Activities will be monitored and the Divisional Goals may be reviewed to prioritize inspection activity if necessary. PLAN OF ACTION: In 2019, Nebraska increased its goal by 1,000 activities to a total of 29,540. For 2020, Nebraska will again increase the activity goal, to a total of 31,656 activities to more closely align with FMCSA goals for the agency.

**FY2021 Update:** The impact of COVID 19 protocols and precautions has had an impact on the number of enforcement activities we conducted in 2020. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.





**Part 2 Section 6 - Safety Technology**

Please verify your State's safety technology compliance levels, responsible agencies, and narrative overview. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

*Performance and Registration Information Systems Management (PRISM) is a condition for MCSAP eligibility in [49 CFR 350.207\(27\)](#). States must achieve full participation by October 1, 2020. FMCSA defines "fully participating" in PRISM for the purpose of determining eligibility for MCSAP funding, as when a State's or Territory's International Registration Plan (IRP) or CMV registration agency suspends or revokes and denies registration if the motor carrier responsible for safety of the vehicle is under any Federal OOS order and denies registration if the motor carrier possess an inactive or de-active USDOT number for motor carriers operating CMVs in commerce that have a Gross Vehicle Weight (GVW) of 26,001 pounds or more. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.*

*PRISM, Operations and Maintenance (O&M) costs are eligible expenses subject to FMCSA approval. For Innovative Technology Deployment (ITD), if the State has an approved ITD Program Plan/Top-Level Design (PP/TLD) that includes a project that requires ongoing O&M, this is an eligible expense so long as other MCSAP requirements have been met. O&M expenses must be included and described both in this section and in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).*

**Safety Technology Compliance Status**

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, please indicate that in the table below. Additionally, details must be in this section and in your Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core CVISN Compliant	No
PRISM	Exceeds Full Participation	No

Available data sources:

- [FMCSA website ITD information](#)
- [FMCSA website PRISM information](#)

Enter the agency name responsible for ITD in the State, if other than the Lead MCSAP Agency:

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency:

**Narrative Overview for FY 2020 - 2022****Problem Statement Narrative and Projected Goal:**

*If the State's PRISM compliance is less than full participation, describe activities your State plans to implement to achieve full participation in PRISM.*

Currently PRISM Compliant.

**Program Activities for FY 2020 - 2022: Describe any actions that will be taken to implement full participation in PRISM.**

Currently PRISM Compliant.

**Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.**

Currently PRISM Compliant.

Please note Nebraska is expecting PRISM audit within the next few months (as of 07-29-2019).

**FY2021 Update:** Nebraska completed a PRISM audit, with a successful review and commendations for the program. The PPLC Review is attached as a reference document.

## Part 2 Section 7 - Public Education and Outreach

Please review the description of your State's public education and outreach activities, projected goals and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses.

### Trend Analysis for 2014 - 2018

In the table below, provide the number of public education and outreach activities conducted in the past 5 years.

Public Education and Outreach Activities	2014	2015	2016	2017	2018
Carrier Safety Talks	39	61	60	76	98
CMV Safety Belt Education and Outreach					
State Trucking Association Meetings	14	14	14	14	14
State-Sponsored Outreach Events	7	14	13	1	2
Local Educational Safety Events	6	2	6	9	8
Teen Safety Events	5	1	0	0	2

### Narrative Overview for FY 2020 - 2022

**Performance Objective:** To increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.

**Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safety initiatives. Include the number of personnel that will be participating in this effort.**

Laws and regulations concerning the safe operation of commercial motor vehicles can be complicated and confusing to industry and allied agencies. The Nebraska State Patrol Carrier Enforcement Division serves as a resource to other agencies and industry in order to encourage voluntary compliance and promote highway safety. Community based policing is fundamental in maintaining the trust and support, as well as the confidence of those that we serve. The Division will maintain a proactive relationship with the general public and to always present an open line of communication.

The Nebraska State Patrol Carrier Enforcement Division will conduct 90 seminars annually for the Motor Carrier industry. Additionally Sworn and non-sworn personnel shall attend community functions, school events and other public gatherings while representing the Nebraska State Patrol. Engaging in interaction with community members and increasing the support, trust and confidence of the Agency. We will promote the use of the NSP Website and utilize webinars and recorded videos to educate the public on laws, regulations and safety. As a Division, the Carrier Enforcement will conduct 2,000 hours of community outreach (annually).

Trend information listed above is provided with caveats. The Nebraska State Patrol does not categorize all of our public information and awareness in the manner listed above. The actual number of total programs is accurate, but the breakdown by interaction type is somewhat subjective to determine which of the categories the activity most closely matched. CMV seat belt education is not easily separated from other Carrier Safety Talks, so that category is left blank, and totals for both criteria are combined in a single total listed on the Safety Talks line. State sponsored outreach used to involve several staff members from the Carrier Enforcement Division travelling throughout the state providing information in a "town hall" type setting. The cost effective nature of the internet and video streaming have seen these town hall outreach events converted to web based informational videos, with an apparent observed decline in activity. Current tracking systems do not provide us an accurate way to quantify internet usage of our videos and web-based outreach, but anecdotal feedback we receive

indicates that industry uses the videos and finds them more convenient for the end user due to lack of time and location constraints.

### **Projected Goals for FY 2020 - 2022**

**In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.**

			Performance Goals		
Yes	No	Activity Type	FY 2020	FY 2021	FY 2022
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	64	66	68
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	0		
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	14	14	14
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	8	9	10
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	2	2	2

**Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.**

1. Maintain the number of seminars at 64, which is inclusive of Safety Talks and Seat Belt Education and Outreach. Distribute Nebraska Truck Information Guide Books and educational materials regarding general compliance issues, ELDs, and hazardous materials.
2. Utilize seat belt convincer / rollover machine at State Fair and Husker Harvest days
3. A representative or representatives from the Carrier Division will be in attendance at the monthly Trucking Association Meetings in addition to other meetings as needed based on current events and issues.
4. Conduct two online educational webinars which will replace the Town Hall meetings.
5. Troopers will attend local public education safety events as requested. (i.e. schools).
6. Cooperate with local schools to enhance CMV awareness through events like "Teens in the Driver's Seat" as modeled in Texas.

### **2021 Performance Update**

**7.** Nebraska does not currently have a specific mechanism in place for mature driver education through the Carrier Enforcement Division. Efforts will be made to identify training environments that could help fulfill the need in this special emphasis area.

**FY2021 Update:** The impact of COVID 19 protocols and precautions has had an impact on the number of public meetings we can participate in. We expect to fall short of our goals in this category of effort due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

**Part 2 Section 8 - State Safety Data Quality (SSDQ)**

Please review your State's SSDQ compliance levels and Narrative Overview and identify if changes are needed for the upcoming fiscal year. You must select 'yes' to make changes.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

The FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Safety Data Systems (SSDQ) if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).

**SSDQ Compliance Status**

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, select Yes. These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Technology Program	Current Compliance Level	Include O & M Costs?
SSDQ	Good	No

Available data sources:

- [FMCSA website SSDQ information](#)

Enter the agency name responsible for DQ in the State, if other than the Lead MCSAP Agency:

In the table below, use the drop-down menus to indicate the State's current rating within each of the State Safety Data Quality categories, and the State's goal for FY 2020 - 2022.

SSDQ Category	Current SSDQ Rating	Goal for FY 2020	Goal for FY 2021	Goal for FY 2022
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Good	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

Data current as of July 15, 2019

**Narrative Overview for FY 2020 - 2022**

**Problem Statement Narrative:** Describe any issues encountered for any SSDQ category not rated as "Good" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.).

Per the SSDQ Report:

"Your rating is 'no flag', which indicates that the estimated number of non-fatal crash records reported is greater than or equal to 50%. The crashes evaluated occurred between 03/01/2018 and 02/28/2019 and were compared to the previous three year reporting average. Your 124% value indicates that your State is consistently reporting non-fatal crash records."

***Program Activities FY 2020 - 2022: Describe activities that will be taken to maintain a “Good” overall SSDQ rating. These activities should include all measures listed in the table above. Also, describe program activities to achieve a “Good” rating for all SSDQ measures based upon the Problem Statement Narrative including measurable milestones.***

According to the SSDQ report, "No flag" indicates that our performance is at an approved performance level.

***Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.***

The Nebraska State Patrol reviews SSDQ information on a monthly basis in an effort to identify deficiencies that may appear after monthly updates. The Nebraska State Patrol utilizes resources available from FMCSA, including the State Data Quality Specialist as well as data analysis within individual rating categories, to pinpoint problem areas and work cooperatively with FMCSA to assure improvements as necessary.

**Part 2 Section 9 - New Entrant Safety Audits**

Please review the agency responsible for conducting New Entrant activities and the description of your State's strategies, activities and monitoring. You must complete the safety audit data questions for the current year. You must select "yes" to make changes.

- ☒ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

States must conduct interstate New Entrant safety audits in order to participate in the MCSAP ([49 CFR 350.201](#).) A State may conduct intrastate New Entrant safety audits at the State's discretion if the intrastate safety audits do not negatively impact their interstate new entrant program.

Note: A State or a third party may conduct New Entrant safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities.

Yes	No	Question
<input checked="" type="radio"/>	<input type="radio"/>	Does your State conduct Offsite safety audits in the New Entrant Web System (NEWS)? NEWS is the online system that carriers selected for an Offsite Safety Audit use to submit requested documents to FMCSA. Safety Auditors use this same system to review documents and communicate with the carrier about the Offsite Safety Audit.
<input type="radio"/>	<input checked="" type="radio"/>	Does your State conduct Group safety audits at non principal place of business locations?
<input type="radio"/>	<input checked="" type="radio"/>	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

**Trend Analysis for 2014 - 2018**

In the table below, provide the number of New Entrant safety audits conducted in the past 5 years.

New Entrant Safety Audits	2014	2015	2016	2017	2018
Interstate	614	582	590	504	332
Intrastate	0	0	0	0	0
<b>Total Audits</b>	<b>614</b>	<b>582</b>	<b>590</b>	<b>504</b>	<b>332</b>

Note: Intrastate safety audits will not be reflected in any FMCSA data systems—totals must be derived from State data sources.

**Narrative Overview for FY 2020 - 2022**

Enter the agency name conducting New Entrant activities, if other than the Lead MCSAP Agency:

**Program Goal:** Reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing interstate new entrant carriers. At the State's discretion, intrastate motor carriers are reviewed to ensure they have effective safety management programs.

**Program Objective:** The Statutory time limit for processing and completing interstate safety audits is: If entry date into the New Entrant program (as shown in FMCSA data systems) October 1, 2013 or later, a safety audit must be completed within 12 months for all motor carriers and 120 days for motor carriers of passengers.



**Projected Goals for FY 2020 - 2022**

For the purpose of completing the table below:

- **Onsite safety audits** are conducted at the carrier's principal place of business.
- **Offsite safety audit** is a desktop review of a single New Entrant motor carrier's basic safety management controls and can be conducted from any location other than a motor carrier's place of business. Offsite audits are conducted by States that have completed the FMCSA New Entrant training for offsite audits.
- **Group audits** are neither an onsite nor offsite audit. Group audits are conducted on multiple carriers at an alternative location (i.e., hotel, border inspection station, State office, etc.).

Projected Goals for FY 2020 - 2022 - New Entrant Safety Audits						
	FY 2020		FY 2021		FY 2022	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	20	0	20	0	20	0
# of Safety Audits (Offsite)	400	0	400	0	400	0
# Group Audits	0	0	0	0	0	0
<b>TOTAL Safety Audits</b>	<b>420</b>	<b>0</b>	<b>420</b>	<b>0</b>	<b>420</b>	<b>0</b>
# of Non-Audit Resolutions	160	0	160	0	160	0

**Strategies: Describe the strategies that will be utilized to meet the program objective above. Provide any challenges or impediments foreseen that may prevent successful completion of the objective.**

New motor carriers / New Entrant carriers are required to complete a safety monitoring period of 18 months with an allowance of 12 months to complete / pass a safety audit. FMCSA request the safety audit be completed after 90 days of operation but within 6 months of operation and not to exceed 12 months.

Investigators provide New Entrant motor carriers with the knowledge and resources to reduce the number and severity of crashes, injuries and fatalities within the statutory limits. New Entrant Investigators utilize the safety audit program to provide a setting for the motor carrier to understand and implement safety regulations, pinpoint safety management needs and review other areas that need improvement.

Federal programs will be utilized to ensure that all safety audits are completed within the 12 month period (120 days for passenger carriers). FMCSA resources are monitored on a weekly basis to ensure all New Entrant Carriers are accounted for by running reports in MCMIS and A & I on line then creating assignments for the investigators. Staff Assistant II utilizes MCMIS, A & I on line and GOTHAM to monitor approaching dates along with obtaining driver, vehicle, company profiles and inspection information.

State and Federal programs are utilized to gather information before/after the investigator meets for a safety audit. CDLIS, CJIS, MCMIS, A & I on line, GOTHAM are utilized to obtain driver, vehicle and inspection information.

According to A & I (07/26/2019) Nebraska currently has an inventory of 483 in the New Entrant pool with 10 past due carriers which have been addressed since the report was generated.

In addition to safety audits, the Investigators will conduct at a minimum, 36 vehicle inspections with at least 18 inspections being hazardous material carrier inspections.

FY2021 Update: As of 7/10/2020, the current inventory of New Entrant Carriers stands at 456, which is part of an increasing trend seen during the first half of 2020.

**Activity Plan for FY 2020 - 2022: Include a description of the activities proposed to help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.**

The New Entrant program will utilize 3 full-time investigators to conduct approximately 420 new entrant safety audits and 160 non-audit resolutions for new entrant interstate motor carriers. Priority will be given to carriers of passengers to ensure safety audits are conducted within 120 days. Approximately 95 percent (95%) of the safety audits will be conducted offsite reducing travel time and cost. Approximately 5 percent (5%) of the safety audits will be conducted onsite at the carrier's principal place of business. If a backlog is created due to a sudden or unexpected influx of onsite carriers, group audits will be conducted at a central or alternate locations to reduce cost, maximize efficiency, and reduce or eliminate travel time. Currently no group audits have been required.

To maximize efficiency of the program, offsite eligible carriers will be contacted as soon as possible after the required documents are uploaded to the NEWS website. Auditors will adhere to the New Entrant Safety Audit Process Document for procedures and timelines when conducting offsite safety audits. Assistance with uploading documents will be provided only as needed.

The New Entrant office will monitor the number of safety audits completed to ensure requirements are met. The Staff Assistant II will complete weekly reports to reflect any carriers within 90 days of the due date to send to the New Entrant Investigators and New Entrant Sergeant. The Staff Assistant II will compile data monthly to track safety audits completed, passed, or failed. The data compiled will be placed on a tracking documents to be utilized for monthly, quarterly, and annual reports.

***Performance Measurement Plan: Describe how you will measure progress toward meeting the objective, such as quantifiable and measurable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks to be reported on in the quarterly progress report, or as annual outputs.***

The New Entrant Sergeant will review all safety audits for quality, completeness, and accuracy. The New Entrant Sergeant will monitor activity throughout the quarter to guide the program to the established goals. The New Entrant Sergeant will ensure the Staff Assistant II is assigning and scheduling passenger carrier's audits as soon as practical. Scheduling and assignments will be given/monitored to ensure the most efficient use of time and travel.

The Staff Assistant II will review the new entrant inventory on a monthly basis and make assignments based on due dates. Priority will be given to past due carriers, passenger carriers, and hazardous material carriers. Assignments will be planned to maximize audit completion for onsite audits when travel is required to ensure program efficiency. The New Entrant office will strive to have all safety audits completed within 9 months of the company's entry date. Investigators and the Staff Assistant II will work together to ensure all attempts are exhausted before the 12 month due date or the carrier will be placed out of service for non-compliance.

The three (3) New Entrant Investigators are required to complete a minimum of 36 level 1 inspections per fiscal year, which includes 18 hazardous material (HM) inspections with 9 being cargo/bulk and the remaining 9 non-bulk inspections.

The requirement is 36 per year – per investigator (3) plus half (1/2) of the New Entrant Sergeant's 36 which is 18 for a total of 126 Driver/Vehicle inspections per year.

### Part 3 - National Emphasis Areas and State Specific Objectives

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues, and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address the national emphasis areas/priorities outlined in the Notice of Funding Opportunity (NOFO) and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2020 - 2022).

#### Part 3 Section 1 - Enforcement of Federal OOS Orders during Roadside Activities

Please review your State's Federal OOS catch rate during roadside enforcement activities, projected goals, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

#### Instructions:

FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an OOS order. In this part, States will indicate their catch rate is at least 85 percent by using the check box or completing the problem statement portion below.

#### Check this box if:

☐ As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal IH or UNSAT/UNFIT OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

#### Narrative Overview for FY 2020 - 2022

Enter your State's OOS Catch Rate percentage if below 85 percent: 50%

Projected Goals for FY 2020 - 2022: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2020	85
2021	85
2022	85

\*FY 2019 YTD includes data from October 01, 2018 through May 31, 2019. An email provided by FMCSA in July, identifying this measurement period, stated that this report would be the reference document for the 2020 CVSP. The document identified a catch rate of 50% for Imminent Hazard OOS Carriers, and a 67% catch rate for all OOS carriers. FMCSA Motor Carrier Management Information System (MCMIS) and the Safer and Fitness Electronic Records (SAFER) as of 06/21/2019. The data presented above are accurate as of this date, but are subject to update as new or additional information may be reported to MCMIS following this date.

Remedial efforts have been implemented to verify missed carriers, retrain officers who miss Out of Service Carriers, and manage information from officers and the public about possible Out of Service Carriers still in operation and proactively seek them out for verification roadside

It will be the goal of Nebraska to attain a catch rate of at least 85% for each fiscal year in the plan. A relatively low number of OOS Carriers encountered makes it difficult to overcome a single miss, however counseling is utilized in every case of a missed OOS carrier.

**FY 2021 Update:** Beginning in the summer of 2020, Nebraska is bringing additional prescreening technologies online at the Waverly Westbound and North Platte Eastbound scale sites, funded by an HP/ITD grant. These sites are priority locations due to their location as the first site of screening for interstate traffic in the eastbound and westbound lanes of Interstate 80. The weigh in motion and camera based system not only screens for weight and tire deficiencies, it identifies registration non-compliance and Out of Service carriers by DOT number. At the time of this writing, the systems are just being brought online, but it is expected that the new technologies will enhance identification of unsafe vehicles and Out of Service carriers, in particular. Baseline information has been established, and monthly review of data will occur to ensure the new systems and equipment are used at maximum effectiveness in several metrics, including carrier compliance with authority and registration in support of the PRISM program in Nebraska. It is also expected that this should help enhance the catch rate and improve Nebraska's score to achieve a minimum of 85% as required.

***Program Activities for FY 2020 - 2022: Describe policies, procedures, and/or technology that will be utilized to identify OOS carriers at roadside. Include how you will conduct quality assurance oversight to ensure that inspectors are effectively identifying OOS carriers and preventing them from operating.***

The Nebraska State Patrol utilizes ASPEN 3.0 for inspections conducted by Troopers assigned to the Traffic Services and Carrier Enforcement Divisions. ASPEN 3.0 includes a Pre-Screen function which notifies the officer immediately of an out of service order through a real-time query of SAFER data when connected to the network.

In addition, NSP Communications check the OOS status via NLETS through an ACQ query when a Trooper calls in a stop roadside. This will allow for all uniform personnel another alternative to ensure the OOS status is checked.

If an NSP officer is identified through FMCSA reports (inspections on OOS Carriers) as conducting an inspection on an OOS carrier and the officer does not identify the OOS order or does not identify correctly, an email is sent by the Commander directly to the officer with a carbon copy through the officer's chain of command counseling the officer and conveying the importance of identifying these OOS carriers.

New technologies are being explored that would be added to Nebraska's mainline operations that would allow real-time screening of CMVs passing by the state's interstate scale locations. Based on available grant funding, it is hoped that the state may be able to further enhance the identification of OOS carriers through the implementation of these new credential screening technologies and defective equipment identification tools.

***Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.***

The MCSAP Manager will review reports generated by the FMCSA and monitor the number of OOS carriers discovered or missed. The MCSAP Manager will monitor and ensure officers are counseled on the issue in FY 2020 as failures are identified.

**FY2021 Update:** Reports generated from the enhanced screening technologies that are coming online will be conducted on at least a monthly basis, and will be used to monitor effectiveness toward the goal of an 85% catch rate.

**Part 3 Section 2 - Passenger Carrier Enforcement**

Please review your State's passenger carrier transportation goals, problem statement narrative, program activities and monitoring. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

**Instructions:**

*FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high risk carriers. Additionally, States are asked to allocate resources to participate in the enhanced investigations training being offered by FMCSA. Finally, States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.*

**Check this box if:**

☒ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

### Part 3 Section 3 - State Specific Objectives – Past

No updates are required for this section.

#### Instructions:

Describe any State-specific CMV problems that were addressed with FY 2019 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2019 CVSP.

#### Progress Report on State Specific Objectives(s) from the FY 2019 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2019 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

#### Activity #1

##### **Activity: Describe State-specific activity conducted from previous year's CVSP.**

Provide Awareness and Enforcement Training for ELD.

##### **Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).**

Awareness and enforcement training for sworn personnel was provided in annual update training conducted at the Nebraska State Patrol Training Academy.

##### **Actual: Insert year to date progress (#, %, etc., as appropriate).**

The Nebraska State Patrol will provide training to sworn officers utilizing resources provided by the FMCSA as well as internally produced documents and electronic training to reach all road operations Troopers. Training was accomplished via in-person training during annual in-service training at the Nebraska State Patrol Training Academy on April 10, 2019.

##### **Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.**

The transition phase, from AOB RD to ELD has created confusion in the field for both law enforcement and industry. Units that operate in either mode are confusing, especially when the unit or software indicates that it is and ELD, but it is being operated as an AOB RD. This has resulted in many DataQs, questions from drivers and enforcement issues for officers. The final transition in December of 2019 should alleviate this concern and allow more refined training, narrowly focused on ELD.

#### Activity #2

##### **Activity: Describe State-specific activity conducted from previous year's CVSP.**

Trooper in a Truck program. Accident statistics, as documented in the 2017 Large Truck and Bus Accident Report, indicate that distracted driving is a primary cause of accidents involving commercial vehicles. Statistics also tell us that a majority of the time, poor driving behaviors of passenger vehicle drivers are the root cause. Proactive enforcement of poor and distracted driving, conducted in areas prone to commercial vehicle accidents, will help alleviate the activities of drivers in both passenger and commercial vehicles. Troopers, working from the vantage point of a commercial vehicle, will radio observed violations to waiting nearby troopers who can conduct a traffic stop and take enforcement action on the violations.

##### **Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).**

The Trooper In a Truck program will conduct a selective, weather permitting, 6 times in FY2019 which will include multiple troopers, a trained and Certified observer as well as a vehicle and driver provided through a partnership with the Nebraska Trucking Association and member companies.

##### **Actual: Insert year to date progress (#, %, etc., as appropriate).**

To date, the Nebraska State Patrol has completed 6 Trooper in a Truck selective enforcements for the 2019 Fiscal Year.

***Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.***

The program relies on cooperation with trucking companies who assist by providing a driver and equipment for use during the enforcement selective. It takes considerable effort to coordinate the event in a way that does not overextend the gratuity of the company. Clearly explaining the expectations of the driver, the route and logistics of the stops helps companies understand the high level of dedication while the selective is active.

### Part 3 Section 4 - State Specific Objectives – Future

Please review your State specific objectives and narrative overview. Are there changes that need to be made for the upcoming fiscal year? Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated for this upcoming fiscal year. I understand that I must click "Save" to save any changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary.

#### Instructions:

*The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.*

*Describe any State-specific objective(s) identified for FY 2020 - 2022. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.*

#### State Objective #1

**Enter the title of your State-Identified Objective.**

MAPS selectives to include traffic enforcement efforts.

#### Narrative Overview for FY 2020 - 2022

**Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

According to the Nebraska Office of Highway Safety, the Commercial Motor Vehicle Fatality Rate for calendar year 2017, the rate was 0.23 with 48 fatalities in 43 fatal crashes involving a commercial motor vehicle. For calendar year 2018, the rate was 0.228 with 46 fatalities in 44 fatal crashes involving a commercial motor vehicle. The total miles driven for calendar year 2018 was 20,995 million vehicle miles traveled. The Nebraska State Patrol's goal is a reduction of an overall fatality rate involving Commercial Motor Vehicles (CMVs) by focusing on the Critical Emphasis Areas outlined in the State Highway Safety Plan. These critical emphasis areas are identified as being the primary causes of fatalities in accidents. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing intersection crashes. The Nebraska Strategic Highway Safety Plan has a stated goal of an overall fatality rate of 0.90 fatalities per 100 million VMT by calendar end 2021, inclusive of CMV crashes. The current CMV rate is below the stated goal of .90 in the State Highway Safety plan and contributes to lowering the overall rate each year. Crash statistics, especially along high-volume traffic flow roadways in Nebraska's 10 high accident corridor counties are most concerning due to the inequitable distribution of fatalities (65%) and overall accidents (51%) in 2018 which is the most current complete statistical year. The goal will be to reduce CMV fatalities and CMV accidents in HACs by 7% from 2019's numbers through aggressive and visible enforcement by 2022. The goal will be based on a 3% reduction in 2020, 2% in 2021 and 2% in 2022, based on the Nebraska Department of Transportation 5 Year rolling Average.

#### Projected Goals for FY 2020 - 2022:

**Enter performance goal.**

Officers who participate in the MAPS selectives, which have traditionally been conducted as a static-location selective are now having this practice modified to a roving selective in the high accident corridor. The goal is identification of CMVs who commit moving violations and subsequently stopping and inspecting those vehicles. This plan helps align



the MAPS program with the FMCSA national priority of Traffic Enforcement activities on CMVs in accident-prone areas. Troopers will conduct 700 Inspections (Level 1,2, or 3) in 14 MAPS selectives targeting High Accident Corridors, as derived from statistical crash data from the Nebraska Department of Roads.

***Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.***

The MCSAP Sergeant will work with information gleaned from past enforcement activity and Nebraska Department of Transportation records of accidents to direct MAPS officers to roadways where data indicates a higher likelihood of accidents and poor driving behaviors have historically occurred. Target vehicles will include those which do not likely pass by permanent scale locations or are dedicated to local travel and also CMVs and passenger vehicles observed committing moving traffic offenses. MAPS events average 10 troopers per event, each conducting approximately 5 Level NAS Level One inspections for that day's event. Historical data indicates this is reasonable based on location and time devoted to the activity. Additionally, officers will endeavor to contact 2 motorists observed to be in violation of traffic laws, with a NAS inspection being conducted on CMVs which are contacted as part of this traffic enforcement effort in the high accident corridor. The Nebraska State Patrol will conduct 14 MAPS events in 2020, 14 events in 2021 and 14 events in 2022. FY2021 Update: Factors created by COVID-19 have created numerous challenges to carry out this activity to the level of previous years. Federal and state exemptions for carriers involved in response to needs created or exacerbated by COVID 19 have made it difficult to identify drivers and vehicles that are not exempt from 49CFR390-399. Additionally, mandated health precautions have had a dramatic impact on proactive enforcement events like this, with enforcement curtailed, and limited to only the most egregious violations.

***Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.***

Statistics from MAPS events will be tabulated and evaluated on both static and roving statistics to assure that approximately half of the time spent at each event is done in a roving capacity. Totals will be collected each day and information about each day's events will be offered to media outlets to create public awareness and promoted through social media outlets through the agency's Public Information Officer. Additionally, media outlets are alerted to each event in an embargoed press release to allow an opportunity to conduct interviews and capture video or pictures.

**State Objective #2**

***Enter the title of your State-Identified Objective.***

Trooper In a Truck Program

***Narrative Overview for FY 2020 - 2022***

***Problem Statement Narrative: Describe problem identified by performance data including baseline data.***

The Large Vehicle Crash Causation study (Publication No. FMCSA-RRA-07-017) indicates that CMV accidents are caused primarily by vehicles departing from their lane of travel and speed. Additionally, the 2017 Large Truck and Bus Crash Data Report indicates that distracted driving, generally, causes accidents nearly 6% of the time. The average speed of a CMV fatal crash is 55.2mph, according to the 2017 Large Truck and Bus Crash Data Report.

***Projected Goals for FY 2020 - 2022:***

***Enter performance goal.***

The Trooper In a Truck program will conduct selective, weather permitting, 4 times in FY2019 which will include at least 4 troopers, a trained and certified observer, and a vehicle and driver provided through a partnership with the Nebraska Trucking Association and member companies. Roadways with at least a minimum speed of 55mph will be identified. Troopers will attempt to observe, stop and take enforcement action on at least 5 vehicles during each selective. FY2021 Update: Due to the proximity of persons involved

in this program, efforts have been limited. It is likely the Nebraska may not be able to meet the stated goal of this activity. We expect to fall short of our goals due to continued COVID 19 concerns and influences, and may see an impact in coming years. The goal will remain as listed in the original CVSP for now due to the uncertainty involved.

***Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.***

A sworn officer serving as an observer riding in the passenger seat of a semi-truck will observe moving violations of both passenger vehicles (non-CMV) as well as CMVs. Information about the violation will be radioed to waiting troopers who will make a traffic stop based on the observation. Proper enforcement action will be taken and documented via a written warning or citation, as well as a NAS Level 3 inspection on commercial vehicles with appropriate notation of any observed violations. Based on available manpower and carrier participation, the Nebraska State Patrol will conduct 4 TAT events in 2020, 4 in 2021 and 4 in 2022. Effectiveness of the activity will dictate changes in the planned effort.

***Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.***

Statistics on the number of selective enforcements and associated "stops/contacts" on non-CMV TE in accordance with the MCP which will be reported quarterly and measured against the annual goal. All activity is coded to an activity grant that can be queried from citations/warnings as well as data extraction from Safetynet on inspections conducted during the selective. Activity will be provided to media outlets for reporting and awareness. Effectiveness of each selective will be evaluated by command staff and adjustments made to help assure activity levels are met or exceeded.

**State Objective #3**

***Enter the title of your State-Identified Objective.***

Passenger Vehicle Strike Force

***Narrative Overview for FY 2020 - 2022***

***Problem Statement Narrative: Describe problem identified by performance data including baseline data.***

Passenger vehicle accidents are among the highest priorities for FMCSA. Nebraska has not historically had a statistically significant problem with passenger vehicle accidents, however the very nature of one bad accident justifies an ongoing cooperation with FMCSA's efforts to mitigate this type of accident.

***Projected Goals for FY 2020 - 2022:***

***Enter performance goal.***

Nebraska will partner with FMCSA during the annual passenger vehicle Strike Force, and has set an annual goal of 55 vehicle inspections and 3 compliance reviews of passenger carriers.

***Program Activities for FY 2020 - 2022: Describe the activities that will be implemented including level of effort.***

The Nebraska State Patrol will work cooperatively with the FMCSA during the 2019 Passenger Vehicle Strike Force. Using ACE and performance history of carriers, NSP will endeavor to conduct 3 Compliance Reviews and conduct 55 vehicle inspections, based on available fleet size and manpower in 2020, 3 Compliance Reviews and 55 vehicle inspections, based on available fleet size and manpower in 2021, and 3 Compliance Reviews and 55 vehicle inspections, based on available fleet size and manpower in 2022.

***Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.***

Nebraska will track activities directly tied to the goals and objectives identified by FMCSA during the Strike Force event and report those activities in the appropriate PPR.

## Part 4 - Financial Information

### Part 4 Section 1 - Overview

The Spending Plan is an explanation of each budget component, and should support the cost estimates for the proposed work. The Spending Plan should focus on how each item will achieve the proposed project goals and objectives, and explain how costs are calculated. The Spending Plan must be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [2 CFR part 1201](#), [49 CFR part 350](#) and the [MCSAP Comprehensive Policy](#).

Before any cost is billed to or recovered from a Federal award, it must be allowable ([2 CFR §200.403](#), [2 CFR §200 Subpart E – Cost Principles](#)), reasonable and necessary ([2 CFR §200.403](#) and [2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA regulations and directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable and Necessary** costs are those which a prudent person would deem to be judicious under the circumstances.
- **Allocable** costs are those that are charged to a funding source (e.g., a Federal award) based upon the benefit received by the funding source. Benefit received must be tangible and measurable.
  - For example, a Federal project that uses 5,000 square feet of a rented 20,000 square foot facility may charge 25 percent of the total rental cost.

#### Instructions

The Spending Plan should include costs for FY 2021 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. Federal share is 85 percent of the total project costs for this FMCSA grant program.
- **State Share** means the portion of the total project costs paid by State funds. State share is 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute up to 15 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 15 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

#### On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates an 85 percent Federal share and 15 percent State share automatically and populates these

values in each line. Federal share is the product of Total Project Costs x .85. State share equals Total Project Costs minus Federal share. If Total Project Costs are updated based upon user edits to the input values, the 85 and 15 percent values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must insure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed the FMCSA limit.
- Planned MOE Costs equal or exceed FMCSA limit.
- States' proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' proposed Total Project Costs are within \$5 of \$350,000.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$3,639,652.00	\$642,241.00	\$4,281,893.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of MCSAP Award Amount ):	\$642,241.00
MOE Baseline:	\$24,416.75

## Part 4 Section 2 - Personnel

*Personnel costs are salaries for employees working directly on a project.*

**Note: Do not include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.**

*List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the CVSP. Positions may be listed by title or function. It is not necessary to list all individual personnel separately by line. The State may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). Additional lines may be added as necessary to capture all your personnel costs.*

*The percent of each person's time must be allocated to this project based on the amount of time/effort applied to the project. For budgeting purposes, historical data is an acceptable basis.*

**Note:** Reimbursement requests must be based upon documented time and effort reports. Those same time and effort reports may be used to estimate salary expenses for a future period. For example, a MCSAP officer's time and effort reports for the previous year show that he/she spent 35 percent of his/her time on approved grant activities. Consequently, it is reasonable to budget 35 percent of the officer's salary to this project. For more information on this item see [2 CFR §200.430](#).

*In the salary column, enter the salary for each position.*

*Total Project Costs equal the Number of Staff x Percentage of Time on MCSAP grant x Salary for both Personnel and Overtime (OT).*

*If OT will be charged to the grant, only OT amounts for the Lead MCSAP Agency should be included in the table below. If the OT amount requested is greater than the 14.99 percent limitation in the MCSAP Comprehensive Policy (MCP), then justification must be provided in the CVSP for review and approval by FMCSA headquarters.*

*Activities conducted on OT by subrecipients under subawards from the Lead MCSAP Agency must comply with the 14.99 percent limitation as provided in the MCP. Any deviation from the 14.99 percent limitation must be approved by the Lead MCSAP Agency for the subrecipients.*

### Summary of MCSAP Funding Limitations

Allowable amount for Lead MCSAP Agency Overtime without written justification (14.99% of MCSAP Award Amount):	\$642,241.00
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Personnel: Salary and Overtime Project Costs							
Salary Project Costs							
Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Central Area Major	1	25.0000	\$121,789.05	\$30,447.26	\$25,883.22	\$4,564.04	\$0.00
Division Commander	1	50.0000	\$110,394.47	\$55,197.23	\$46,923.17	\$8,274.06	\$0.00
District Lieutenants	3	25.0000	\$101,240.50	\$75,930.37	\$64,548.41	\$11,381.96	\$0.00
Area Sergeants	11	25.0000	\$76,379.91	\$210,044.75	\$178,559.04	\$31,485.71	\$0.00
NE/CR Sergeant	1	100.0000	\$83,595.20	\$83,595.20	\$71,064.28	\$12,530.92	\$0.00
MCSAP Lieutenant	1	100.0000	\$101,240.50	\$101,240.50	\$86,064.55	\$15,175.95	\$0.00
NE/CR Lieutenant	1	100.0000	\$106,302.63	\$106,302.63	\$90,367.87	\$15,934.76	\$0.00
MCSAP Staff Sergeant	1	100.0000	\$86,382.40	\$86,382.40	\$73,433.68	\$12,948.72	\$0.00
CR Investigator	3	100.0000	\$81,584.53	\$244,753.59	\$208,065.03	\$36,688.56	\$0.00
CVE Troopers	7	100.0000	\$64,981.51	\$454,870.57	\$386,685.47	\$68,185.10	\$0.00
Trooper FTE	4	100.0000	\$64,981.51	\$259,926.04	\$220,963.13	\$38,962.91	\$0.00
IT Business Systems Analyst Coordinator	1	100.0000	\$62,375.50	\$62,375.50	\$53,025.41	\$9,350.09	\$0.00
IT Application Developer	1	100.0000	\$57,192.08	\$57,192.08	\$48,618.99	\$8,573.09	\$0.00
MCSAP Staff Assistant	1	100.0000	\$37,484.03	\$37,484.03	\$31,865.17	\$5,618.86	\$0.00
Accountant I	1	50.0000	\$41,795.03	\$20,897.51	\$17,764.97	\$3,132.54	\$0.00
Office Supervisor	1	10.0000	\$34,698.69	\$3,469.86	\$2,949.73	\$520.13	\$0.00
Electronics Technician	1	100.0000	\$39,899.13	\$39,899.13	\$33,918.25	\$5,980.88	\$0.00
Administrative Assistant II	1	50.0000	\$39,001.18	\$19,500.59	\$16,577.45	\$2,923.14	\$0.00
SA Investigator	3	100.0000	\$75,330.67	\$225,992.01	\$192,115.81	\$33,876.20	\$0.00
Staff Assistant	1	50.0000	\$32,434.67	\$16,217.33	\$13,786.35	\$2,430.98	\$0.00
Research Analyst II	1	100.0000	\$52,132.08	\$52,132.08	\$44,317.48	\$7,814.60	\$0.00
Communication Specialist	3	100.0000	\$39,433.13	\$118,299.39	\$100,566.31	\$17,733.08	\$0.00
Attorney III	1	50.0000	\$93,722.84	\$46,861.42	\$39,836.89	\$7,024.53	\$0.00
Traffic Division Trooper	200	0.0000	\$499.84	\$0.00	\$0.00	\$0.00	\$99,968.00
<b>Subtotal: Salary</b>				<b>\$2,409,011.47</b>	<b>\$2,047,900.66</b>	<b>\$361,110.81</b>	<b>\$99,968.00</b>
Overtime Project Costs							
Incidental Overtime	80	100.0000	\$431.16	\$34,492.80	\$29,322.33	\$5,170.47	\$0.00
Planned OT (0256)	50	100.0000	\$3,593.00	\$179,650.00	\$152,720.47	\$26,929.53	\$0.00
HM Overtime	40	100.0000	\$2,874.40	\$114,976.00	\$97,741.10	\$17,234.90	\$0.00
<b>Subtotal: Overtime</b>				<b>\$329,118.80</b>	<b>\$279,783.90</b>	<b>\$49,334.90</b>	<b>\$0.00</b>
<b>TOTAL: Personnel</b>				<b>\$2,738,130.27</b>	<b>\$2,327,684.56</b>	<b>\$410,445.71</b>	<b>\$99,968.00</b>
<b>Accounting Method:</b>	<b>Cash</b>						

**Enter a detailed explanation of how the personnel costs were derived and allocated to the MCSAP project.**

One (1) Compliance Review (CR) Lieutenant and MCSAP Lieutenant are dedicated to MCSAP Administrative activities. Duties include the application, administration and monitoring of all MCSAP related grants and activities. Appropriate percentage of time is listed on the line item budget. The MCSAP Research Analyst II, Carrier Enforcement Records Technician, Administrative Assistant II, and Electronics Technician are dedicated to MCSAP support activities. These duties include but not limited to administrative, record keeping, reporting. The Electronics Technician is assigned to handle all MCSAP units for installation and maintenance of electronic computers and similar equipment. Appropriate percentage of time is listed on the line item budget. MCSAP Attorney is 50% assigned to MCSAP activities, these activities include CR hearings, legislative issues, FMCSR interpretations and other duties as assigned.

The MCSAP Staff Sergeant is dedicated one hundred (100) percent to MCSAP Staff duties such as DataQs, answering phone calls, serves as coordinator and supervisor of the Metropolitan Aggressive and Preventive Selectives (MAPS Team) (40 Hours per week), as listed on the line item budget.

The three (3) MCSAP CR Investigators are dedicated one hundred (100) percent to Compliance Reviews (40 hours per week each), as listed on the line item budget. The three (3) MCSAP SA Investigators are dedicated to one hundred (100) percent to Safety Audits (40 hours per week each), as listed on the line item budget.

The one(1) IT Business Systems Analyst Coordinator and one (1) IT Application Developer are dedicated one hundred (100) percent to Information Systems (40 hours per week each) Information Systems support includes all MCSAP related issues for the Carrier Enforcement Division.

The sixty (60) Carrier Enforcement Troopers work part time on MCSAP eligible enforcement activities. The total of their part time efforts equates to four (4) FTEs (8,320) working 2080 hours per year, as listed on the line item budget.

The seven (7) Carrier Enforcement Troopers designated as MCSAP Commercial Vehicle Enforcement (CVE) team, work full time on MCSAP eligible enforcement activities. The total full time efforts equates to (14,560) working hours per year.

NSP will continue planned overtime only if there is sufficient funding available. Supervisors will schedule and monitor overtime hours earned. Planned overtime allows NSP to conduct roadside MCSAP inspections to enhance our goal of reducing CMV crashes and fatalities. Overtime estimated in this portion of the budget is for Salaries and Benefits.

Overtime expenditures will fall into 3 main categories for the Nebraska State Patrol related to the MCSAP Budget.

Planned Inspection Overtime – 50 Officers x \$71.86 wage x 50 hours annually= \$179,650 (Grant 0256)

Hazardous Materials Inspections – 40 officers x \$71.86 wage x 40 hours annually = \$114,976.00 (Grant 1397)

Incidental Overtime - 80 officers x \$71.86 x 6 hours annually = \$34,992.80 (Grant 9308)

Total Overtime expenditure is \$333,502.26 which includes salary and fringe, which is itemized in section 3 of this part.

Planned (0256) Overtime is only available to qualified Troopers and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This is a planned overtime category which will enhance our goal of reducing CMV crashes and fatalities through the regular inspection of carriers in the state. Hours are estimated based on previous participation rates in these categories.

Hazardous Materials (1397) is only available to qualified Carrier Enforcement Troopers and Sergeants who are current on their required number of inspections. Supervisors will monitor overtime hours earned. This category enhances our goal of reducing CMV crashes and fatalities and reducing HM incidents through the regular inspection of HM carriers in the state. Hours are estimated based on previous participation rates in these categories.

Incidental Overtime (9308) is reimbursed to employees contained in the Fair Labor Standards Act for hours worked over 40 hours in a workweek, which is incidental to the individual's 40 hour workweek occurring merely by chance and without intention. The estimated hours reflect 1/2 hour per month per employee in the Division.

In determining the MOE, Nebraska utilizes unfunded activity conducted by 200 CVSA qualified Traffic Division Troopers who are required to do a minimum of 32 Level 3 inspections per year, at approximately a half hour each for a total of 16 hours per man per year.. The average hourly rate for these troopers is \$32.14. The MOE is based on 200 troopers \* 16 hours \* \$32.14 for a budgeted total of \$99,968.



### Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

*Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate approved by the applicant's Federal cognizant agency for indirect costs. If using an approved rate, a copy of the indirect cost rate agreement must be provided through grants.gov. For more information on this item see [2 CFR §200.431](#).*

*Show how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS Statewide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.*

*The cost of fringe benefits are allowable if:*

- Costs are provided under established written policies.
- Costs are equitably allocated to all related activities, including Federal awards.
- Accounting basis (cash or accrual) selected for each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

*Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc.*

- For each of these standard employer taxes, under Position you may list "All Positions," the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Part 4.2.
- The base multiplied by the respective rate would give the total for each standard employer tax. Workers' Compensation is rated by risk area. It is permissible to enter this as an average, usually between sworn and unsworn—any grouping that is reasonable and clearly explained in the narrative is allowable.
- Health Insurance and Pensions can vary greatly and can be averaged; and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

*In the Position column include a brief position description that is associated with the fringe benefits.*

*The **Fringe Benefit Rate** is:*

- The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.
- For example, your agency pays 7.65 percent for FICA, 42.05 percent for health/life/dental insurance, and 15.1 percent for retirement. The aggregate rate of 64.8 percent (sum of the three rates) may be applied to the salaries/wages of personnel listed in the table.

*The **Base Amount** is:*

- The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.
- For example, if the total wages for all grant-funded staff is \$150,000 and the percentage of time on the grant is 50 percent, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is:  $\$150,000 \times 64.8 \times 50\% / 100 = \$48,600$  Total Project Costs.

*Total Project Costs equal the Fringe Benefit Rate x Percentage of Time on MCSAP grant x Base Amount divided by 100.*



Fringe Benefits Project Costs							
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Central Area Major	38.0000	25.0000	\$121,789.05	\$11,569.95	\$9,835.61	\$1,734.34	\$0.00
Division Commander	38.0000	50.0000	\$110,394.47	\$20,974.94	\$17,830.80	\$3,144.14	\$0.00
District Lieutenants	38.0000	25.0000	\$303,721.50	\$28,853.54	\$24,528.39	\$4,325.15	\$0.00
Area Sergeants	38.0000	25.0000	\$840,179.01	\$79,817.00	\$67,852.43	\$11,964.57	\$0.00
NE/CR Sergeant	38.0000	100.0000	\$83,595.20	\$31,766.17	\$27,004.42	\$4,761.75	\$0.00
MCSAP Lieutenant	38.0000	100.0000	\$101,240.50	\$38,471.39	\$32,704.53	\$5,766.86	\$0.00
NE/CR Lieutenant	38.0000	100.0000	\$106,302.63	\$40,394.99	\$34,339.78	\$6,055.21	\$0.00
MCSAP Staff Sergeant	38.0000	100.0000	\$86,382.40	\$32,825.31	\$27,904.80	\$4,920.51	\$0.00
CR Investigator	38.0000	100.0000	\$244,753.59	\$93,006.36	\$79,064.71	\$13,941.65	\$0.00
CVE Troopers	38.0000	100.0000	\$454,870.57	\$172,850.81	\$146,940.47	\$25,910.34	\$0.00
FTE Troopers	38.0000	100.0000	\$259,926.04	\$98,771.89	\$83,965.98	\$14,805.91	\$0.00
IT Business Systems Analyst Coordinator	38.0000	100.0000	\$62,375.50	\$23,702.69	\$20,149.66	\$3,553.03	\$0.00
IT Application Developer	38.0000	100.0000	\$57,192.08	\$21,732.99	\$18,475.21	\$3,257.78	\$0.00
MCSAP Staff Assistant	38.0000	100.0000	\$37,484.03	\$14,243.93	\$12,108.76	\$2,135.17	\$0.00
Accountant I	38.0000	50.0000	\$41,795.03	\$7,941.05	\$6,750.69	\$1,190.36	\$0.00
Office Supervisor	38.0000	10.0000	\$34,698.69	\$1,318.55	\$1,120.90	\$197.65	\$0.00
Electronics Technician	38.0000	100.0000	\$39,899.13	\$15,161.66	\$12,888.93	\$2,272.73	\$0.00
Administrative Assistant	38.0000	50.0000	\$39,001.18	\$7,410.22	\$6,299.43	\$1,110.79	\$0.00
SA Investigator	38.0000	100.0000	\$225,992.01	\$85,876.96	\$73,004.00	\$12,872.96	\$0.00
Staff Assistant	38.0000	50.0000	\$32,434.67	\$6,162.58	\$5,238.81	\$923.77	\$0.00
Research Analyst II	38.0000	100.0000	\$52,132.08	\$19,810.19	\$16,840.64	\$2,969.55	\$0.00
Communication Specialist	38.0000	100.0000	\$118,299.39	\$44,953.76	\$38,215.19	\$6,738.57	\$0.00
Attorney III	38.0000	50.0000	\$93,722.84	\$17,807.33	\$15,138.01	\$2,669.32	\$0.00
Overtime Fringe	5.0000	100.0000	\$329,118.80	\$16,455.94	\$13,989.19	\$2,466.75	\$0.00
<b>TOTAL: Fringe Benefits</b>				<b>\$931,880.20</b>	<b>\$792,191.34</b>	<b>\$139,688.86</b>	<b>\$0.00</b>

***Enter a detailed explanation of how the fringe benefit costs were derived and allocated to the MCSAP project.***

The Nebraska State Patrol is collecting fringe benefit reimbursements at actual costs for the individuals who are paid for from the MCSAP grant. Fringe benefits are a summation of the actual fringe benefits per employee, which includes mandatory retirement, health insurance, state provided life insurance, and unemployment. The State of Nebraska Department of Administrative Services utilizes the Labor and Distribution System where the system separates electronically the individual employee by percentage of how many hours worked in a labor unit, such as MCSAP. The Labor and Distribution Report then calculates the percentage time to each benefit for each individual grant. If the employee works two different grants then the appropriate percentage is calculated to each grant. For an example if an employee works 70 hours (87.5%) in a 2-week time frame for MCSAP, and worked 10 hours (12.5%) in a DOJ grant for a total of 80 hours. Then 87.5% of the 38% Fringe Benefit would be collected out of the MCSAP and 12.5% of the 38% Fringe Benefit would be collected out of the DOJ grant.

When an employee codes their time to the grant, NSP catalogs the actual hours worked to the grant, so the individual's salary would be paid correctly. Retirement is broken out by 16%, Medicare is broken out 1.456%, and if they have Social Security, 6.0% on the dollar amount is coded to the grant. Depending on the employee's health, Dental, Life and LTD the same percentage is used for salary to determine the benefit percentage. Due to fluctuations in base salary and deductions, we use a base rate of 38% for budgeting purposes.

Overtime fringe is a difficult number to determine, based on the allocation of different positions and the wages they claim. In an effort to account for fringe paid for overtime that is not already part of static fringe costs paid under regular time duties, a 5% rate was estimated, based on the best information available at this time. A line item has been added to account for this additional fringe amount. 5% x \$329,118.80.

**Part 4 Section 4 - Travel**

Itemize the positions/functions of the people who will travel. Show the estimated cost of items including but not limited to, airfare, lodging, meals, transportation, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.474](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs							
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
NAS Part A Training	20	5	100.0000	\$4,700.00	\$3,995.47	\$704.53	\$0.00
NAS Part B Training	5	5	100.0000	\$2,000.00	\$1,700.20	\$299.80	\$0.00
CVSA Fall Conference	6	5	100.0000	\$18,000.00	\$15,301.80	\$2,698.20	\$0.00
Passenger Carrier Safety Training	2	5	100.0000	\$4,000.00	\$3,400.40	\$599.60	\$0.00
Criminal Interdiction Training	4	5	100.0000	\$10,000.00	\$8,501.00	\$1,499.00	\$0.00
MCSAP Preplanning Conference	5	5	100.0000	\$10,000.00	\$8,501.00	\$1,499.00	\$0.00
MCSAP Inservice	23	2	100.0000	\$4,500.00	\$3,825.45	\$674.55	\$0.00
NAIC	1	6	100.0000	\$2,500.00	\$2,125.25	\$374.75	\$0.00
CVSA COHMED Conference	3	6	100.0000	\$9,000.00	\$7,650.90	\$1,349.10	\$0.00
CVSA Spring Conference	6	6	100.0000	\$18,000.00	\$15,301.80	\$2,698.20	\$0.00
IT Systems Training	4	5	100.0000	\$8,000.00	\$6,800.80	\$1,199.20	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP	23	15	100.0000	\$15,000.00	\$12,751.50	\$2,248.50	\$0.00
Routine Travel	35	10	100.0000	\$41,443.53	\$35,231.14	\$6,212.39	\$0.00
<b>TOTAL: Travel</b>				<b>\$147,143.53</b>	<b>\$125,086.71</b>	<b>\$22,056.82</b>	<b>\$0.00</b>

**Enter a detailed explanation of how the travel costs were derived and allocated to the MCSAP project.**

State of Nebraska Travel Policy states:

State Wide Overnight Travel - Pursuant to §81-1174, employees traveling on State business shall claim only actual amounts paid for food/meals. Employees should not submit claims based on any per diem amount. (The Federal maximum per diem rates are only a guideline and should NOT be claimed). When requesting or approving food/meal costs, compare the average cost per day for the entire trip with the appropriate daily GSA rate. Exceeding the GSA daily rate by a small amount fits the State definition of reasonableness. Reasonableness in very limited cases may exceed such rates by larger amounts; however, the reasons must be fully documented. No reimbursement may be made for alcoholic beverages. (GSA meal guidelines)

Agencies are responsible to see that all submitted claims for food/meals are adequately substantiated. Unsubstantiated food/meals should not be reimbursed. Receipts are required unless the cost of the food/meal is under \$5.00. Per diem type claims should always be questioned.

Maximum to be claimed per GSA guidelines are:

Per Diem meals / field work: \$55/day- Omaha only \$61

Per Diem lodging / field work: \$96/day-Omaha only \$110

Per Diem meals / Out of State conference: \$50/day

Per Diem lodging / conference: \$200/day

These expenses are inclusive of Airfare (if needed), Per Diem, and Lodging. Program travel encompasses costs associated with MCSAP Selective Enforcement activities, Public Relations, Public Education, Special Projects, Compliance Review Program, Monitoring of Inspections, North American Inspector Championships, MCSAP, CVSA Conferences and meetings, Information Systems, Hazardous Materials meetings, COHMED, IT workshop, HM Basic Training, HM Cargo Tank Training, North American Standard Part A Training, North American Standard Part B training, MCSAP In-Service and FMCSA's Phase III Training.

Routine travel for Selective Enforcement / Public Relations / Special Projects/Monitoring of Inspections: Costs represent necessary travel funds for Carrier Enforcement personnel to provide adequate coverage within the state. Travel is necessary to perform Compliance Reviews, Patrols, Selective Operations--including high crash corridors, MCSAP Programs, and other industry meetings within the state. These expenses are inclusive of per Diem and lodging. The number of personnel listed on the line item budget varies, depending on the activity; which is reasonable and necessary based on the typed of program travel. NSP utilizes the GSA maximum per Diem rates when possible:

#### FMCSA Pre-planning Conference:

Costs represent necessary travel for NSP Personnel attend the FMCSA Pre-planning conference. The MCSAP Lieutenant and four additional representatives will attend this conference.

#### CVSA Spring Conference:

Costs represent necessary travel for NSP personnel to attend the Commercial Vehicle Safety Alliance (CVSA) spring conference. The MCSAP Lieutenant, and 5 additional representative(s) will attend these conferences.

#### CVSA Fall Conference:

Costs represent necessary travel for NSP Personnel to attend the Commercial Vehicle Safety Alliance (CVSA) fall conference. The MCSAP Lieutenant and 5 additional personnel will attend this conference, scheduled to be in Delaware.

#### CVSA COHMED Conference:

Costs represents necessary travel for Carrier Enforcement personnel to attend the Commercial Vehicle Safety Alliance (CVSA) Cooperative Hazardous Materials Enforcement and Development (COHMED) Conference. COHMED is an outreach activity to foster coordination, corporations, and communication between federal, state, and local jurisdictions having regulatory and enforcement responsibilities for safety transportation of hazardous materials and the industry that they regulate. The MCSAP Hazardous Material Coordinator and two officers will attend this conference. The expenses are inclusive of airfare, per Diem meals, lodging, and miscellaneous costs (tips, ground travel, luggage fees, etc.)

#### North American Inspector Championships:

Costs represent necessary travel for Carrier Enforcement personnel to attend the CVSA North American Inspection Championships. The competition recognizes the roadside inspector for demonstrated excellence in the competition. One officer will be selected to attend the Championships based on state a competition that consists of a written test, hazardous material table top inspection. Cargo Tank Inspections, Motor Coach Inspections, and a Level I inspections. Various training modules are also included in the Championship. The expenses are inclusive of airfare, per Diem, and lodging. No registration fee is required.

#### Certification Training Basic Hazmat, Cargo Tank, and other Bulk Package Training:

Costs represent the necessary travel for Carrier Enforcement Troopers to attend the Hazardous Material Basic Training. Hazardous Material Cargo Tank Training, and the other Bulk Packaging Training. The number of staff to attend the training is based on retirement, transfers, and resignation from the CE Division. No registration fees are required for these courses, however a provision has been made for 1 Sergeant to attend training, out of cycle and out of state, due to promotion.

#### Certification Part A North American Standard Training:

Costs represent necessary travel for NSP Trooper (recruits) to attend the North American Standard Part A Inspection Course. All new recruits are required to attend the Part A Course. The number of staff to attend the training is based on retirement, transfers, and resignation of all NSP Troopers. The average number of recruits on an annual basis is 20. This training is held at the Nebraska Law enforcement Training Academy and all recruits are required to stay at the academy. Meals and lodging are very reasonable.

#### Certification Part B North American Standard Training:

Costs represent necessary travel for NSP Trooper (recruits) to attend the North American Standard Part B Inspection Course. All new recruits assigned to the Carrier Enforcement Division are required to attend the Part B Course. The number of staff to attend the training is based on retirement, transfers, and resignation within the Carrier Division. The average number of recruits for Part B on an annual basis is 5. This training is held at the Nebraska Law Enforcement Training Academy and all recruits are required to stay at the academy. Meals and lodging are below per diem rates.

#### Information Technology Development Training:

Cost represents registration and travel fees for MCSAP Lieutenant and up to 3 designee(s) part of the MCSAP plan identified personnel. This training has been historically required to maintain updated information on IT operating systems to allow our Information System Analysts to keep abreast of information systems in relationship to FMCSA's operating Information Systems. Training in these systems (e.g. Safetynet, SAFER, etc) ensures that Data uploaded into Federal databases is accurate, timely, and in accordance with federal requirements. The training helps assure that staff members understand the interconnected systems, and provides for efficient and

accurate workflow. Additionally, data that is available through A&I, among other sources helps guide activity and assure performance metrics in the CVSP are being met by the state. CVSA is planning a conference in Savannah, GA in cooperation with FMCSA January 27-29, 2021.

#### Criminal Interdiction Conference:

The Nebraska State Patrol Carrier Enforcement Division has the goal of sending officers to enhanced criminal interdiction training related to identification of contraband and human trafficking in accordance with the FMCSA goal of identifying such activities that exist in commercial vehicle operations.

#### MCSAP in-service:

MCSAP in-service is conducted annually for all uniformed CE Troopers. The annual in-service training provides updates on FMCSA Regulations and Out-Of-Service Criteria. Training is one day and all officers are required to attend. However, since it is only 1 day training only a few officers (estimated at 20) will require meals and lodging due to travel distance.

#### Passenger Vehicle Inspector Training:

Costs represent travel and training costs associated with 2 NSP officers attend a Passenger Carrier Safety Training. Passenger carrier CMV safety and enforcement continues to be a major CMV safety focus and the Nebraska State Patrol will identify 2 officers to receive initial training and certification for Passenger Vehicle Inspections.

In cases of Nebraska-based training utilizing NTC authorized courses and trainers, the Nebraska State Patrol Carrier Enforcement Division will post all training opportunities with the National Training Center on a voluntary basis.

## Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the threshold amount. See [§200.12](#) Capital assets, [§200.20](#) Computing devices, [§200.48](#) General purpose equipment, [§200.58](#) Information technology systems, [§200.89](#) Special purpose equipment, and [§200.94](#) Supplies.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include the quantity, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP grant.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs							
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Unmarked Patrol Vehicle - Investigator	2	\$27,085.00	100	\$54,170.00	\$46,049.92	\$8,120.08	\$0.00
LIDAR Speed Detection units	7	\$2,300.00	100	\$16,100.00	\$13,686.61	\$2,413.39	\$0.00
Mobile AFIS	7	\$1,875.00	100	\$13,125.00	\$11,157.56	\$1,967.44	\$0.00
Level 6 Training Probe	1	\$13,170.00	100	\$13,170.00	\$11,195.82	\$1,974.18	\$0.00
<b>TOTAL: Equipment</b>				<b>\$96,565.00</b>	<b>\$82,089.91</b>	<b>\$14,475.09</b>	<b>\$0.00</b>
<b>Equipment threshold is greater than \$5,000.</b>							

### Enter a detailed explanation of how the equipment costs were derived and allocated to the MCSAP project.

Three unmarked general purpose vehicles are for replacement untils expected to come to the end of useful life, based on mileage, age and maintenance concerns. Tentatively, these are planned to replace units 84022 and 84021.

LIDAR units are laser based speed detection units to be utilized by our CVE team. This group of 7 officers is dedicated specifically to both commercial and non-commercial traffic enforcement in accident prone areas of the state. Since speed is always a top 3 driver violation, it is beneficial to provide alternatives to just radar based speed detection tools, and LIDAR has proven to be very effective and extremely accurate.

Mobile AFIS units are used roadside by officers to positively identify unknown persons. Areas of the state that are served by our CVE team are more populous and by nature have more individuals that do not have valid operator's licenses or valid identification. A positive identification helps assure that habitual offenders are properly identified and prevented from operating commercial vehicles.

Level 6 training probe is test equipment is being purchased to train qualified Level 6 inspectors in the state of Nebraska. This equipment is designed to emulate actual readings of radioactive materials on equipment used by inspectors. Being able to see actual readings adds to the effectiveness of the training for properly handling highly sensitive loads and equipment.

The Radeye units are personal radiation dosimeter replacements for outdated units currently deployed that can no longer be updated. These units are for Level 6 inspectors to use roadside for testing Level 6 route controlled radioactive materials.



**Part 4 Section 6 - Supplies**

*Supplies means all tangible property other than that described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also §200.20 Computing devices and §200.33 Equipment.*

*Estimates for supply costs may be based on the same allocation as personnel. For example, if 35 percent of officers' salaries are allocated to this project, you may allocate 35 percent of your total supply costs to this project. A different allocation basis is acceptable, so long as it is reasonable, repeatable and logical, and a description is provided in the narrative.*

*Provide a description of each unit/item requested, including the quantity of each unit/item, the unit of measurement for the unit/item, the cost of each unit/item, and the percentage of time on MCSAP grant.*

*Total Project Costs equal the Number of Units x Cost per Unit x Percentage of Time on MCSAP grant.*

Supplies Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Uniforms and Protective equipment	1 Each	\$41,000.00	100.0000	\$41,000.00	\$34,854.10	\$6,145.90	\$0.00
IT Equipment	1 Each	\$29,000.00	100.0000	\$29,000.00	\$24,652.90	\$4,347.10	\$0.00
MCSAP Inspection Equipment	1 Each	\$18,000.00	100.0000	\$18,000.00	\$15,301.80	\$2,698.20	\$0.00
Regulation books	1 each	\$6,500.00	100.0000	\$6,500.00	\$5,525.65	\$974.35	\$0.00
<b>TOTAL: Supplies</b>				<b>\$94,500.00</b>	<b>\$80,334.45</b>	<b>\$14,165.55</b>	<b>\$0.00</b>

**Enter a detailed explanation of how the supply costs were derived and allocated to the MCSAP project.**

MCSAP Inspection equipment includes items like creepers, chock blocks, flashlights, brake measurement tools and other associated items identified with performing MCSAP eligible inspections and functions. The budget is inclusive of new items needed for planned attrition of existing gear and for outfitting of new officers who transfer into the division.

Uniforms and Protective equipment are MCSAP vest carriers, BDU uniforms, belts, and associated equipment. The Nebraska State Patrol is expected to update all troopers to a new flashlight system, and costs for that upgrade are included in this section. Uniforms costs are approximately \$250 per set, depending on configuration. Ballistic vests are replaced on a 3 year cycle and cost approximately \$740 per officer. Additional protective gear such as hats (\$20), gloves (\$14), hard hats (\$15) and safety glasses (\$10) are replaced as necessary. Specialty duty gear is issued and replaced as necessary and includes the duty belt (\$45) holster (\$95) mag pouch (\$15), flashlight (\$125) as well as other incidental items. Costs for this category are estimated based on attrition of gear, expected transfers into the division and cyclical replacement of outdated gear.

IT Equipment is inclusive of computers, printers, toner cartridges and service required to keep currently deployed systems functional or provide for replacement of unrepairable failed units. In part, expenses are expected for attrition of 2-3 printers currently deployed for 100% MCSAP use. The estimated cost per unit is \$2500 for purchase and installation of these printers, with additional costs for consumable supplies like high volume toner cartridges. Cost per cartridge is approximately \$200 per unit. Additionally, laptop computers are replaced as needed, with full replacement costs of approximately \$1500 per unit. Many units are repairable, and the most cost effective method will be employed to keep units servicable. Additional supplies are purchased as needed, with annualized cost estimates identified in this line item. IT services are provided as needed by the Nebraska Office of the Chief Information Officer (OCIO) and are billed as required. These costs are difficult to predict, but are expected to be less than 20% of the budgeted amount in this category.

Regulation book and supplies expenses are for annual replacement of FMCSR and Hazardous Materials regulation books for all NAS-certified personnel and any associated supplies needed for the FMCST and Hazardous Material regulation books. Approximately 100 FMCSR full sized inspection books, 200 glove-box sized inspection books and 50 Hazardous Materials regulation books are purchased annually.

All purchases identified in supplies will be vetted against the MCSAP Comprehensive Plan to assure items are approved per spending guidelines.

## Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

**Contractual** – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.22](#)). All contracts issued under a Federal award must comply with the standards described in [2 CFR §200 Procurement Standards](#).

**Note:** Contracts are separate and distinct from subawards; see [2 CFR §200.330](#) for details.

**Subaward** – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.92](#) and [2 CFR §200.330](#)).

**Subrecipient** - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.93](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

Enter the DUNS or EIN number of each entity. There is a drop-down option to choose either DUNS or EIN, and then the State must enter the corresponding identification number.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

**Operations and Maintenance**-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs							
Legal Name	DUNS/EIN Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
<b>TOTAL: Contractual and Subaward</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Enter a detailed explanation of how the contractual and subaward costs were derived and allocated to the MCSAP project.



## Part 4 Section 8 - Other Costs

*Other Costs are those not classified elsewhere and are allocable to the Federal award. These costs must be specifically itemized and described. The total costs and allocation bases must be explained in the narrative. Examples of Other Costs (typically non-tangible) may include utilities, leased property or equipment, fuel for vehicles, employee training tuition, meeting registration costs, etc. The quantity, unit of measurement (e.g., monthly, annually, each, etc.), unit cost, and percentage of time on MCSAP grant must be included.*

**Operations and Maintenance**—If the State plans to include O&M costs that do not meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below. Please identify these costs as ITD O&M, PRISM O&M, or SSDQ O&M. Sufficient detail must be provided in the narrative that explains what components of the specific program are being addressed by the O&M costs.

*Enter a description of each requested Other Cost.*

*Enter the number of items/units, the unit of measurement, the cost per unit/item, and the percentage of time dedicated to the MCSAP grant for each Other Cost listed. Show the cost of the Other Costs and the portion of the total cost that will be billed to MCSAP. For example, you intend to purchase air cards for \$2,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$400.*

*Total Project Costs equal the Number of Units x Cost per Item x Percentage of Time on MCSAP grant.*

### Indirect Costs

*Information on Indirect Costs ([2 CFR §200.56](#)) is captured in this section. This cost is allowable only when an approved indirect cost rate agreement has been provided in the “My Documents” area in the eCVSP tool and through Grants.gov. Applicants may charge up to the total amount of the approved indirect cost rate multiplied by the eligible cost base. Applicants with a cost basis of salaries/wages and fringe benefits may only apply the indirect rate to those expenses. Applicants with an expense base of modified total direct costs (MTDC) may only apply the rate to those costs that are included in the MTDC base ([2 CFR §200.68](#)).*

- **Cost Basis** — is the accumulated direct costs (normally either total direct salaries and wages or total direct costs exclusive of any extraordinary or distorting expenditures) used to distribute indirect costs to individual Federal awards. The direct cost base selected should result in each Federal award bearing a fair share of the indirect costs in reasonable relation to the benefits received from the costs.
- **Approved Rate** — is the rate in the approved Indirect Cost Rate Agreement.
- **Eligible Indirect Expenses** — means after direct costs have been determined and assigned directly to Federal awards and other activities as appropriate. Indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.
- **Total Indirect Costs** equal Approved Rate x Eligible Indirect Expenses divided by 100.

**Your State will not claim reimbursement for Indirect Costs.**

Other Costs Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Cell Phone Lines	23 annual	\$472.00	100.0000	\$10,856.00	\$9,228.69	\$1,627.31	\$0.00
MCSAP Telephone Charges (landline)	15 annual	\$634.00	100.0000	\$9,510.00	\$8,084.45	\$1,425.55	\$0.00
Towing expense Drug Interdiction	1 varies	\$2,000.00	100.0000	\$2,000.00	\$1,700.20	\$299.80	\$0.00
CVSA Annual Membership	1 membership	\$12,900.00	100.0000	\$12,900.00	\$10,966.29	\$1,933.71	\$0.00
HELP Inc Dues	1 annual	\$7,500.00	100.0000	\$7,500.00	\$6,375.75	\$1,124.25	\$0.00
Unit Maintenance 100% MCSAP	19 Each	\$2,000.00	100.0000	\$38,000.00	\$32,303.80	\$5,696.20	\$0.00
Unit Maintenance 50%	8 Each	\$2,000.00	50.0000	\$8,000.00	\$6,800.80	\$1,199.20	\$0.00
CVSA Decals	800 sheet	\$3.84	100.0000	\$3,072.00	\$2,611.51	\$460.49	\$0.00
100% MCSAP Unit Fuel	19 Unit	\$6,312.00	100.0000	\$119,928.00	\$101,940.00	\$17,988.00	\$0.00
50% MCSAP Unit Fuel	8 Unit	\$6,312.00	50.0000	\$25,248.00	\$21,460.00	\$3,788.00	\$0.00
Office Space/Utilities	1 Each	\$36,660.00	100.0000	\$36,660.00	\$30,793.54	\$5,866.46	\$0.00
<b>TOTAL: Other Costs</b>				<b>\$273,674.00</b>	<b>\$232,265.03</b>	<b>\$41,408.97</b>	<b>\$0.00</b>

**Enter a detailed explanation of how the 'other' costs were derived and allocated to the MCSAP project.**

MCSAP Fuel 100%-Cost represent necessary fuel costs associated with 19-100% MCSAP units. Fuel costs have varied dramatically due to supply and demand issues brought on by COVID-19. The average price is expected to return to a range similar to 2019, so that amount will be used for budget purposes. Information from Nebraska Energy office, July 10, 2020. **Since this inception of this grant, fuel prices have increased by more than 20%. Updated totals in this category represent increased costs.**

MCSAP Fuel 50%-Cost represent necessary fuel costs associated with 8-50% MCSAP units. **Since this inception of this grant, fuel prices have increased by more than 20%. Updated totals in this category represent increased costs.**

Unit Maintenance MCSAP 100%-Cost represent necessary maintenance costs associated with 19-100% MCSAP units.

Unit Maintenance MCSAP 50%-Cost represent necessary maintenance costs associated with 8-50% MCSAP units.

Current economic and automobile production limitations are requiring vehicles be driven to as many as 150,000 miles. Maintenance costs are higher to account for this recent change in environment.

**\*\*Please note fuel is purchased as needed through a Voyager Credit Card. Maintenance costs are purchased through Voyager or invoice.**

Office Space/ Utilities MCSAP-Cost represent office space for MCSAP personnel which includes rent, gas, electric, garbage cost, water, recycling and ect.. The building rent is derived from one journal entry invoice from the Airport Authority. This invoice combines Carrier Enforcement, MCSAP, Supply and Vehicle Installation Building. The rent is then divided into percentages according to square footage of these units. **The State Patrol is moving to a centralized**

office space in late spring/early summer of 2021. We have been told to anticipate higher costs (10-20%) for office space. This category has been increased slightly to anticipate that need.

MCSAP Cell phone lines/MCSAP telephone lines-Cost represent cell phone and office telephone lines used for MCSAP personnel.

Towing Expense Drug Interdiction-Cost represent towing expenses related from drug interdiction investigations on a case by case basis.

CVSA Decals/CVSA Annual Membership-Cost represent expenses for CVSA Decals and CVSA Annual Membership Dues.

HELP Inc. Dues-Cost represent expenses related to HELP Inc Dues. The FAST Act, beginning in FY2017 provides flexibility for Nebraska to utilize a portion of our MCSAP funding towards operation and maintenance costs. Operations and maintenance is defined as the combination of all technical and administrative actions intended to enable a CMV information system, communication network and or hardware and software application to perform its required functions and address necessary adaptation to changes in external conditions. This fee is for one representative from the Nebraska State Patrol.

**Part 4 Section 9 - Comprehensive Spending Plan**

The Comprehensive Spending Plan is auto-populated from all line items in the tables and is in read-only format. Changes to the Comprehensive Spending Plan will only be reflected by updating the individual budget category table(s).

<b>ESTIMATED Fiscal Year Funding Amounts for MCSAP</b>			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$3,639,652.00	\$642,241.00	\$4,281,893.00

<b>Summary of MCSAP Funding Limitations</b>	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$642,241.00
MOE Baseline:	\$24,416.75

<b>Estimated Expenditures</b>				
<b>Personnel</b>				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Central Area Major	\$25,883.22	\$4,564.04	\$30,447.26	\$0.00
Division Commander	\$46,923.17	\$8,274.06	\$55,197.23	\$0.00
District Lieutenants	\$64,548.41	\$11,381.96	\$75,930.37	\$0.00
Area Sergeants	\$178,559.04	\$31,485.71	\$210,044.75	\$0.00
NE/CR Sergeant	\$71,064.28	\$12,530.92	\$83,595.20	\$0.00
MCSAP Lieutenant	\$86,064.55	\$15,175.95	\$101,240.50	\$0.00
NE/CR Lieutenant	\$90,367.87	\$15,934.76	\$106,302.63	\$0.00
MCSAP Staff Sergeant	\$73,433.68	\$12,948.72	\$86,382.40	\$0.00
CR Investigator	\$208,065.03	\$36,688.56	\$244,753.59	\$0.00
CVE Troopers	\$386,685.47	\$68,185.10	\$454,870.57	\$0.00
Trooper FTE	\$220,963.13	\$38,962.91	\$259,926.04	\$0.00
IT Business Systems Analyst Coordinator	\$53,025.41	\$9,350.09	\$62,375.50	\$0.00
IT Application Developer	\$48,618.99	\$8,573.09	\$57,192.08	\$0.00
MCSAP Staff Assistant	\$31,865.17	\$5,618.86	\$37,484.03	\$0.00
Accountant I	\$17,764.97	\$3,132.54	\$20,897.51	\$0.00
Office Supervisor	\$2,949.73	\$520.13	\$3,469.86	\$0.00
Electronics Technician	\$33,918.25	\$5,980.88	\$39,899.13	\$0.00
Administrative Assistant II	\$16,577.45	\$2,923.14	\$19,500.59	\$0.00
SA Investigator	\$192,115.81	\$33,876.20	\$225,992.01	\$0.00
Staff Assistant	\$13,786.35	\$2,430.98	\$16,217.33	\$0.00
Research Analyst II	\$44,317.48	\$7,814.60	\$52,132.08	\$0.00
Communication Specialist	\$100,566.31	\$17,733.08	\$118,299.39	\$0.00
Attorney III	\$39,836.89	\$7,024.53	\$46,861.42	\$0.00
Traffic Division Trooper	\$0.00	\$0.00	\$0.00	\$99,968.00
<b>Salary Subtotal</b>	<b>\$2,047,900.66</b>	<b>\$361,110.81</b>	<b>\$2,409,011.47</b>	<b>\$99,968.00</b>
Incidental Overtime	\$29,322.33	\$5,170.47	\$34,492.80	\$0.00
Planned OT (0256)	\$152,720.47	\$26,929.53	\$179,650.00	\$0.00
HM Overtime	\$97,741.10	\$17,234.90	\$114,976.00	\$0.00
<b>Overtime subtotal</b>	<b>\$279,783.90</b>	<b>\$49,334.90</b>	<b>\$329,118.80</b>	<b>\$0.00</b>
<b>Personnel total</b>	<b>\$2,327,684.56</b>	<b>\$410,445.71</b>	<b>\$2,738,130.27</b>	<b>\$99,968.00</b>

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Central Area Major	\$9,835.61	\$1,734.34	\$11,569.95	\$0.00
Division Commander	\$17,830.80	\$3,144.14	\$20,974.94	\$0.00
District Lieutenants	\$24,528.39	\$4,325.15	\$28,853.54	\$0.00
Area Sergeants	\$67,852.43	\$11,964.57	\$79,817.00	\$0.00
NE/CR Sergeant	\$27,004.42	\$4,761.75	\$31,766.17	\$0.00
MCSAP Lieutenant	\$32,704.53	\$5,766.86	\$38,471.39	\$0.00
NE/CR Lieutenant	\$34,339.78	\$6,055.21	\$40,394.99	\$0.00
MCSAP Staff Sergeant	\$27,904.80	\$4,920.51	\$32,825.31	\$0.00
CR Investigator	\$79,064.71	\$13,941.65	\$93,006.36	\$0.00
CVE Troopers	\$146,940.47	\$25,910.34	\$172,850.81	\$0.00
FTE Troopers	\$83,965.98	\$14,805.91	\$98,771.89	\$0.00
IT Business Systems Analyst Coordinator	\$20,149.66	\$3,553.03	\$23,702.69	\$0.00
IT Application Developer	\$18,475.21	\$3,257.78	\$21,732.99	\$0.00
MCSAP Staff Assistant	\$12,108.76	\$2,135.17	\$14,243.93	\$0.00
Accountant I	\$6,750.69	\$1,190.36	\$7,941.05	\$0.00
Office Supervisor	\$1,120.90	\$197.65	\$1,318.55	\$0.00
Electronics Technician	\$12,888.93	\$2,272.73	\$15,161.66	\$0.00
Administrative Assistant	\$6,299.43	\$1,110.79	\$7,410.22	\$0.00
SA Investigator	\$73,004.00	\$12,872.96	\$85,876.96	\$0.00
Staff Assistant	\$5,238.81	\$923.77	\$6,162.58	\$0.00
Research Analyst II	\$16,840.64	\$2,969.55	\$19,810.19	\$0.00
Communication Specialist	\$38,215.19	\$6,738.57	\$44,953.76	\$0.00
Attorney III	\$15,138.01	\$2,669.32	\$17,807.33	\$0.00
Overtime Fringe	\$13,989.19	\$2,466.75	\$16,455.94	\$0.00
<b>Fringe Benefits total</b>	<b>\$792,191.34</b>	<b>\$139,688.86</b>	<b>\$931,880.20</b>	<b>\$0.00</b>

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
NAS Part A Training	\$3,995.47	\$704.53	\$4,700.00	\$0.00
NAS Part B Training	\$1,700.20	\$299.80	\$2,000.00	\$0.00
CVSA Fall Conference	\$15,301.80	\$2,698.20	\$18,000.00	\$0.00
Passenger Carrier Safety Training	\$3,400.40	\$599.60	\$4,000.00	\$0.00
Criminal Interdiction Training	\$8,501.00	\$1,499.00	\$10,000.00	\$0.00
MCSAP Preplanning Conference	\$8,501.00	\$1,499.00	\$10,000.00	\$0.00
MCSAP Inservice	\$3,825.45	\$674.55	\$4,500.00	\$0.00
NAIC	\$2,125.25	\$374.75	\$2,500.00	\$0.00
CVSA COHMED Conference	\$7,650.90	\$1,349.10	\$9,000.00	\$0.00
CVSA Spring Conference	\$15,301.80	\$2,698.20	\$18,000.00	\$0.00
IT Systems Training	\$6,800.80	\$1,199.20	\$8,000.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP)	\$12,751.50	\$2,248.50	\$15,000.00	\$0.00
Routine Travel	\$35,231.14	\$6,212.39	\$41,443.53	\$0.00
<b>Travel total</b>	<b>\$125,086.71</b>	<b>\$22,056.82</b>	<b>\$147,143.53</b>	<b>\$0.00</b>

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Unmarked Patrol Vehicle - Investigator	\$46,049.92	\$8,120.08	\$54,170.00	\$0.00
LIDAR Speed Detection units	\$13,686.61	\$2,413.39	\$16,100.00	\$0.00
Mobile AFIS	\$11,157.56	\$1,967.44	\$13,125.00	\$0.00
Level 6 Training Probe	\$11,195.82	\$1,974.18	\$13,170.00	\$0.00
<b>Equipment total</b>	<b>\$82,089.91</b>	<b>\$14,475.09</b>	<b>\$96,565.00</b>	<b>\$0.00</b>

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Uniforms and Protective equipment	\$34,854.10	\$6,145.90	\$41,000.00	\$0.00
IT Equipment	\$24,652.90	\$4,347.10	\$29,000.00	\$0.00
MCSAP Inspection Equipment	\$15,301.80	\$2,698.20	\$18,000.00	\$0.00
Regulation books	\$5,525.65	\$974.35	\$6,500.00	\$0.00
<b>Supplies total</b>	<b>\$80,334.45</b>	<b>\$14,165.55</b>	<b>\$94,500.00</b>	<b>\$0.00</b>

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
<b>Contractual and Subaward total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Cell Phone Lines	\$9,228.69	\$1,627.31	\$10,856.00	\$0.00
MCSAP Telephone Charges (landline)	\$8,084.45	\$1,425.55	\$9,510.00	\$0.00
Towing expense Drug Interdiction	\$1,700.20	\$299.80	\$2,000.00	\$0.00
CVSA Annual Membership	\$10,966.29	\$1,933.71	\$12,900.00	\$0.00
HELP Inc Dues	\$6,375.75	\$1,124.25	\$7,500.00	\$0.00
Unit Maintenance 100% MCSAP	\$32,303.80	\$5,696.20	\$38,000.00	\$0.00
Unit Maintenance 50%	\$6,800.80	\$1,199.20	\$8,000.00	\$0.00
CVSA Decals	\$2,611.51	\$460.49	\$3,072.00	\$0.00
100% MCSAP Unit Fuel	\$101,940.00	\$17,988.00	\$119,928.00	\$0.00
50% MCSAP Unit Fuel	\$21,460.00	\$3,788.00	\$25,248.00	\$0.00
Office Space/Utilities	\$30,793.54	\$5,866.46	\$36,660.00	\$0.00
<b>Other Costs total</b>	<b>\$232,265.03</b>	<b>\$41,408.97</b>	<b>\$273,674.00</b>	<b>\$0.00</b>

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
<b>Subtotal for Direct Costs</b>	<b>\$3,639,652.00</b>	<b>\$642,241.00</b>	<b>\$4,281,893.00</b>	<b>\$99,968.00</b>
<b>Total Costs Budgeted</b>	<b>\$3,639,652.00</b>	<b>\$642,241.00</b>	<b>\$4,281,893.00</b>	<b>\$99,968.00</b>

## Part 4 Section 10 - Financial Summary

The Financial Summary is auto-populated by the system by budget category. It is a read-only document and can be used to complete the SF-424A in Grants.gov. Changes to the Financial Summary will only be reflected by updating the individual budget category table(s).

- The system will confirm that percentages for Federal and State shares are correct for Total Project Costs. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that Planned MOE Costs equal or exceed FMCSA funding limitation. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that the Overtime value does not exceed the FMCSA funding limitation. The edit check is performed on the **"Overtime subtotal"** line.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85.01% Federal Share	14.99% State Share	Total Estimated Funding
Total	\$3,639,652.00	\$642,241.00	\$4,281,893.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (14.99% of Basic Award Amount):	\$642,241.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,047,900.66	\$361,110.81	\$2,409,011.47	\$99,968.00
Overtime Subtotal	\$279,783.90	\$49,334.90	\$329,118.80	\$0.00
Personnel Total	\$2,327,684.56	\$410,445.71	\$2,738,130.27	\$99,968.00
Fringe Benefits Total	\$792,191.34	\$139,688.86	\$931,880.20	\$0.00
Travel Total	\$125,086.71	\$22,056.82	\$147,143.53	\$0.00
Equipment Total	\$82,089.91	\$14,475.09	\$96,565.00	\$0.00
Supplies Total	\$80,334.45	\$14,165.55	\$94,500.00	\$0.00
Contractual and Subaward Total	\$0.00	\$0.00	\$0.00	\$0.00
Other Costs Total	\$232,265.03	\$41,408.97	\$273,674.00	\$0.00
	85.01% Federal Share	14.99% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$3,639,652.00	\$642,241.00	\$4,281,893.00	\$99,968.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
<b>Total Costs Budgeted</b>	<b>\$3,639,652.00</b>	<b>\$642,241.00</b>	<b>\$4,281,893.00</b>	<b>\$99,968.00</b>



**Part 5 - Certifications and Documents**

*Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.*

*If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the "My Documents" area on the State's Dashboard page.*

**Part 5 Section 1 - State Certification**

*The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.*

1. What is the name of the person certifying the declaration for your State? John Bolduc
2. What is this person's title? Colonel
3. Who is your Governor's highway safety representative? William Kovarik
4. What is this person's title? Nebraska Highway Safety Administrator

**The State affirmatively accepts the State certification declaration written below by selecting 'yes'.**

- ☒ Yes
- ☐ No

**State Certification declaration:**

I, John Bolduc, Colonel, on behalf of the State of NEBRASKA, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the State satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

**Part 5 Section 2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification**

*You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.*

1. What is the name of your certifying State official? Mark Boyer
2. What is the title of your certifying State official? Assistant General Counsel
3. What are the phone # and email address of your State official? 402-479-4983 mark.boyer@nebraska.gov

**The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.**

- ☒ Yes
- ☐ No

I, Mark Boyer, certify that the State has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the State's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means State laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.

**Part 5 Section 3 - New Laws/Legislation/Policy Impacting CMV Safety**

**Has the State adopted/enacted any new or updated laws (i.e., statutes) impacting CMV safety since the last CVSP or annual update was submitted?**

☒ Yes ☐ No

In the table below, please provide the bill number and effective date of any new legislation. Include the code section which was changed because of the bill and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
LB944	01/01/2020	75-362 through 75-369.07	Annual update to Nebraska State statute to incorporate FMCSRs, current at that time.

**Has the State adopted/enacted any new administrative actions or policies impacting CMV safety since the last CVSP?**

☐ Yes ☒ No

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 944**

FINAL READING

Introduced by Geist, 25; Friesen, 34.

Read first time January 13, 2020

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to transportation; to amend sections 18-1214,  
2 37-327.03, 38-129, 60-142.01, 60-3,137, 60-3,203, 60-3,212,  
3 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and 75-399,  
4 Reissue Revised Statutes of Nebraska, sections 4-111, 60-192,  
5 60-331.02, 60-3,104.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113,  
6 60-4,114, 60-4,138, 60-4,141, 60-4,168, 60-6,294, 60-6,297, and  
7 60-6,356, Revised Statutes Cumulative Supplement, 2018, and sections  
8 60-107, 60-119.01, 60-144, 60-301, 60-302.01, 60-336.01, 60-386,  
9 60-393, 60-395, 60-396, 60-3,104, 60-3,113.04, 60-3,122.03,  
10 60-3,127, 60-3,130.04, 60-3,193.01, 60-3,198, 60-3,226, 60-3,230,  
11 60-3,232, 60-3,234, 60-3,237, 60-3,238, 60-3,239, 60-3,240,  
12 60-3,241, 60-3,242, 60-3,243, 60-462.01, 60-479.01, 60-495,  
13 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,182, 60-501,  
14 60-628.01, 60-6,265, 60-6,290, 60-2705, 60-2909.01, 75-363, 75-364,  
15 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2019; to  
16 change provisions relating to the federal REAL ID Act of 2005 and  
17 certain motor vehicle fees imposed by cities and villages; to update  
18 certain federal references; to redefine handicapped or disabled  
19 person for purposes of motor vehicle registration; to change  
20 provisions relating to a certificate of title for a junked vehicle  
21 and odometer statements; to provide for a refund or credit of fees  
22 for a loss of possession due to natural disaster; to update a

1 reference to the International Registration Plan; to eliminate  
2 provisions relating to certain replacement permanent plates; to  
3 authorize temporary license stickers as prescribed; to change and  
4 provide provisions relating to license plates, fees, and  
5 distribution of the fees; to provide for electronic delivery of an  
6 operator's license or state identification card and for a remote  
7 knowledge inquiry; to change provisions relating to restrictions to  
8 a commercial driver's license and a commercial learner's permit,  
9 lifetime disqualifications from operating a commercial motor  
10 vehicle, the point system for traffic violations, and vehicle length  
11 and weight limits; to provide for the crossing of a controlled-  
12 access highway by an all-terrain vehicle or utility-type vehicle as  
13 prescribed; to change provisions relating to the International Fuel  
14 Tax Agreement Act; to define and redefine terms; to change certain  
15 civil penalties; to change provisions relating to the unified  
16 carrier registration plan and agreement; to create funds; to  
17 harmonize provisions; to provide operative dates; to repeal the  
18 original sections; and to declare an emergency.

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

1           Section 1. Section 4-111, Revised Statutes Cumulative Supplement,  
2   2018, is amended to read:

3           4-111 (1) Verification of lawful presence in the United States  
4   pursuant to section 4-108 requires that the applicant for public benefits  
5   attest in a format prescribed by the Department of Administrative  
6   Services that:

7           (a) He or she is a United States citizen; or

8           (b) He or she is a qualified alien under the federal Immigration and  
9   Nationality Act, 8 U.S.C. 1101 et seq., as such act existed on January 1,  
10   2009, and is lawfully present in the United States.

11          (2) A state agency or political subdivision of the State of Nebraska  
12   may adopt and promulgate rules and regulations or procedures for the  
13   electronic filing of the attestation required under subsection (1) of  
14   this section if such attestation is substantially similar to the format  
15   prescribed by the Department of Administrative Services.

16          (3)(a) The Legislature finds that it is in the best interest of the  
17   State of Nebraska to make full use of the skills and talents in the state  
18   by ensuring that a person who is work-authorized is able to obtain a  
19   professional or commercial license and practice his or her profession.

20          (b) For purposes of a professional or commercial license, the  
21   Legislature finds that a person not described in subdivision (1)(a) or  
22   (1)(b) of this section who submits (i) an unexpired employment  
23   authorization document issued by the United States Department of Homeland  
24   Security, Form I-766, and (ii) documentation issued by the United States  
25   Department of Homeland Security, the United States Citizenship and  
26   Immigration Services, or any other federal agency, such as one of the  
27   types of Form I-797 used by the United States Citizenship and Immigration  
28   Services, demonstrating that such person is described in section 202(c)  
29   (2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law  
30   109-13, has demonstrated lawful presence pursuant to section 4-108 and is  
31   eligible to obtain such license. Such license shall be valid only for the

1 period of time during which such person's employment authorization  
2 document is valid. Nothing in this subsection shall affect the  
3 requirements to obtain a professional or commercial license that are  
4 unrelated to the lawful presence requirements demonstrated pursuant to  
5 this subsection.

6 (c) Nothing in this subsection shall be construed to grant  
7 eligibility for any public benefits other than obtaining a professional  
8 or commercial license.

9 (d) Any person who has complied with the requirements of this  
10 subsection shall have his or her employment authorization document  
11 verified through the Systematic Alien Verification for Entitlements  
12 Program operated by the United States Department of Homeland Security or  
13 an equivalent program designated by the United States Department of  
14 Homeland Security.

15 (e) The Legislature enacts this subsection pursuant to the authority  
16 provided in 8 U.S.C. 1621(d), as such section existed on January 1, 2016.

17 Sec. 2. Section 18-1214, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 18-1214 (1)(a) ~~(1)~~ Except as otherwise provided in subsection (3)  
20 of this section, the governing body of any city or village shall have  
21 power to require any individual whose primary residence or person who  
22 owns a place of business which is within the limits of the city or  
23 village and that owns and operates a motor vehicle within such limits to  
24 pay an annual motor vehicle fee and to require the payment of such fee  
25 upon the change of ownership of such vehicle. All such fees which may be  
26 provided for under this subsection shall be used exclusively for  
27 constructing, repairing, maintaining, or improving streets, roads,  
28 alleys, public ways, or parts thereof or for the amortization of bonded  
29 indebtedness when created for such purposes.

30 (b) To ensure compatibility with the Vehicle Title and Registration  
31 System maintained by the Department of Motor Vehicles:

1       (i) Any city or village that collects the annual motor vehicle fee  
2 authorized under this section shall use the plate types listed under  
3 section 60-3,104 and, as applicable, weight categories listed under the  
4 Motor Vehicle Registration Act when reporting information to the Vehicle  
5 Title and Registration System; and

6       (ii) Any city or village that adopts an annual motor vehicle fee  
7 under this section or that modifies an existing motor vehicle fee shall  
8 notify the Department of Motor Vehicles of such new or modified fee  
9 within ten business days after the passage of the ordinance authorizing  
10 such new or modified fee and at least sixty days prior to the  
11 implementation of such new or modified fee.

12       (2) No motor vehicle fee shall be required under this section if (a)  
13 a vehicle is used or stored but temporarily in such city or village for a  
14 period of six months or less in a twelve-month period, (b) an individual  
15 does not have a primary residence or a person does not own a place of  
16 business within the limits of the city or village and does not own and  
17 operate a motor vehicle within the limits of the city or village, or (c)  
18 an individual is a full-time student attending a postsecondary  
19 institution within the limits of the city or village and the motor  
20 vehicle's situs under the Motor Vehicle Certificate of Title Act is  
21 different from the place at which he or she is attending such  
22 institution.

23       (3) After December 31, 2012, no motor vehicle fee shall be required  
24 of any individual whose primary residence is or person who owns a place  
25 of business within the extraterritorial zoning jurisdiction of such city  
26 or village.

27       (4) The fee shall be paid to the county treasurer of the county in  
28 which such city or village is located when the registration fees as  
29 provided in the Motor Vehicle Registration Act are paid. Such fees shall  
30 be credited by the county treasurer to the road fund of such city or  
31 village.



1 (5) For purposes of this section:

2 (a) Limits of the city or village includes the extraterritorial  
3 zoning jurisdiction of such city or village; and

4 (b) Person includes bodies corporate, societies, communities, the  
5 public generally, individuals, partnerships, limited liability companies,  
6 joint-stock companies, cooperatives, and associations. Person does not  
7 include any federal, state, or local government or any political  
8 subdivision thereof.

9 Sec. 3. Section 37-327.03, Reissue Revised Statutes of Nebraska, is  
10 amended to read:

11 37-327.03 The Game and Parks State Park Improvement and Maintenance  
12 Fund is created. The fund shall consist of transfers made by the  
13 Legislature, money credited to the fund pursuant to section 50 of this  
14 act, and any gifts, grants, bequests, or donations to the fund. The money  
15 credited to the fund pursuant to section 50 of this act shall be used  
16 only for the improvement and maintenance of state recreational trails as  
17 defined in section 37-338. Any other money Money in the fund shall be  
18 used to build, repair, renovate, rehabilitate, restore, modify, or  
19 improve any infrastructure in the state park system. Any money in the  
20 fund available for investment shall be invested by the state investment  
21 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
22 State Funds Investment Act.

23 Sec. 4. Section 38-129, Reissue Revised Statutes of Nebraska, is  
24 amended to read:

25 38-129 (1) No individual shall be issued a credential under the  
26 Uniform Credentialing Act until he or she has furnished satisfactory  
27 evidence to the department that he or she is of good character and has  
28 attained the age of nineteen years except as otherwise specifically  
29 provided by statute, rule, or regulation.

30 (2) A credential may only be issued to (a) a citizen of the United  
31 States, (b) an alien lawfully admitted into the United States who is

1 eligible for a credential under the Uniform Credentialing Act, (c) a  
2 nonimmigrant lawfully present in the United States who is eligible for a  
3 credential under the Uniform Credentialing Act, or (d) a person who  
4 submits (i) an unexpired employment authorization document issued by the  
5 United States Department of Homeland Security, Form I-766, and (ii)  
6 documentation issued by the United States Department of Homeland  
7 Security, the United States Citizenship and Immigration Services, or any  
8 other federal agency, such as one of the types of Form I-797 used by the  
9 United States Citizenship and Immigration Services, demonstrating that  
10 such person is described in section 202(c)(2)(B)(i) through (x) ~~{ix}~~ of  
11 the federal REAL ID Act of 2005, Public Law 109-13. Such credential shall  
12 be valid only for the period of time during which such person's  
13 employment authorization document is valid.

14 Sec. 5. Section 60-107, Revised Statutes Supplement, 2019, is  
15 amended to read:

16 60-107 Cabin trailer means a trailer or a semitrailer, which is  
17 designed, constructed, and equipped as a dwelling place, living abode, or  
18 sleeping place, whether used for such purposes or instead permanently or  
19 temporarily for the advertising, sale, display, or promotion of  
20 merchandise or services or for any other commercial purpose except  
21 transportation of property for hire or transportation of property for  
22 distribution by a private carrier. Cabin trailer does not mean a trailer  
23 or semitrailer which is permanently attached to real estate. There are  
24 four classes of cabin trailers:

25 (1) Camping trailer which includes cabin trailers one hundred two  
26 inches or less in width and forty feet or less in length and adjusted  
27 mechanically smaller for towing;

28 (2) Mobile home which includes cabin trailers more than one hundred  
29 two inches in width or more than forty feet in length;

30 (3) Travel trailer which includes cabin trailers not more than one  
31 hundred two inches in width nor more than forty feet in length from front

1 hitch to rear bumper, except as provided in subdivision (2)(k) of section  
2 60-6,288; and

3 (4) Manufactured home means a structure, transportable in one or  
4 more sections, which in the traveling mode is eight body feet or more in  
5 width or forty body feet or more in length or when erected on site is  
6 three hundred twenty or more square feet and which is built on a  
7 permanent frame and designed to be used as a dwelling with or without a  
8 permanent foundation when connected to the required utilities and  
9 includes the plumbing, heating, air conditioning, and electrical systems  
10 contained in the structure, except that manufactured home includes any  
11 structure that meets all of the requirements of this subdivision other  
12 than the size requirements and with respect to which the manufacturer  
13 voluntarily files a certification required by the United States Secretary  
14 of Housing and Urban Development and complies with the standards  
15 established under the National Manufactured Housing Construction and  
16 Safety Standards Act of 1974, as such act existed on January 1, 2020  
17 ~~2019~~, 42 U.S.C. 5401 et seq.

18 Sec. 6. Section 60-119.01, Revised Statutes Supplement, 2019, is  
19 amended to read:

20 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
21 (a) whose speed attainable in one mile is more than twenty miles per hour  
22 and not more than twenty-five miles per hour on a paved, level surface,  
23 (b) whose gross vehicle weight rating is less than three thousand pounds,  
24 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
25 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose  
26 maximum speed attainable is not more than twenty-five miles per hour on a  
27 paved, level surface, (b) whose gross vehicle weight rating is less than  
28 three thousand pounds, and (c) which is equipped with a windshield and an  
29 occupant protection system. A motorcycle with a sidecar attached is not a  
30 low-speed vehicle.

31 Sec. 7. Section 60-142.01, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2       60-142.01 (1) If the owner does not have a certificate of title for  
3 a vehicle which was manufactured prior to 1940 and which has not had any  
4 major component part replaced, the department shall search its records  
5 for evidence of issuance of a Nebraska certificate of title for such  
6 vehicle at the request of the owner. If no certificate of title has been  
7 issued for such vehicle in the thirty-year period prior to application,  
8 the owner may transfer title to the vehicle by giving the transferee a  
9 notarized bill of sale, an affidavit in support of the application for  
10 title, a statement that an inspection has been conducted on the vehicle,  
11 and a statement from the department that no certificate of title has been  
12 issued for such vehicle in the thirty-year period prior to application.  
13 The transferee may apply for a certificate of title pursuant to section  
14 60-149 by presenting the documentation described in this section in lieu  
15 of a certificate of title.

16       (2) If the owner has a certificate of title for a vehicle which was  
17 previously classified as junked, which was manufactured prior to 1940,  
18 and which has not had any major component part replaced, the director, in  
19 his or her discretion, may issue a salvage title if it is shown to his or  
20 her satisfaction that the vehicle has been inspected and the vehicle has  
21 been restored to its original specifications.

22       Sec. 8. Section 60-144, Revised Statutes Supplement, 2019, is  
23 amended to read:

24       60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and  
25 (d) of this subsection, the county treasurer shall be responsible for  
26 issuing and filing certificates of title for vehicles, and each county  
27 shall issue and file such certificates of title using the Vehicle Title  
28 and Registration System which shall be provided and maintained by the  
29 department. Application for a certificate of title shall be made upon a  
30 form prescribed by the department. All applications shall be accompanied  
31 by the appropriate fee or fees.

1           (ii) This subdivision applies beginning on an implementation date  
2 designated by the director. The director shall designate an  
3 implementation date which is on or before January 1, 2021. In addition to  
4 the information required under subdivision (1)(a)(i) of this section, the  
5 application for a certificate of title shall contain (A)(I) the full  
6 legal name as defined in section 60-468.01 of each owner or (II) the name  
7 of each owner as such name appears on the owner's motor vehicle  
8 operator's license or state identification card and (B)(I) the motor  
9 vehicle operator's license number or state identification card number of  
10 each owner, if applicable, and one or more of the identification elements  
11 as listed in section 60-484 of each owner, if applicable, and (II) if any  
12 owner is a business entity, a nonprofit organization, an estate, a trust,  
13 or a church-controlled organization, its tax identification number.

14           (b) The department shall issue and file certificates of title for  
15 Nebraska-based fleet vehicles. Application for a certificate of title  
16 shall be made upon a form prescribed by the department. All applications  
17 shall be accompanied by the appropriate fee or fees.

18           (c) The department shall issue and file certificates of title for  
19 state-owned vehicles. Application for a certificate of title shall be  
20 made upon a form prescribed by the department. All applications shall be  
21 accompanied by the appropriate fee or fees.

22           (d) The department shall issue certificates of title pursuant to  
23 subsection (2) of section 60-142.01 and section 60-142.06. Application  
24 for a certificate of title shall be made upon a form prescribed by the  
25 department. All applications shall be accompanied by the appropriate fee  
26 or fees.

27           (e) The department shall issue certificates of title pursuant to  
28 section 60-142.09. Application for a certificate of title shall be made  
29 upon a form prescribed by the department. All applications shall be  
30 accompanied by the appropriate fee or fees.

31           (2) If the owner of an all-terrain vehicle, a utility-type vehicle,

1 or a minibike resides in Nebraska, the application shall be filed with  
2 the county treasurer of the county in which the owner resides.

3 (3)(a) If a vehicle has situs in Nebraska, the application for a  
4 certificate of title may be filed with the county treasurer of any  
5 county.

6 (b) If a motor vehicle dealer licensed under the Motor Vehicle  
7 Industry Regulation Act applies for a certificate of title for a vehicle,  
8 the application may be filed with the county treasurer of any county.

9 (c) An approved licensed dealer participating in the electronic  
10 dealer services system pursuant to section 60-1507 may apply for a  
11 certificate of title for a vehicle to the county treasurer of any county  
12 or the department in a manner provided by the electronic dealer services  
13 system.

14 (4) If the owner of a vehicle is a nonresident, the application  
15 shall be filed in the county in which the transaction is consummated.

16 (5) The application shall be filed within thirty days after the  
17 delivery of the vehicle.

18 (6) All applicants registering a vehicle pursuant to section  
19 60-3,198 shall file the application for a certificate of title with the  
20 Division of Motor Carrier Services of the department. The division shall  
21 deliver the certificate to the applicant if there are no liens on the  
22 vehicle. If there are one or more liens on the vehicle, the certificate  
23 of title shall be handled as provided in section 60-164. All certificates  
24 of title issued by the division shall be issued in the manner prescribed  
25 for the county treasurer in section 60-152.

26 Sec. 9. Section 60-192, Revised Statutes Cumulative Supplement,  
27 2018, is amended to read:

28 60-192 (1) The transferor of any motor vehicle described in  
29 subsection (2) of this section ~~of an age of less than ten years, which~~  
30 ~~was equipped with an odometer by the manufacturer, shall provide to the~~  
31 ~~transferee a statement, signed by the transferor, setting forth:~~

1        ~~(a) (1)~~ The mileage on the odometer at the time of transfer; and

2        ~~(b)(i) A (2)(a)~~ a statement that, to the transferor's best  
3 knowledge, such mileage is that actually driven by the motor vehicle; ~~τ~~

4        ~~(ii) A (b)~~ a statement that the transferor has knowledge that the  
5 mileage shown on the odometer is in excess of the designated mechanical  
6 odometer limit; ~~τ~~ or

7        ~~(iii) A (c)~~ a statement that the odometer reading does not reflect  
8 the actual mileage and should not be relied upon because the transferor  
9 has knowledge that the odometer reading differs from the actual mileage  
10 and that the difference is greater than that caused by odometer  
11 calibration error.

12        (2) Prior to January 1, 2021, this section applies to the transfer  
13 of any motor vehicle of an age of less than ten years. Beginning January  
14 1, 2021, this section applies to the transfer of any motor vehicle with a  
15 manufacturer's model year designation of 2011 or newer and an age of less  
16 than twenty years.

17        (3) If a discrepancy exists between the odometer reading and the  
18 actual mileage, a warning notice to alert the transferee shall be  
19 included with the statement. The transferor shall retain a true copy of  
20 such statement for a period of five years from the date of the  
21 transaction.

22        (4) Beginning on the implementation date designated by the director  
23 pursuant to subsection (2) of section 60-1508, if motor vehicle ownership  
24 has been transferred by operation of law pursuant to repossession under  
25 subdivision (2)(b)(iv) of section 60-166, the mileage shall be listed as  
26 the odometer reading at the time of the most recent transfer of ownership  
27 prior to the repossession of the motor vehicle. The adjustment shall not  
28 be deemed a violation of section 60-190.

29        Sec. 10. Section 60-301, Revised Statutes Supplement, 2019, is  
30 amended to read:

31        60-301 Sections 60-301 to 60-3,244 and sections 41 to 50 of this act

1 shall be known and may be cited as the Motor Vehicle Registration Act.

2 Sec. 11. Section 60-302.01, Revised Statutes Supplement, 2019, is  
3 amended to read:

4 60-302.01 Access aisle means a space adjacent to a handicapped  
5 parking space or passenger loading zone which is constructed and designed  
6 in compliance with the federal Americans with Disabilities Act of 1990  
7 and the federal regulations adopted in response to the act, as the act  
8 and the regulations existed on January 1, 2020 ~~2019~~.

9 Sec. 12. Section 60-331.02, Revised Statutes Cumulative Supplement,  
10 2018, is amended to read:

11 60-331.02 Handicapped or disabled person means any individual with a  
12 severe visual, neurological, or physical impairment which limits personal  
13 mobility and results in an inability to travel more than two hundred feet  
14 without stopping or without the use of a wheelchair, crutch, walker, or  
15 prosthetic, orthotic, or other assistant device, any individual whose  
16 personal mobility is limited as a result of respiratory problems, any  
17 individual who has a cardiac condition to the extent that his or her  
18 functional limitations are classified in severity as being Class III or  
19 Class IV, according to standards set by the American Heart Association,  
20 and any individual who has permanently lost all or substantially all the  
21 use of one or more limbs.

22 Sec. 13. Section 60-336.01, Revised Statutes Supplement, 2019, is  
23 amended to read:

24 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
25 (a) whose speed attainable in one mile is more than twenty miles per hour  
26 and not more than twenty-five miles per hour on a paved, level surface,  
27 (b) whose gross vehicle weight rating is less than three thousand pounds,  
28 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
29 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose  
30 maximum speed attainable is not more than twenty-five miles per hour on a  
31 paved, level surface, (b) whose gross vehicle weight rating is less than



1 three thousand pounds, and (c) which is equipped with a windshield and an  
2 occupant protection system. A motorcycle with a sidecar attached is not a  
3 low-speed vehicle.

4 Sec. 14. Section 60-386, Revised Statutes Supplement, 2019, is  
5 amended to read:

6 60-386 (1) Each new application shall contain, in addition to other  
7 information as may be required by the department, the name and  
8 residential and mailing address of the applicant and a description of the  
9 motor vehicle or trailer, including the color, the manufacturer, the  
10 identification number, the United States Department of Transportation  
11 number if required by 49 C.F.R. 390.5 to 390.21, as such regulations  
12 existed on January 1, 2020 ~~2019~~, and the weight of the motor vehicle or  
13 trailer required by the Motor Vehicle Registration Act. Beginning on the  
14 implementation date designated by the director pursuant to subsection (4)  
15 of section 60-1508, for trailers which are not required to have a  
16 certificate of title under section 60-137 and which have no  
17 identification number, the assignment of an identification number shall  
18 be required and the identification number shall be issued by the county  
19 treasurer or department. With the application the applicant shall pay the  
20 proper registration fee and shall state whether the motor vehicle is  
21 propelled by alternative fuel and, if alternative fuel, the type of fuel.  
22 The application shall also contain a notification that bulk fuel  
23 purchasers may be subject to federal excise tax liability. The department  
24 shall include such notification in the notices required by section  
25 60-3,186.

26 (2) This subsection applies beginning on an implementation date  
27 designated by the director. The director shall designate an  
28 implementation date which is on or before January 1, 2021. In addition to  
29 the information required under subsection (1) of this section, the  
30 application for registration shall contain (a)(i) the full legal name as  
31 defined in section 60-468.01 of each owner or (ii) the name of each owner

1 as such name appears on the owner's motor vehicle operator's license or  
2 state identification card and (b)(i) the motor vehicle operator's license  
3 number or state identification card number of each owner, if applicable,  
4 and one or more of the identification elements as listed in section  
5 60-484 of each owner, if applicable, and (ii) if any owner is a business  
6 entity, a nonprofit organization, an estate, a trust, or a church-  
7 controlled organization, its tax identification number.

8 Sec. 15. Section 60-393, Revised Statutes Supplement, 2019, is  
9 amended to read:

10 60-393 Any owner who has two or more motor vehicles or trailers  
11 required to be registered under the Motor Vehicle Registration Act may  
12 register all such motor vehicles or trailers on a calendar-year basis or  
13 on an annual basis for the same registration period beginning in a month  
14 chosen by the owner. When electing to establish the same registration  
15 period for all such motor vehicles or trailers, the owner shall pay the  
16 registration fee, the motor vehicle tax imposed in section 60-3,185, the  
17 motor vehicle fee imposed in section 60-3,190, and the alternative fuel  
18 fee imposed in section 60-3,191 on each motor vehicle for the number of  
19 months necessary to extend its current registration period to the  
20 registration period under which all such motor vehicles or trailers will  
21 be registered. Credit shall be given for registration paid on each motor  
22 vehicle or trailer when the motor vehicle or trailer has a later  
23 expiration date than that chosen by the owner except as otherwise  
24 provided in sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,  
25 60-3,224, 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and  
26 60-3,244 and sections 42, 44, 46, 48, and 50 of this act. Thereafter all  
27 such motor vehicles or trailers shall be registered on an annual basis  
28 starting in the month chosen by the owner.

29 Sec. 16. Section 60-395, Revised Statutes Supplement, 2019, is  
30 amended to read:

31 60-395 (1) Except as otherwise provided in subsection (2) of this

1 section and sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128,  
2 60-3,224, 60-3,227, 60-3,231, 60-3,233, 60-3,235, 60-3,238, 60-3,240,  
3 60-3,242, and 60-3,244 and sections 42, 44, 46, 48, and 50 of this act,  
4 the registration shall expire and the registered owner or lessee may, by  
5 returning the registration certificate, the license plates, and, when  
6 appropriate, the validation decals and by either making application on a  
7 form prescribed by the department to the county treasurer of the  
8 occurrence of an event described in subdivisions (a) through (e) of this  
9 subsection or, in the case of a change in situs, displaying to the county  
10 treasurer the registration certificate of such other state as evidence of  
11 a change in situs, receive a refund of that part of the unused fees and  
12 taxes on motor vehicles or trailers based on the number of unexpired  
13 months remaining in the registration period from the date of any of the  
14 following events:

- 15 (a) Upon transfer of ownership of any motor vehicle or trailer;
- 16 (b) In case of loss of possession because of fire, natural disaster,  
17 theft, dismantlement, or junking;
- 18 (c) When a salvage branded certificate of title is issued;
- 19 (d) Whenever a type or class of motor vehicle or trailer previously  
20 registered is subsequently declared by legislative act or court decision  
21 to be illegal or ineligible to be operated or towed on the public roads  
22 and no longer subject to registration fees, the motor vehicle tax imposed  
23 in section 60-3,185, the motor vehicle fee imposed in section 60-3,190,  
24 and the alternative fuel fee imposed in section 60-3,191;
- 25 (e) Upon a trade-in or surrender of a motor vehicle under a lease;  
26 or
- 27 (f) In case of a change in the situs of a motor vehicle or trailer  
28 to a location outside of this state.
- 29 (2) If the date of the event falls within the same calendar month in  
30 which the motor vehicle or trailer is acquired, no refund shall be  
31 allowed for such month.

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

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

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

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

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

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

1           Sec. 17. Section 60-396, Revised Statutes Supplement, 2019, is  
2 amended to read:

3           60-396 Whenever the registered owner files an application with the  
4 county treasurer showing that a motor vehicle, trailer, or semitrailer is  
5 disabled and has been removed from service, the registered owner may, by  
6 returning the registration certificate, the license plates, and, when  
7 appropriate, the validation decals or, in the case of the unavailability  
8 of such registration certificate or certificates, license plates, or  
9 validation decals, then by making an affidavit to the county treasurer of  
10 such disablement and removal from service, receive a credit for a portion  
11 of the registration fee from the fee deposited with the State Treasurer  
12 at the time of registration based upon the number of unexpired months  
13 remaining in the registration year except as otherwise provided in  
14 sections 60-3,121, 60-3,122.02, 60-3,122.04, 60-3,128, 60-3,224,  
15 60-3,227, 60-3,233, 60-3,235, 60-3,238, 60-3,240, 60-3,242, and 60-3,244  
16 and sections 42, 44, 46, 48, and 50 of this act. The owner shall also  
17 receive a credit for the unused portion of the motor vehicle tax and fee  
18 based upon the number of unexpired months remaining in the registration  
19 year. When the owner registers a replacement motor vehicle, trailer, or  
20 semitrailer at the time of filing such affidavit, the credit may be  
21 immediately applied against the registration fee and the motor vehicle  
22 tax and fee for the replacement motor vehicle, trailer, or semitrailer.  
23 When no such replacement motor vehicle, trailer, or semitrailer is so  
24 registered, the county treasurer shall forward the application and  
25 affidavit, if any, to the State Treasurer who shall determine the amount,  
26 if any, of the allowable credit for the registration fee and issue a  
27 credit certificate to the owner. For the motor vehicle tax and fee, the  
28 county treasurer shall determine the amount, if any, of the allowable  
29 credit and issue a credit certificate to the owner. When such motor  
30 vehicle, trailer, or semitrailer is removed from service within the same  
31 month in which it was registered, no credits shall be allowed for such

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

9 Sec. 18. Section 60-3,104, Revised Statutes Supplement, 2019, is  
10 amended to read:

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

13 (1) Amateur radio station license plates issued pursuant to section  
14 60-3,126;

15 (2) Apportionable vehicle license plates issued pursuant to section  
16 60-3,203;

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

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

19 (5) Breast Cancer Awareness Plates issued pursuant to sections  
20 60-3,230 and 60-3,231;

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

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

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

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

28 (10) Disabled veteran license plates issued pursuant to section  
29 60-3,124;

30 (11) Donate Life Plates issued pursuant to sections 41 and 42 of  
31 this act;

1        (12) ~~(11)~~ Down Syndrome Awareness Plates issued pursuant to sections 43  
2    and 44 of this act;

3        (13) ~~(11)~~ Farm trailer license plates issued pursuant to section  
4    60-3,151;

5        (14) ~~(12)~~ Farm truck license plates issued pursuant to section  
6    60-3,146;

7        (15) ~~(13)~~ Farm trucks with a gross weight of over sixteen tons  
8    license plates issued pursuant to section 60-3,146;

9        (16) ~~(14)~~ Fertilizer trailer license plates issued pursuant to  
10   section 60-3,151;

11       (17) ~~(15)~~ Former military vehicle license plates issued pursuant to  
12   section 60-3,236;

13       (18) ~~(16)~~ Gold Star Family license plates issued pursuant to  
14   sections 60-3,122.01 and 60-3,122.02;

15       (19) ~~(17)~~ Handicapped or disabled person license plates issued  
16   pursuant to section 60-3,113;

17       (20) ~~(18)~~ Historical vehicle license plates issued pursuant to  
18   sections 60-3,130 to 60-3,134;

19       (21) ~~(19)~~ Local truck license plates issued pursuant to section  
20   60-3,145;

21       (22) ~~(20)~~ Metropolitan utilities district license plates issued  
22   pursuant to section 60-3,228;

23       (23) ~~(21)~~ Military Honor Plates issued pursuant to sections  
24   60-3,122.03 and 60-3,122.04;

25       (24) ~~(22)~~ Minitruck license plates issued pursuant to section  
26   60-3,100;

27       (25) ~~(23)~~ Motor vehicle license plates for motor vehicles owned or  
28   operated by the state, counties, municipalities, or school districts  
29   issued pursuant to section 60-3,105;

30       (26) ~~(24)~~ Motor vehicles exempt pursuant to section 60-3,107;

31       (27) ~~(25)~~ Motorcycle license plates issued pursuant to section

1 60-3,100;

2 (28) ~~(26)~~ Mountain Lion Conservation Plates issued pursuant to  
3 sections 60-3,226 and 60-3,227;

4 (29) ~~(27)~~ Native American Cultural Awareness and History Plates  
5 issued pursuant to sections 60-3,234 and 60-3,235;

6 (30) ~~(28)~~ Nebraska Cornhusker Spirit Plates issued pursuant to  
7 sections 60-3,127 to 60-3,129;

8 (31) ~~(29)~~ Nebraska 150 Sesquicentennial Plates issued pursuant to  
9 sections 60-3,223 to 60-3,225;

10 (32) ~~(30)~~ Nonresident owner thirty-day license plates issued  
11 pursuant to section 60-382;

12 (33) ~~(31)~~ Passenger car having a seating capacity of ten persons or  
13 less and not used for hire issued pursuant to section 60-3,143 other than  
14 autocycles;

15 (34) ~~(32)~~ Passenger car having a seating capacity of ten persons or  
16 less and used for hire issued pursuant to section 60-3,143 other than  
17 autocycles;

18 (35) ~~(33)~~ Pearl Harbor license plates issued pursuant to section  
19 60-3,122;

20 (36) ~~(34)~~ Personal-use dealer license plates issued pursuant to  
21 section 60-3,116;

22 (37) ~~(35)~~ Personalized message license plates for motor vehicles,  
23 trailers, and semitrailers, except motor vehicles, trailers, and  
24 semitrailers registered under section 60-3,198, issued pursuant to  
25 sections 60-3,118 to 60-3,121;

26 (38) Pets for Vets Plates issued pursuant to sections 45 and 46 of  
27 this act;

28 (39) ~~(36)~~ Prisoner-of-war license plates issued pursuant to section  
29 60-3,123;

30 (40) ~~(37)~~ Prostate Cancer Awareness Plates issued pursuant to  
31 section 60-3,240;



1        ~~(41)~~ ~~(38)~~ Public power district license plates issued pursuant to  
2 section 60-3,228;

3        ~~(42)~~ ~~(39)~~ Purple Heart license plates issued pursuant to section  
4 60-3,125;

5        ~~(43)~~ ~~(40)~~ Recreational vehicle license plates issued pursuant to  
6 section 60-3,151;

7        ~~(44)~~ ~~(41)~~ Repossession license plates issued pursuant to section  
8 60-375;

9        ~~(45)~~ ~~(42)~~ Sammy's Superheroes license plates for childhood cancer  
10 awareness issued pursuant to section 60-3,242;

11        ~~(46)~~ ~~(43)~~ Special interest motor vehicle license plates issued  
12 pursuant to section 60-3,135.01;

13        ~~(47)~~ ~~(44)~~ Specialty license plates issued pursuant to sections  
14 60-3,104.01 and 60-3,104.02;

15        ~~(48)~~ Support the Arts Plates issued pursuant to sections 47 and 48  
16 of this act;

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

20        ~~(49)~~ ~~(46)~~ Support Our Troops Plates issued pursuant to sections  
21 60-3,243 and 60-3,244;

22        ~~(50)~~ The Good Life Is Outside Plates issued pursuant to sections 49  
23 and 50 of this act;

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

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

28        ~~(52)~~ ~~(48)~~ Trailer license plates issued for trailers owned or  
29 operated by a metropolitan utilities district or public power district  
30 pursuant to section 60-3,228;

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

1        ~~(54)~~ ~~(49)~~ Trailers exempt pursuant to section 60-3,108;

2        ~~(55)~~ ~~(50)~~ Transporter license plates issued pursuant to section  
3        60-378;

4        ~~(56)~~ ~~(51)~~ Trucks or combinations of trucks, truck-tractors, or  
5        trailers which are not for hire and engaged in soil and water  
6        conservation work and used for the purpose of transporting pipe and  
7        equipment exclusively used by such contractors for soil and water  
8        conservation construction license plates issued pursuant to section  
9        60-3,149;

10       ~~(57)~~ ~~(52)~~ Utility trailer license plates issued pursuant to section  
11       60-3,151;

12       ~~(58)~~ ~~(53)~~ Well-boring apparatus and well-servicing equipment license  
13       plates issued pursuant to section 60-3,109; and

14       ~~(59)~~ ~~(54)~~ Wildlife Conservation Plates issued pursuant to section  
15       60-3,238.

16       Sec. 19. Section 60-3,104.02, Revised Statutes Cumulative  
17       Supplement, 2018, is amended to read:

18       60-3,104.02 (1) The department shall issue specialty license plates  
19       for any organization which certifies that it meets the requirements of  
20       this section. The department shall work with the organization to design  
21       the plates.

22       (2) The department shall make applications available pursuant to  
23       section 60-3,104.01 for each type of specialty license plate when it is  
24       designed. The department shall not manufacture specialty license plates  
25       for an organization until the department has received two hundred fifty  
26       prepaid applications for specialty license plates designed for that  
27       organization. The department may revoke the approval for an  
28       organization's specialty license plate if the total number of registered  
29       vehicles that obtained such plate is less than two hundred fifty within  
30       three years after receiving approval.

31       (3) In order to have specialty license plates designed and

1 manufactured, an organization shall furnish the department with the  
2 following:

3 (a) A copy of its articles of incorporation and, if the organization  
4 consists of a group of nonprofit corporations, a copy for each  
5 organization;

6 (b) A copy of its charter or bylaws and, if the organization  
7 consists of a group of nonprofit corporations, a copy for each  
8 organization;

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

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

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

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

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

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

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

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

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

30 (vi) The organization will hold harmless the State of Nebraska and  
31 its employees and agents for any liability which may result from any

1 infringement or violation of a property right based on the use of such  
2 name, logo, or graphic design.

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

6 (b) One type of plate under this section shall be personalized  
7 message plates. Such plates shall be issued subject to the same  
8 conditions specified for personalized message license plates in section  
9 60-3,118, except that a maximum of five characters may be used.  
10 Personalized message specialty license plates under this section shall  
11 only be issued after the requirements of subsection (3) of this section  
12 have been met.

13 (5) {4} The department may adopt and promulgate rules and  
14 regulations to carry out this section.

15 Sec. 20. Section 60-3,113.04, Revised Statutes Supplement, 2019, is  
16 amended to read:

17 60-3,113.04 (1) A handicapped or disabled parking permit shall be of  
18 a design, size, configuration, color, and construction and contain such  
19 information as specified in the regulations adopted by the United States  
20 Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR  
21 PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on  
22 January 1, 2020 ~~2019~~.

23 (2) No handicapped or disabled parking permit shall be issued to any  
24 person or for any motor vehicle if any permit has been issued to such  
25 person or for such motor vehicle and such permit has been suspended  
26 pursuant to section 18-1741.02. At the expiration of such suspension, a  
27 permit may be renewed in the manner provided for renewal in sections  
28 60-3,113.02, 60-3,113.03, and 60-3,113.05.

29 (3) A duplicate handicapped or disabled parking permit may be  
30 provided up to two times during any single permit period if a permit is  
31 destroyed, lost, or stolen. Such duplicate permit shall be issued as

1 provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable,  
2 except that a new certification by a physician, a physician assistant, or  
3 an advanced practice registered nurse need not be provided. A duplicate  
4 permit shall be valid for the remainder of the period for which the  
5 original permit was issued. If a person has been issued two duplicate  
6 permits under this subsection and needs another permit, such person shall  
7 reapply for a new permit under section 60-3,113.02 or 60-3,113.03,  
8 whichever is applicable.

9 Sec. 21. Section 60-3,122.03, Revised Statutes Supplement, 2019, is  
10 amended to read:

11 60-3,122.03 (1) The department shall design license plates to be  
12 known as Military Honor Plates.

13 (2)(a) Until January 1, 2021, the department shall create designs  
14 honoring persons who have served or are serving in the United States  
15 Army, United States Army Reserve, United States Navy, United States Navy  
16 Reserve, United States Marine Corps, United States Marine Corps Reserve,  
17 United States Coast Guard, United States Coast Guard Reserve, United  
18 States Air Force, United States Air Force Reserve, or National Guard; and

19 (b) Beginning January 1, 2021, the department shall create designs  
20 honoring persons who have served or are serving in the United States  
21 Army, United States Army Reserve, United States Navy, United States Navy  
22 Reserve, United States Marine Corps, United States Marine Corps Reserve,  
23 United States Coast Guard, United States Coast Guard Reserve, United  
24 States Air Force, United States Air Force Reserve, Air National Guard, or  
25 Army National Guard.

26 (3) There shall be eleven such designs until January 1, 2021, and  
27 twelve such designs beginning January 1, 2021, one for each of such armed  
28 forces reflecting its official emblem, official seal, or other official  
29 image. The issuance of plates for each of such armed forces shall be  
30 conditioned on the approval of the armed forces owning the copyright to  
31 the official emblem, official seal, or other official image.

1 (4) By January 1, 2021, the department shall create five additional  
2 designs honoring persons who are serving or have served in the armed  
3 forces of the United States and who have been awarded the Afghanistan  
4 Campaign Medal, Iraq Campaign Medal, Global War on Terrorism  
5 Expeditionary Medal, Southwest Asia Service Medal, or Vietnam Service  
6 Medal.

7 (5) A person may qualify for a Military Honor Plate by registering  
8 with the Department of Veterans' Affairs pursuant to section 80-414. The  
9 Department of Motor Vehicles shall verify the applicant's eligibility for  
10 a plate created pursuant to this section by consulting the registry  
11 established by the Department of Veterans' Affairs.

12 (6) The design shall be selected on the basis of limiting the  
13 manufacturing cost of each plate to an amount less than or equal to the  
14 amount charged for license plates pursuant to section 60-3,102. The  
15 Department of Motor Vehicles shall make applications available for each  
16 type of plate when it is designed. The department may adopt and  
17 promulgate rules and regulations to carry out this section and section  
18 60-3,122.04.

19 (7) One type of Military Honor Plates shall be alphanumeric plates.  
20 The department shall:

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

22 (b) Not use a county designation.

23 (8) One type of Military Honor Plates shall be personalized message  
24 plates. Such plates shall be issued subject to the same conditions  
25 specified for personalized message license plates in section 60-3,118,  
26 except that a maximum of five characters may be used.

27 (9) The department shall cease to issue Military Honor Plates  
28 beginning with the next license plate issuance cycle after the license  
29 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
30 the total number of registered vehicles that obtained such plates is less  
31 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-

1 year period.

2 Sec. 22. Section 60-3,127, Revised Statutes Supplement, 2019, is  
3 amended to read:

4 60-3,127 (1) The department, in designing Nebraska Cornhusker Spirit  
5 Plates, shall:

6 (a) Include the word Cornhuskers or Huskers prominently in the  
7 design;

8 (b) Use scarlet and cream colors in the design or such other similar  
9 colors as the department determines to best represent the official team  
10 colors of the University of Nebraska Cornhuskers athletic programs and to  
11 provide suitable reflection and contrast;

12 (c) Use cream or a similar color for the background of the design  
13 and scarlet or a similar color for the printing; and

14 (d) Create a design reflecting support for the University of  
15 Nebraska Cornhuskers athletic programs in consultation with the  
16 University of Nebraska-Lincoln Athletic Department. The design shall be  
17 selected on the basis of (i) enhancing the marketability of spirit plates  
18 to supporters of University of Nebraska Cornhuskers athletic programs and  
19 (ii) limiting the manufacturing cost of each spirit plate to an amount  
20 less than or equal to the amount charged for license plates pursuant to  
21 section 60-3,102.

22 (2) One type of Nebraska Cornhusker Spirit Plates shall be  
23 consecutively numbered spirit plates. The department shall:

24 (a) Number the spirit plates consecutively beginning with the number  
25 one, using numerals the size of which maximizes legibility; and

26 (b) Not use a county designation or any characters other than  
27 numbers on the spirit plates.

28 (3) One type of Nebraska Cornhusker Spirit Plates shall be  
29 personalized message spirit plates. Such plates shall be issued subject  
30 to the same conditions specified for message plates in subsection (2) of  
31 section 60-3,118. The characters used shall consist only of letters and

1 numerals of the same size and design and shall comply with the  
2 requirements of subdivision (1)(a) of section 60-3,100. A maximum of  
3 seven characters may be used.

4 (4) The department shall cease to issue Nebraska Cornhusker Spirit  
5 Plates beginning with the next license plate issuance cycle after the  
6 license plate issuance cycle that begins in 2023 pursuant to section  
7 60-3,101 if the total number of registered vehicles that obtained such  
8 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior  
9 consecutive two-year period.

10 Sec. 23. Section 60-3,130.04, Revised Statutes Supplement, 2019, is  
11 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 handicapped or disabled person license plates, specialty license plates,  
5 special interest motor vehicle license plates, Military Honor Plates,  
6 Nebraska 150 Sesquicentennial Plates, Breast Cancer Awareness Plates,  
7 Prostate Cancer Awareness Plates, Mountain Lion Conservation Plates,  
8 Choose Life License Plates, Donate Life Plates, Down Syndrome Awareness  
9 Plates, Native American Cultural Awareness and History Plates, Sammy's  
10 Superheroes license plates for childhood cancer awareness, Wildlife  
11 Conservation Plates, Pets for Vets Plates, Support the Arts Plates, or  
12 Support Our Troops Plates, or The Good Life Is Outside Plates.

13 Sec. 24. Section 60-3,137, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 60-3,137 Each insurance company doing business in this state shall  
16 provide information shown on each automobile liability policy issued in  
17 this state as required by the department pursuant to sections 60-3,136 to  
18 60-3,139 for inclusion in the motor vehicle insurance data base in a form  
19 and manner acceptable to the department. Any person who qualifies as a  
20 self-insurer under sections 60-562 to 60-564 or any person who provides  
21 financial responsibility under sections 75-392 to 75-399 and section 87  
22 of this act shall not be required to provide information to the  
23 department for inclusion in the motor vehicle insurance data base.

24 Sec. 25. Section 60-3,193.01, Revised Statutes Supplement, 2019, is  
25 amended to read:

26 60-3,193.01 For purposes of the Motor Vehicle Registration Act, the  
27 International Registration Plan is adopted and incorporated by reference  
28 as the plan existed on January 1, 2020 ~~2019~~.

29 Sec. 26. Section 60-3,198, Revised Statutes Supplement, 2019, is  
30 amended to read:

31 60-3,198 (1) Any owner engaged in operating a fleet of apportionable

1 vehicles in this state in interjurisdiction commerce may, in lieu of  
2 registration of such apportionable vehicles under the general provisions  
3 of the Motor Vehicle Registration Act, register and license such fleet  
4 for operation in this state by filing a statement and the application  
5 required by section 60-3,203 with the Division of Motor Carrier Services  
6 of the department. The statement shall be in such form and contain such  
7 information as the division requires, declaring the total mileage  
8 operated by such vehicles in all jurisdictions and in this state during  
9 the preceding year and describing and identifying each such apportionable  
10 vehicle to be operated in this state during the ensuing license year.  
11 Upon receipt of such statement and application, the division shall  
12 determine the total fee payment, which shall be equal to the amount of  
13 fees due pursuant to section 60-3,203 and the amount obtained by applying  
14 the formula provided in section 60-3,204 to a fee of thirty-two dollars  
15 per ton based upon gross vehicle weight of the empty weights of a truck  
16 or truck-tractor and the empty weights of any trailer or combination  
17 thereof with which it is to be operated in combination at any one time  
18 plus the weight of the maximum load to be carried thereon at any one  
19 time, and shall notify the applicant of the amount of payment required to  
20 be made. Mileage operated in noncontracting reciprocity jurisdictions by  
21 apportionable vehicles based in Nebraska shall be applied to the portion  
22 of the formula for determining the Nebraska jurisdiction fleet  
23 distance.

24 Temporary authority which permits the operation of a fleet or an  
25 addition to a fleet in this state while the application is being  
26 processed may be issued upon application to the division if necessary to  
27 complete processing of the application.

28 Upon completion of such processing and receipt of the appropriate  
29 fees, the division shall issue to the applicant a sufficient number of  
30 distinctive registration certificates which provide a list of the  
31 jurisdictions in which the apportionable vehicle has been apportioned,

1 the weight for which registered, and such other evidence of registration  
2 for display on the apportionable vehicle as the division determines  
3 appropriate for each of the apportionable vehicles of his or her fleet,  
4 identifying it as a part of an interjurisdiction fleet proportionately  
5 registered. Such registration certificates may be displayed as a legible  
6 paper copy or electronically as authorized by the department. All fees  
7 received as provided in this section shall be remitted to the State  
8 Treasurer for credit to the Motor Carrier Services Division Distributive  
9 Fund.

10 The apportionable vehicles so registered shall be exempt from all  
11 further registration and license fees under the Motor Vehicle  
12 Registration Act for movement or operation in the State of Nebraska  
13 except as provided in section 60-3,203. The proportional registration and  
14 licensing provision of this section shall apply to apportionable vehicles  
15 added to such fleets and operated in this state during the license year  
16 except with regard to permanent license plates issued under section  
17 60-3,203.

18 The right of applicants to proportional registration under this  
19 section shall be subject to the terms and conditions of any reciprocity  
20 agreement, contract, or consent made by the division.

21 When a nonresident fleet owner has registered his or her  
22 apportionable vehicles, his or her apportionable vehicles shall be  
23 considered as fully registered for both interjurisdiction and  
24 intrajurisdiction commerce when the jurisdiction of base registration for  
25 such fleet accords the same consideration for fleets with a base  
26 registration in Nebraska. Each apportionable vehicle of a fleet  
27 registered by a resident of Nebraska shall be considered as fully  
28 registered for both interjurisdiction and intrajurisdiction commerce.

29 (2) Mileage proportions for interjurisdiction fleets not operated in  
30 this state during the preceding year shall be determined by the division  
31 upon the application of the applicant on forms to be supplied by the

1 division which shall show the operations of the preceding year in other  
2 jurisdictions and estimated operations in Nebraska or, if no operations  
3 were conducted the previous year, a full statement of the proposed method  
4 of operation.

5 (3) Any owner complying with and being granted proportional  
6 registration shall preserve the records on which the application is made  
7 for a period of three years following the current registration year. Upon  
8 request of the division, the owner shall make such records available to  
9 the division at its office for audit as to accuracy of computation and  
10 payments or pay the costs of an audit at the home office of the owner by  
11 a duly appointed representative of the division if the office where the  
12 records are maintained is not within the State of Nebraska. The division  
13 may enter into agreements with agencies of other jurisdictions  
14 administering motor vehicle registration laws for joint audits of any  
15 such owner. All payments received to cover the costs of an audit shall be  
16 remitted by the division to the State Treasurer for credit to the Motor  
17 Carrier Division Cash Fund. No deficiency shall be assessed and no claim  
18 for credit shall be allowed for any license registration year for which  
19 records on which the application was made are no longer required to be  
20 maintained.

21 (4) If the division claims that a greater amount of fee is due under  
22 this section than was paid, the division shall notify the owner of the  
23 additional amount claimed to be due. The owner may accept such claim and  
24 pay the amount due, or he or she may dispute the claim and submit to the  
25 division any information which he or she may have in support of his or  
26 her position. If the dispute cannot otherwise be resolved within the  
27 division, the owner may petition for an appeal of the matter. The  
28 director shall appoint a hearing officer who shall hear the dispute and  
29 issue a written decision. Any appeal shall be in accordance with the  
30 Administrative Procedure Act. Upon expiration of the time for perfecting  
31 an appeal if no appeal is taken or upon final judicial determination if

1 an appeal is taken, the division shall deny the owner the right to  
2 further registration for a fleet license until the amount finally  
3 determined to be due, together with any costs assessed against the owner,  
4 has been paid.

5 (5) Every applicant who licenses any apportionable vehicles under  
6 this section and section 60-3,203 shall have his or her registration  
7 certificates issued only after all fees under such sections are paid and,  
8 if applicable, proof has been furnished of payment, in the form  
9 prescribed by the director as directed by the United States Secretary of  
10 the Treasury, of the federal heavy vehicle use tax imposed by 26 U.S.C.  
11 4481 of the Internal Revenue Code as defined in section 49-801.01.

12 (6)(a) In the event of the transfer of ownership of any registered  
13 apportionable vehicle, (b) in the case of loss of possession because of  
14 fire, natural disaster, theft, or wrecking, junking, or dismantling of  
15 any registered apportionable vehicle, (c) when a salvage branded  
16 certificate of title is issued for any registered apportionable vehicle,  
17 (d) whenever a type or class of registered apportioned vehicle is  
18 subsequently declared by legislative act or court decision to be illegal  
19 or ineligible to be operated or towed on the public roads and no longer  
20 subject to registration fees and taxes, (e) upon trade-in or surrender of  
21 a registered apportionable vehicle under a lease, or (f) in case of a  
22 change in the situs of a registered apportionable vehicle to a location  
23 outside of this state, its registration shall expire, except that if the  
24 registered owner or lessee applies to the division after such transfer or  
25 loss of possession and accompanies the application with a fee of one  
26 dollar and fifty cents, he or she may have any remaining credit of  
27 vehicle fees and taxes from the previously registered apportionable  
28 vehicle applied toward payment of any vehicle fees and taxes due and  
29 owing on another registered apportionable vehicle. If such registered  
30 apportionable vehicle has a greater gross vehicle weight than that of the  
31 previously registered apportionable vehicle, the registered owner or

1 lessee of the registered apportionable vehicle shall additionally pay  
2 only the registration fee for the increased gross vehicle weight for the  
3 remaining months of the registration year based on the factors determined  
4 by the division in the original fleet application.

5 (7) Whenever a Nebraska-based fleet owner files an application with  
6 the division to delete a registered apportionable vehicle from a fleet of  
7 registered apportionable vehicles (a) because of a transfer of ownership  
8 of the registered apportionable vehicle, (b) because of loss of  
9 possession due to fire, natural disaster, theft, or wrecking, junking, or  
10 dismantling of the registered apportionable vehicle, (c) because a  
11 salvage branded certificate of title is issued for the registered  
12 apportionable vehicle, (d) because a type or class of registered  
13 apportioned vehicle is subsequently declared by legislative act or court  
14 decision to be illegal or ineligible to be operated or towed on the  
15 public roads and no longer subject to registration fees and taxes, (e)  
16 because of a trade-in or surrender of the registered apportionable  
17 vehicle under a lease, or (f) because of a change in the situs of the  
18 registered apportionable vehicle to a location outside of this state, the  
19 registered owner may, by returning the registration certificate or  
20 certificates and such other evidence of registration used by the division  
21 or, if such certificate or certificates or such other evidence of  
22 registration is unavailable, then by making an affidavit to the division  
23 of such transfer or loss, receive a refund of that portion of the unused  
24 registration fee based upon the number of unexpired months remaining in  
25 the registration year from the date of transfer or loss. No refund shall  
26 be allowed for any fees paid under section 60-3,203. When such  
27 apportionable vehicle is transferred or lost within the same month as  
28 acquired, no refund shall be allowed for such month. Such refund may be  
29 in the form of a credit against any registration fees that have been  
30 incurred or are, at the time of the refund, being incurred by the  
31 registered apportionable vehicle owner. The Nebraska-based fleet owner

1 shall make a claim for a refund under this subsection within the  
2 registration period or shall be deemed to have forfeited his or her right  
3 to the refund.

4 (8) In case of addition to the registered fleet during the  
5 registration year, the owner engaged in operating the fleet shall pay the  
6 proportionate registration fee from the date the vehicle was placed into  
7 service or, if the vehicle was previously registered, the date the prior  
8 registration expired or the date Nebraska became the base jurisdiction  
9 for the fleet, whichever is first, for the remaining balance of the  
10 registration year. The fee for any permanent license plate issued for  
11 such addition pursuant to section 60-3,203 shall be the full fee required  
12 by such section, regardless of the number of months remaining in the  
13 license year.

14 (9) In lieu of registration under subsections (1) through (8) of  
15 this section, the title holder of record may apply to the division for  
16 special registration, to be known as an unladen-weight registration, for  
17 any commercial motor vehicle or combination of vehicles which have been  
18 registered to a Nebraska-based fleet owner within the current or previous  
19 registration year. Such registration shall be valid only for a period of  
20 thirty days and shall give no authority to operate the vehicle except  
21 when empty. The fee for such registration shall be twenty dollars for  
22 each vehicle, which fee shall be remitted to the State Treasurer for  
23 credit to the Highway Trust Fund. The issuance of such permits shall be  
24 governed by section 60-3,179.

25 (10) Any person may, in lieu of registration under subsections (1)  
26 through (8) of this section or for other jurisdictions as approved by the  
27 director, purchase a trip permit for any nonresident truck, truck-  
28 tractor, bus, or truck or truck-tractor combination. A trip permit shall  
29 be issued before any person required to obtain a trip permit enters this  
30 state with such vehicle. The trip permit shall be issued by the director  
31 through Internet sales from the department's web site. The trip permit

1 shall be valid for a period of seventy-two hours. The fee for the trip  
2 permit shall be twenty-five dollars for each truck, truck-tractor, bus,  
3 or truck or truck-tractor combination. The fee collected by the director  
4 shall be remitted to the State Treasurer for credit to the Highway Cash  
5 Fund.

6 Sec. 27. Section 60-3,203, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 60-3,203 (1) Upon application and payment of the fees required  
9 pursuant to this section and section 60-3,198, the Division of Motor  
10 Carrier Services of the department shall issue to the owner of any fleet  
11 of apportionable commercial vehicles with a base registration in Nebraska  
12 a permanent license plate for each truck, truck-tractor, and trailer in  
13 the fleet. The application shall be accompanied by a fee of three dollars  
14 for each truck or truck-tractor and six dollars per trailer. The  
15 application shall be on a form developed by the division.

16 (2) Fleets of apportionable vehicles license plates shall display a  
17 distinctive license plate provided by the department pursuant to this  
18 section.

19 (3) Any license plate issued pursuant to this section shall remain  
20 affixed to the front of the truck or truck-tractor or to the rear of the  
21 trailer or semitrailer as long as the apportionable vehicle is registered  
22 pursuant to section 60-3,198 by the owner making the original application  
23 pursuant to subsection (1) of this section. Upon transfer of ownership of  
24 the truck, truck-tractor, or trailer or transfer of ownership of the  
25 fleet or at any time the truck, truck-tractor, or trailer is no longer  
26 registered pursuant to section 60-3,198, the license plate shall cease to  
27 be active and shall be processed according to the rules and regulations  
28 of the department.

29 (4) The renewal fee for each permanent plate shall be two dollars  
30 and shall be assessed and collected in each license year after the year  
31 in which the permanent license plates are initially issued at the time



1 all other renewal fees are collected pursuant to section 60-3,198 unless  
2 a truck, truck-tractor, or trailer has been deleted from the fleet  
3 registration.

4 (5)(a) If a permanent license plate is lost or destroyed, the owner  
5 shall submit an affidavit to that effect to the division prior to any  
6 deletion of the truck, truck-tractor, or trailer from the fleet  
7 registration. If the truck, truck-tractor, or trailer is not deleted from  
8 the fleet registration, a replacement permanent license plate may be  
9 issued upon ~~application and~~ payment of a fee of three dollars for each  
10 truck or truck-tractor and six dollars per trailer. ~~The application for a~~  
11 ~~replacement permanent plate shall be on a form developed by the division.~~

12 (b) If the registration certificate for any fleet vehicle is lost or  
13 stolen, the division shall collect a fee of one dollar for replacement of  
14 such certificate.

15 (6) If a truck, truck-tractor, or trailer for which a permanent  
16 license plate has been issued pursuant to this section is deleted from  
17 the fleet registration due to loss of possession by the registrant, the  
18 plate shall be returned to the division.

19 (7) The registrant shall be liable for the full amount of the  
20 registration fee due for any truck, truck-tractor, or trailer not deleted  
21 from the fleet registration renewal.

22 (8) All fees collected pursuant to this section shall be remitted to  
23 the State Treasurer for credit to the Highway Cash Fund.

24 Sec. 28. Section 60-3,205, Revised Statutes Cumulative Supplement,  
25 2018, is amended to read:

26 60-3,205 (1)(a) The director may suspend, revoke, cancel, or refuse  
27 to issue or renew a registration certificate under the International  
28 Registration Plan Act:

29 (i) If the applicant or certificate holder has had his or her  
30 license issued under the International Fuel Tax Agreement Act revoked or  
31 the director refused to issue or refused to renew such license; or

1           (ii) If the applicant or certificate holder is in violation of  
2 sections 75-392 to 75-399 and section 87 of this act.

3           (b) Prior to taking action under this section, the director shall  
4 notify and advise the applicant or certificate holder of the proposed  
5 action and the reasons for such action in writing, by regular United  
6 States mail, to his or her last-known business address as shown on the  
7 application for the certificate or renewal. The notice shall also include  
8 an advisement of the procedures in subdivision (c) of this subsection.

9           (c) The applicant or certificate holder may, within thirty days  
10 after the date of the mailing of the notice, petition the director for a  
11 hearing to contest the proposed action. The hearing shall be commenced in  
12 accordance with the rules and regulations adopted and promulgated by the  
13 department. If a petition is filed, the director shall, within twenty  
14 days after receipt of the petition, set a hearing date at which the  
15 applicant or certificate holder may show cause why the proposed action  
16 should not be taken. The director shall give the applicant or certificate  
17 holder reasonable notice of the time and place of the hearing. If the  
18 director's decision is adverse to the applicant or certificate holder,  
19 the applicant or certificate holder may appeal the decision in accordance  
20 with the Administrative Procedure Act.

21           (d) Except as provided in subsections (2) and (3) of this section,  
22 the filing of the petition shall stay any action by the director until a  
23 hearing is held and a final decision and order is issued.

24           (e) Except as provided in subsections (2) and (3) of this section,  
25 if no petition is filed at the expiration of thirty days after the date  
26 on which the notification was mailed, the director may take the proposed  
27 action described in the notice.

28           (f) If, in the judgment of the director, the applicant or  
29 certificate holder has complied with or is no longer in violation of the  
30 provisions for which the director took action under this subsection, the  
31 director may reinstate the registration certificate without delay.

1           (2)(a) The director may suspend, revoke, cancel, or refuse to issue  
2 or renew a registration certificate under the International Registration  
3 Plan Act or a license under the International Fuel Tax Agreement Act if  
4 the applicant, licensee, or certificate holder has issued to the  
5 department a check or draft which has been returned because of  
6 insufficient funds, no funds, or a stop-payment order. The director may  
7 take such action no sooner than seven days after the written notice  
8 required in subdivision (1)(b) of this section has been provided. Any  
9 petition to contest such action filed pursuant to subdivision (1)(c) of  
10 this section shall not stay such action of the director.

11           (b) If the director takes an action pursuant to this subsection, the  
12 director shall reinstate the registration certificate or license without  
13 delay upon the payment of certified funds by the applicant, licensee, or  
14 certificate holder for any fees due and reasonable administrative costs,  
15 not to exceed twenty-five dollars, incurred in taking such action.

16           (c) The rules, regulations, and orders of the director and the  
17 department that pertain to hearings commenced in accordance with this  
18 section and that are in effect prior to March 17, 2006, shall remain in  
19 effect, unless changed or eliminated by the director or the department,  
20 except for those portions involving a stay upon the filing of a petition  
21 to contest any action taken pursuant to this subsection, in which case  
22 this subsection shall supersede those provisions.

23           (3) Any person who receives notice from the director of action taken  
24 pursuant to subsection (1) or (2) of this section shall, within three  
25 business days, return such registration certificate and license plates to  
26 the department as provided in this section. If any person fails to return  
27 the registration certificate and license plates to the department, the  
28 department shall notify the Nebraska State Patrol that any such person is  
29 in violation of this section.

30           Sec. 29. Section 60-3,212, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1           60-3,212 Upon transfer of ownership of any snowmobile or in case of  
2   loss of possession because of fire, natural disaster, theft,  
3   dismantlement, or junking, its registration shall expire, and the  
4   registered owner may, by returning the registration certificate and after  
5   making affidavit of such transfer or loss to the county official who  
6   issued the certificate, receive a refund of that part of the unused fees  
7   based on the number of unexpired months remaining in the registration  
8   period, except that when such snowmobile is transferred within the same  
9   calendar month in which acquired, no refund shall be allowed for such  
10  month.

11           Sec. 30. Section 60-3,226, Revised Statutes Supplement, 2019, is  
12  amended to read:

13           60-3,226 (1) The department shall design license plates to be known  
14  as Mountain Lion Conservation Plates. The department shall create designs  
15  reflecting support for the conservation of the mountain lion population.  
16  The design shall be selected on the basis of limiting the manufacturing  
17  cost of each plate to an amount less than or equal to the amount charged  
18  for license plates pursuant to section 60-3,102. The department shall  
19  make applications available for this type of plate by October 1, 2016.  
20  The department may adopt and promulgate rules and regulations to carry  
21  out this section and section 60-3,227.

22           (2) One type of Mountain Lion Conservation Plates shall be  
23  alphanumeric plates. The department shall:

- 24           (a) Assign a designation up to five characters; and  
25           (b) Not use a county designation.

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

30           (4) The department shall cease to issue Mountain Lion Conservation  
31  Plates beginning with the next license plate issuance cycle after the

1 license plate issuance cycle that begins in 2023 pursuant to section  
2 60-3,101 if the total number of registered vehicles that obtained such  
3 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior  
4 consecutive two-year period.

5 Sec. 31. Section 60-3,230, Revised Statutes Supplement, 2019, is  
6 amended to read:

7 60-3,230 (1) The department shall design license plates to be known  
8 as Breast Cancer Awareness Plates. The design shall include a pink ribbon  
9 and the words "early detection saves lives" along the bottom of the  
10 plate.

11 (2) The design shall be selected on the basis of limiting the  
12 manufacturing cost of each plate to an amount less than or equal to the  
13 amount charged for license plates pursuant to section 60-3,102. The  
14 department shall make applications available for this type of plate when  
15 it is designed.

16 (3) One type of plate under this section shall be alphanumeric  
17 plates. The department shall:

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

19 (b) Not use a county designation.

20 (4) One type of plate under this section shall be personalized  
21 message plates. Such plates shall be issued subject to the same  
22 conditions specified for personalized message license plates in section  
23 60-3,118, except that a maximum of five characters may be used.

24 (5) The department shall cease to issue Breast Cancer Awareness  
25 Plates beginning with the next license plate issuance cycle after the  
26 license plate issuance cycle that begins in 2023 pursuant to section  
27 60-3,101 if the total number of registered vehicles that obtained such  
28 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior  
29 consecutive two-year period.

30 Sec. 32. Section 60-3,232, Revised Statutes Supplement, 2019, is  
31 amended to read:

1           60-3,232 (1) The department shall design license plates to be known  
2 as Choose Life License Plates. The department shall create designs  
3 reflecting support for the protection of Nebraska's children. The design  
4 shall be selected on the basis of limiting the manufacturing cost of each  
5 plate to an amount less than or equal to the amount charged for license  
6 plates pursuant to section 60-3,102. The department shall make  
7 applications available for this type of plate beginning January 1, 2018.  
8 The department may adopt and promulgate rules and regulations to carry  
9 out this section and section 60-3,233.

10           (2) One type of Choose Life License Plates shall be alphanumeric  
11 plates. The department shall:

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

13           (b) Not use a county designation.

14           (3) One type of Choose Life License Plates shall be personalized  
15 message plates. Such plates shall be issued subject to the same  
16 conditions specified for personalized message license plates in section  
17 60-3,118, except that a maximum of five characters may be used.

18           (4) The department shall cease to issue Choose Life License Plates  
19 beginning with the next license plate issuance cycle after the license  
20 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
21 the total number of registered vehicles that obtained such plates is less  
22 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-  
23 year period.

24           Sec. 33. Section 60-3,234, Revised Statutes Supplement, 2019, is  
25 amended to read:

26           60-3,234 (1) The department, in consultation with the Commission on  
27 Indian Affairs, shall design license plates to be known as Native  
28 American Cultural Awareness and History Plates. The design shall reflect  
29 the unique culture and history of Native American tribes historically and  
30 currently located in Nebraska. The design shall be selected on the basis  
31 of limiting the manufacturing cost of each plate to an amount less than

1 or equal to the amount charged for license plates pursuant to section  
2 60-3,102. The department may adopt and promulgate rules and regulations  
3 to carry out this section and section 60-3,235.

4 (2) One type of Native American Cultural Awareness and History  
5 Plates shall be alphanumeric plates. The department shall:

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

7 (b) Not use a county designation.

8 (3) One type of Native American Cultural Awareness and History  
9 Plates shall be personalized message plates. Such plates shall be issued  
10 subject to the same conditions specified for personalized message license  
11 plates in section 60-3,118, except that a maximum of five characters may  
12 be used.

13 (4) The department shall cease to issue Native American Cultural  
14 Awareness and History Plates beginning with the next license plate  
15 issuance cycle after the license plate issuance cycle that begins in 2023  
16 pursuant to section 60-3,101 if the total number of registered vehicles  
17 that obtained such plates is less than five ~~two~~ hundred ~~fifty~~ per year  
18 within any prior consecutive two-year period.

19 Sec. 34. Section 60-3,237, Revised Statutes Supplement, 2019, is  
20 amended to read:

21 60-3,237 (1) The department shall design license plates to be known  
22 as Wildlife Conservation Plates. The department shall create no more than  
23 three designs reflecting support for the conservation of Nebraska  
24 wildlife, including sandhill cranes, bighorn sheep, and ornate box  
25 turtles. Each design shall be selected on the basis of limiting the  
26 manufacturing cost of each plate to an amount less than or equal to the  
27 amount charged for license plates pursuant to section 60-3,102. The  
28 department shall make applications available for this type of plate by  
29 January 1, 2021. The department may adopt and promulgate rules and  
30 regulations to carry out this section and section 60-3,238.

31 (2) One type of Wildlife Conservation Plates shall be alphanumeric

1 plates. The department shall:

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

3 (b) Not use a county designation.

4 (3) One type of Wildlife Conservation Plates shall be personalized  
5 message plates. Such plates shall be issued subject to the same  
6 conditions specified for personalized message license plates in section  
7 60-3,118, except that a maximum of five characters may be used.

8 (4) The department shall cease to issue Wildlife Conservation Plates  
9 beginning with the next license plate issuance cycle after the license  
10 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
11 the total number of registered vehicles that obtained such plates is less  
12 than five ~~two~~ hundred ~~fifty~~ per year within any prior consecutive two-  
13 year period.

14 Sec. 35. Section 60-3,238, Revised Statutes Supplement, 2019, is  
15 amended to read:

16 60-3,238 (1) Beginning January 1, 2021, a person may apply to the  
17 department for Wildlife Conservation Plates in lieu of regular license  
18 plates on an application prescribed and provided by the department for  
19 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,  
20 trailer, or semitrailer registered under section 60-3,198. An applicant  
21 receiving a Wildlife Conservation Plate for a farm truck with a gross  
22 weight of over sixteen tons or a commercial truck or truck-tractor with a  
23 gross weight of five tons or over shall affix the appropriate tonnage  
24 decal to the plate. The department shall make forms available for such  
25 applications through the county treasurers. The license plates shall be  
26 issued upon payment of the license fee described in subsection (2) of  
27 this section.

28 (2)(a) In addition to all other fees required for registration under  
29 the Motor Vehicle Registration Act, each application for initial issuance  
30 of alphanumeric Wildlife Conservation Plates shall be accompanied by a  
31 fee of five dollars. An application for renewal of such plates shall be



1 accompanied by a fee of five dollars. County treasurers collecting fees  
2 pursuant to this subdivision shall remit such fees to the State  
3 Treasurer. The State Treasurer shall credit five dollars of the fee to  
4 the Wildlife Conservation Fund.

5 (b) In addition to all other fees required for registration under  
6 the Motor Vehicle Registration Act, each application for initial issuance  
7 or renewal of personalized message Wildlife Conservation Plates shall be  
8 accompanied by a fee of forty dollars. County treasurers collecting fees  
9 pursuant to this subdivision shall remit such fees to the State  
10 Treasurer. The State Treasurer shall credit twenty-five percent of the  
11 fee for initial issuance and renewal of such plates to the Department of  
12 Motor Vehicles Cash Fund and seventy-five percent of the fee to the  
13 Wildlife Conservation Fund.

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

26 (b) This subdivision applies beginning on an implementation date  
27 designated by the director. The director shall designate an  
28 implementation date which is on or before January 1, 2021. The county  
29 treasurer or the department may issue temporary license stickers to the  
30 applicant under this section for the applicant to lawfully operate the  
31 vehicle pending receipt of the license plates. No charge in addition to

1 the registration fee shall be made for the issuance of a temporary  
2 license sticker under this subdivision. The department shall furnish  
3 temporary license stickers for issuance by the county treasurer at no  
4 cost to the counties. The department may adopt and promulgate rules and  
5 regulations regarding the design and issuance of temporary license  
6 stickers.

7       (4) The owner of a motor vehicle, trailer, or semitrailer bearing  
8 Wildlife Conservation Plates may apply to the county treasurer to have  
9 such plates transferred to a motor vehicle or trailer other than the  
10 motor vehicle or trailer for which such plates were originally purchased  
11 if such motor vehicle or trailer is owned by the owner of the plates. The  
12 owner may have the unused portion of the fee for the plates credited to  
13 the other motor vehicle or trailer which will bear the plates at the rate  
14 of eight and one-third percent per month for each full month left in the  
15 registration period. Application for such transfer shall be accompanied  
16 by a fee of three dollars. Fees collected pursuant to this subsection  
17 shall be remitted to the State Treasurer for credit to the Department of  
18 Motor Vehicles Cash Fund.

19       (5) If the cost of manufacturing Wildlife Conservation Plates at any  
20 time exceeds the amount charged for license plates pursuant to section  
21 60-3,102, any money to be credited to the Wildlife Conservation Fund  
22 shall instead be credited first to the Highway Trust Fund in an amount  
23 equal to the difference between the manufacturing costs of Wildlife  
24 Conservation Plates and the amount charged pursuant to section 60-3,102  
25 with respect to such plates and the remainder shall be credited to the  
26 Wildlife Conservation Fund.

27       Sec. 36. Section 60-3,239, Revised Statutes Supplement, 2019, is  
28 amended to read:

29       60-3,239 (1) The department shall design license plates to be known  
30 as Prostate Cancer Awareness Plates. The design shall include a light  
31 blue ribbon and the words "early detection saves lives" along the bottom

1 of the plate.

2 (2) The design shall be selected on the basis of limiting the  
3 manufacturing cost of each plate to an amount less than or equal to the  
4 amount charged for license plates pursuant to section 60-3,102. The  
5 department shall make applications available for this type of plate when  
6 it is designed.

7 (3) One type of plate under this section shall be alphanumeric  
8 plates. The department shall:

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

10 (b) Not use a county designation.

11 (4) One type of plate under this section shall be personalized  
12 message plates. Such plates shall be issued subject to the same  
13 conditions specified for personalized message license plates in section  
14 60-3,118, except that a maximum of five characters may be used.

15 (5) The department shall cease to issue Prostate Cancer Awareness  
16 Plates beginning with the next license plate issuance cycle after the  
17 license plate issuance cycle that begins in 2023 pursuant to section  
18 60-3,101 if the total number of registered vehicles that obtained such  
19 plates is less than five ~~two~~ hundred ~~fifty~~ per year within any prior  
20 consecutive two-year period.

21 Sec. 37. Section 60-3,240, Revised Statutes Supplement, 2019, is  
22 amended to read:

23 60-3,240 (1) Beginning January 1, 2021, a person may apply to the  
24 department for Prostate Cancer Awareness Plates in lieu of regular  
25 license plates on an application prescribed and provided by the  
26 department for any motor vehicle, trailer, or semitrailer, except for a  
27 motor vehicle or trailer registered under section 60-3,198. An applicant  
28 receiving a plate under this section for a farm truck with a gross weight  
29 of over sixteen tons or a commercial truck or truck-tractor with a gross  
30 weight of five tons or over shall affix the appropriate tonnage decal to  
31 the plate. The department shall make forms available for such

1 applications through the county treasurers. The license plates shall be  
2 issued upon payment of the license fee described in subsection (2) of  
3 this section.

4 (2)(a) In addition to all other fees required for registration under  
5 the Motor Vehicle Registration Act, each application for initial issuance  
6 of alphanumeric Prostate Cancer Awareness Plates shall be accompanied by  
7 a fee of five dollars. An application for renewal of such plates shall be  
8 accompanied by a fee of five dollars. County treasurers collecting fees  
9 pursuant to this subdivision shall remit such fees to the State  
10 Treasurer. The State Treasurer shall credit five dollars of the fee to  
11 the University of Nebraska Medical Center for the Nebraska Prostate  
12 Cancer Research Program.

13 (b) In addition to all other fees required for registration under  
14 the Motor Vehicle Registration Act, each application for initial issuance  
15 or renewal of personalized message Prostate Cancer Awareness Plates shall  
16 be accompanied by a fee of forty dollars. County treasurers collecting  
17 fees pursuant to this subdivision shall remit such fees to the State  
18 Treasurer. The State Treasurer shall credit seventy-five percent of the  
19 fee to the University of Nebraska Medical Center for the Nebraska  
20 Prostate Cancer Research Program and twenty-five percent of the fee to  
21 the Department of Motor Vehicles Cash Fund.

22 (3)(a) ~~{3}~~ When the department receives an application for Prostate  
23 Cancer Awareness Plates, the department may deliver the plates and  
24 registration certificate to the applicant by United States mail or to the  
25 county treasurer of the county in which the motor vehicle, trailer, or  
26 semitrailer is registered and the delivery of the plates and registration  
27 certificate shall be made through a secure process and system. The county  
28 treasurer or the department shall issue plates under this section in lieu  
29 of regular license plates when the applicant complies with the other  
30 provisions of the Motor Vehicle Registration Act for registration of the  
31 motor vehicle, trailer, or semitrailer. If Prostate Cancer Awareness

1 Plates are lost, stolen, or mutilated, the licensee shall be issued  
2 replacement license plates upon request pursuant to section 60-3,157.

3 (b) This subdivision applies beginning on an implementation date  
4 designated by the director. The director shall designate an  
5 implementation date which is on or before January 1, 2021. The county  
6 treasurer or the department may issue temporary license stickers to the  
7 applicant under this section for the applicant to lawfully operate the  
8 vehicle pending receipt of the license plates. No charge in addition to  
9 the registration fee shall be made for the issuance of a temporary  
10 license sticker under this subdivision. The department shall furnish  
11 temporary license stickers for issuance by the county treasurer at no  
12 cost to the counties. The department may adopt and promulgate rules and  
13 regulations regarding the design and issuance of temporary license  
14 stickers.

15 (4) The owner of a motor vehicle, trailer, or semitrailer bearing  
16 Prostate Cancer Awareness Plates may apply to the county treasurer to  
17 have such plates transferred to a motor vehicle or trailer other than the  
18 motor vehicle or trailer for which such plates were originally purchased  
19 if such motor vehicle or trailer is owned by the owner of the plates. The  
20 owner may have the unused portion of the fee for the plates credited to  
21 the other motor vehicle or trailer which will bear the plates at the rate  
22 of eight and one-third percent per month for each full month left in the  
23 registration period. Application for such transfer shall be accompanied  
24 by a fee of three dollars. Fees collected pursuant to this subsection  
25 shall be remitted to the State Treasurer for credit to the Department of  
26 Motor Vehicles Cash Fund.

27 (5) If the cost of manufacturing Prostate Cancer Awareness Plates at  
28 any time exceeds the amount charged for license plates pursuant to  
29 section 60-3,102, any money to be credited to the University of Nebraska  
30 Medical Center for the Nebraska Prostate Cancer Research Program shall  
31 instead be credited first to the Highway Trust Fund in an amount equal to

1 the difference between the manufacturing costs of Prostate Cancer  
2 Awareness Plates and the amount charged pursuant to section 60-3,102 with  
3 respect to such plates and the remainder shall be credited to the  
4 University of Nebraska Medical Center for the Nebraska Prostate Cancer  
5 Research Program.

6 Sec. 38. Section 60-3,241, Revised Statutes Supplement, 2019, is  
7 amended to read:

8 60-3,241 (1) The department shall design license plates to be known  
9 as Sammy's Superheroes license plates for childhood cancer awareness. The  
10 design shall include a blue handprint over a yellow ribbon and the words  
11 "childhood cancer awareness". The design shall be selected on the basis  
12 of limiting the manufacturing cost of each plate to an amount less than  
13 or equal to the amount charged for license plates pursuant to section  
14 60-3,102. The department shall make applications available for this type  
15 of plate beginning January 1, 2021. The department may adopt and  
16 promulgate rules and regulations to carry out this section and section  
17 60-3,242.

18 (2) One type of Sammy's Superheroes license plates for childhood  
19 cancer awareness shall be alphanumeric plates. The department shall:

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

21 (b) Not use a county designation.

22 (3) One type of Sammy's Superheroes license plates for childhood  
23 cancer awareness shall be personalized message plates. Such plates shall  
24 be issued subject to the same conditions specified for personalized  
25 message license plates in section 60-3,118, except that a maximum of five  
26 characters may be used.

27 (4) The department shall cease to issue Sammy's Superheroes license  
28 plates for childhood cancer awareness beginning with the next license  
29 plate issuance cycle after the license plate issuance cycle that begins  
30 in 2023 pursuant to section 60-3,101 if the total number of registered  
31 vehicles that obtained such plates is less than five ~~two~~ hundred ~~fifty~~

1 per year within any prior consecutive two-year period.

2 Sec. 39. Section 60-3,242, Revised Statutes Supplement, 2019, is  
3 amended to read:

4 60-3,242 (1) Beginning January 1, 2021, a person may apply to the  
5 department for Sammy's Superheroes license plates for childhood cancer  
6 awareness in lieu of regular license plates on an application prescribed  
7 and provided by the department for any motor vehicle, trailer, or  
8 semitrailer, except for a motor vehicle, trailer, or semitrailer  
9 registered under section 60-3,198. An applicant receiving a Sammy's  
10 Superheroes license plate for childhood cancer awareness for a farm truck  
11 with a gross weight of over sixteen tons or a commercial truck or truck-  
12 tractor with a gross weight of five tons or over shall affix the  
13 appropriate tonnage decal to the plate. The department shall make forms  
14 available for such applications through the county treasurers. The  
15 license plates shall be issued upon payment of the license fee described  
16 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 of alphanumeric Sammy's Superheroes license plates for childhood cancer  
20 awareness shall be accompanied by a fee of five dollars. An application  
21 for renewal of such plates shall be accompanied by a fee of five dollars.  
22 County treasurers collecting fees pursuant to this subdivision shall  
23 remit such fees to the State Treasurer. The State Treasurer shall credit  
24 five dollars of the fee to the University of Nebraska Medical Center for  
25 pediatric cancer research.

26 (b) In addition to all other fees required for registration under  
27 the Motor Vehicle Registration Act, each application for initial issuance  
28 or renewal of personalized message Sammy's Superheroes license plates for  
29 childhood cancer awareness shall be accompanied by a fee of forty  
30 dollars. County treasurers collecting fees pursuant to this subdivision  
31 shall remit such fees to the State Treasurer. The State Treasurer shall

1 credit twenty-five percent of the fee for initial issuance and renewal of  
2 such plates to the Department of Motor Vehicles Cash Fund and seventy-  
3 five percent of the fee to the University of Nebraska Medical Center for  
4 pediatric cancer research.

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

19 (b) This subdivision applies beginning on an implementation date  
20 designated by the director. The director shall designate an  
21 implementation date which is on or before January 1, 2021. The county  
22 treasurer or the department may issue temporary license stickers to the  
23 applicant under this section for the applicant to lawfully operate the  
24 vehicle pending receipt of the license plates. No charge in addition to  
25 the registration fee shall be made for the issuance of a temporary  
26 license sticker under this subdivision. The department shall furnish  
27 temporary license stickers for issuance by the county treasurer at no  
28 cost to the counties. The department may adopt and promulgate rules and  
29 regulations regarding the design and issuance of temporary license  
30 stickers.

31 (4) The owner of a motor vehicle, trailer, or semitrailer bearing



1 Sammy's Superheroes license plates for childhood cancer awareness may  
2 apply to the county treasurer to have such plates transferred to a motor  
3 vehicle other than the vehicle for which such plates were originally  
4 purchased if such vehicle is owned by the owner of the plates. The owner  
5 may have the unused portion of the fee for the plates credited to the  
6 other vehicle which will bear the plates at the rate of eight and one-  
7 third percent per month for each full month left in the registration  
8 period. Application for such transfer shall be accompanied by a fee of  
9 three dollars. Fees collected pursuant to this subsection shall be  
10 remitted to the State Treasurer for credit to the Department of Motor  
11 Vehicles Cash Fund.

12 (5) If the cost of manufacturing Sammy's Superheroes license plates  
13 for childhood cancer awareness at any time exceeds the amount charged for  
14 license plates pursuant to section 60-3,102, any money to be credited to  
15 the University of Nebraska Medical Center for pediatric cancer research  
16 shall instead be credited first to the Highway Trust Fund in an amount  
17 equal to the difference between the manufacturing costs of Sammy's  
18 Superheroes license plates for childhood cancer awareness and the amount  
19 charged pursuant to section 60-3,102 with respect to such plates and the  
20 remainder shall be credited to the University of Nebraska Medical Center  
21 for pediatric cancer research.

22 Sec. 40. Section 60-3,243, Revised Statutes Supplement, 2019, is  
23 amended to read:

24 60-3,243 (1) The department shall design license plates to be known  
25 as Support Our Troops Plates. The department shall create a design  
26 reflecting support for troops from all branches of the armed forces. The  
27 design shall be selected on the basis of limiting the manufacturing cost  
28 of each plate to an amount less than or equal to the amount charged for  
29 license plates pursuant to section 60-3,102. The department shall make  
30 applications available for this type of plate by January 1, 2021. The  
31 department may adopt and promulgate rules and regulations to carry out

1 this section and section 60-3,244.

2 (2) One type of Support Our Troops Plates shall be alphanumeric  
3 plates. The department shall:

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

5 (b) Not use a county designation.

6 (3) One type of Support Our Troops Plates shall be personalized  
7 message plates. Such plates shall be issued subject to the same  
8 conditions specified for personalized message license plates in section  
9 60-3,118, except that a maximum of five characters may be used.

10 (4) The department shall cease to issue Support Our Troops Plates  
11 beginning with the next license plate issuance cycle after the license  
12 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
13 the total number of registered vehicles that obtained such plates is less  
14 than five hundred per year within any prior consecutive two-year period.

15 Sec. 41. (1) The department shall design license plates to be known  
16 as Donate Life Plates. The design shall support organ and tissue  
17 donation, registration as a donor on the Donor Registry of Nebraska, and  
18 the federally designated organ procurement organization for Nebraska. The  
19 design shall be selected on the basis of limiting the manufacturing cost  
20 of each plate to an amount less than or equal to the amount charged for  
21 license plates pursuant to section 60-3,102. The department shall make  
22 applications available for this type of plate beginning January 1, 2021.  
23 The department may adopt and promulgate rules and regulations to carry  
24 out this section and section 42 of this act.

25 (2) One type of Donate Life Plates shall be alphanumeric plates. The  
26 department shall:

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

28 (b) Not use a county designation.

29 (3) One type of Donate Life Plates shall be personalized message  
30 plates. Such plates shall be issued subject to the same conditions  
31 specified for personalized message license plates in section 60-3,118,

1 except that a maximum of five characters may be used.

2 (4) The department shall cease to issue Donate Life Plates beginning  
3 with the next license plate issuance cycle after the license plate  
4 issuance cycle that begins in 2023 pursuant to section 60-3,101 if the  
5 total number of registered vehicles that obtained such plates is less  
6 than five hundred per year within any prior consecutive two-year period.

7 Sec. 42. (1) Beginning January 1, 2021, a person may apply to the  
8 department for Donate Life Plates in lieu of regular license plates on an  
9 application prescribed and provided by the department for any motor  
10 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or  
11 semitrailer registered under section 60-3,198. An applicant receiving a  
12 Donate Life Plate for a farm truck with a gross weight of over sixteen  
13 tons or for a commercial motor vehicle registered for a gross weight of  
14 five tons or over shall affix the appropriate tonnage decal to the plate.  
15 The department shall make forms available for such applications through  
16 the county treasurers. The license plates shall be issued upon payment of  
17 the license fee described in subsection (2) of this section.

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

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

1 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Organ  
2 and Tissue Donor Awareness and Education Fund.

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

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

24 (5) The owner of a motor vehicle, trailer, or semitrailer bearing  
25 Donate Life Plates may apply to the county treasurer to have such plates  
26 transferred to a motor vehicle, trailer, or semitrailer other than the  
27 motor vehicle, trailer, or semitrailer for which such plates were  
28 originally purchased if such motor vehicle, trailer, or semitrailer is  
29 owned by the owner of the plates. The owner may have the unused portion  
30 of the fee for the plates credited to the other motor vehicle, trailer,  
31 or semitrailer which will bear the plates at the rate of eight and one-

1 third percent per month for each full month left in the registration  
2 period. Application for such transfer shall be accompanied by a fee of  
3 three dollars. Fees collected pursuant to this subsection shall be  
4 remitted to the State Treasurer for credit to the Department of Motor  
5 Vehicles Cash Fund.

6 (6) If the cost of manufacturing Donate Life Plates at any time  
7 exceeds the amount charged for license plates pursuant to section  
8 60-3,102, any money to be credited to the Organ and Tissue Donor  
9 Awareness and Education Fund shall instead be credited first to the  
10 Highway Trust Fund in an amount equal to the difference between the  
11 manufacturing costs of Donate Life Plates and the amount charged pursuant  
12 to section 60-3,102 with respect to such plates and the remainder shall  
13 be credited to the Organ and Tissue Donor Awareness and Education Fund.

14 Sec. 43. (1) The department shall design license plates to be known  
15 as Down Syndrome Awareness Plates. The design shall include the words  
16 "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon.  
17 The design shall be selected on the basis of limiting the manufacturing  
18 cost of each plate to an amount less than or equal to the amount charged  
19 for license plates pursuant to section 60-3,102. The department shall  
20 make applications available for this type of plate beginning January 1,  
21 2021. The department may adopt and promulgate rules and regulations to  
22 carry out this section and section 44 of this act.

23 (2) One type of Down Syndrome Awareness Plates shall be alphanumeric  
24 plates. The department shall:

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

26 (b) Not use a county designation.

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

31 (4) The department shall cease to issue Down Syndrome Awareness

1 Plates beginning with the next license plate issuance cycle after the  
2 license plate issuance cycle that begins in 2023 pursuant to section  
3 60-3,101 if the total number of registered vehicles that obtained such  
4 plates is less than five hundred per year within any prior consecutive  
5 two-year period.

6       Sec. 44. (1) Beginning January 1, 2021, a person may apply to the  
7 department for Down Syndrome Awareness Plates in lieu of regular license  
8 plates on an application prescribed and provided by the department for  
9 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,  
10 trailer, or semitrailer registered under section 60-3,198. An applicant  
11 receiving a license plate under this section for a farm truck with a  
12 gross weight of over sixteen tons or a commercial motor vehicle  
13 registered for a gross weight of five tons or over shall affix the  
14 appropriate tonnage decal to the license plate. The department shall make  
15 forms available for such applications through the county treasurers. The  
16 license plates shall be issued upon payment of the license fee described  
17 in subsection (2) of this section.

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

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

Motor Vehicles Cash Fund and seventy-five percent of the fee to the University of Nebraska Medical Center for the Down Syndrome Clinic.

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

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

(5) The owner of a motor vehicle, trailer, or semitrailer bearing Down Syndrome Awareness Plates may apply to the county treasurer to have such plates transferred to a motor vehicle, trailer, or semitrailer other than the motor vehicle, trailer, or semitrailer for which such plates were originally purchased if such motor vehicle, trailer, or semitrailer is owned by the owner of the plates. The owner may have the unused portion of the fee for the plates credited to the other motor vehicle, trailer, or semitrailer that will bear the plates at the rate of eight

1 and one-third percent per month for each full month left in the  
2 registration period. Application for such transfer shall be accompanied  
3 by a fee of three dollars. Fees collected pursuant to this subsection  
4 shall be remitted to the State Treasurer for credit to the Department of  
5 Motor Vehicles Cash Fund.

6 (6) If the cost of manufacturing Down Syndrome Awareness Plates at  
7 any time exceeds the amount charged for license plates pursuant to  
8 section 60-3,102, any money to be credited to the University of Nebraska  
9 Medical Center for the Down Syndrome Clinic shall instead be credited  
10 first to the Highway Trust Fund in an amount equal to the difference  
11 between the manufacturing costs of Down Syndrome Awareness Plates and the  
12 amount charged pursuant to section 60-3,102 with respect to such plates  
13 and the remainder shall be credited to the University of Nebraska Medical  
14 Center for the Down Syndrome Clinic.

15 Sec. 45. (1) The department shall design license plates to be known  
16 as Pets for Vets Plates. The design shall support veterans and companion  
17 or therapy pet animals. The design shall be selected on the basis of  
18 limiting the manufacturing cost of each plate to an amount less than or  
19 equal to the amount charged for license plates pursuant to section  
20 60-3,102. The department shall make applications available for this type  
21 of plate beginning January 1, 2021. The department may adopt and  
22 promulgate rules and regulations to carry out this section and section 46  
23 of this act.

24 (2) One type of Pets for Vets Plates shall be alphanumeric plates.  
25 The department shall:

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

27 (b) Not use a county designation.

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



1       (4) The department shall cease to issue Pets for Vets Plates  
2 beginning with the next license plate issuance cycle after the license  
3 plate issuance cycle that begins in 2023 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. 46. (1) Beginning January 1, 2021, a person may apply to the  
7 department for Pets for Vets Plates in lieu of regular license plates on  
8 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 a  
11 Pets for Vets Plate for a farm truck with a gross weight of over sixteen  
12 tons or for a commercial motor vehicle registered for a gross weight of  
13 five tons or over shall affix the appropriate tonnage decal to the plate.  
14 The department shall make forms available for such applications through  
15 the county treasurers. The license plates shall be issued upon payment of  
16 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 Pets for Vets Plates shall be accompanied by a  
20 fee of five dollars. County treasurers collecting fees pursuant to this  
21 subdivision shall remit such fees to the State Treasurer. The State  
22 Treasurer shall credit five dollars of the fee to the Pets for Vets Cash  
23 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 Pets for Vets 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 Pets

1 for Vets Cash Fund.

2 (3) When the department receives an application for Pets for Vets  
3 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 Pets for Vets Plates in lieu of  
9 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 Pets for Vets Plates are lost,  
12 stolen, or mutilated, the licensee shall be issued replacement license  
13 plates upon request pursuant to section 60-3,157.

14 (4) 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 subsection. 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 (5) The owner of a motor vehicle, trailer, or semitrailer bearing  
24 Pets for Vets Plates may apply to the county treasurer to have such  
25 plates transferred to a motor vehicle, trailer, or semitrailer other than  
26 the motor vehicle, trailer, or semitrailer for which such plates were  
27 originally purchased if such motor vehicle, trailer, or semitrailer is  
28 owned by the owner of the plates. The owner may have the unused portion  
29 of the fee for the plates credited to the other motor vehicle, trailer,  
30 or semitrailer that will bear the plates at the rate of eight and one-  
31 third percent per month for each full month left in the registration

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

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

13 Sec. 47. (1) The department shall design license plates to be known  
14 as Support the Arts Plates. The design shall be selected in consultation  
15 with the Nebraska Arts Council and shall support the arts in Nebraska.  
16 The design shall be selected on the basis of limiting the manufacturing  
17 cost of each plate to an amount less than or equal to the amount charged  
18 for license plates pursuant to section 60-3,102. The department shall  
19 make applications available for this type of plate beginning January 1,  
20 2021. The department may adopt and promulgate rules and regulations to  
21 carry out this section and section 48 of this act.

22 (2) One type of Support the Arts Plates shall be alphanumeric  
23 plates. The department shall:

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

25 (b) Not use a county designation.

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

30 (4) The department shall cease to issue Support the Arts Plates  
31 beginning with the next license plate issuance cycle after the license

1 plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if  
2 the total number of registered vehicles that obtained such plates is less  
3 than five hundred per year within any prior consecutive two-year period.

4       Sec. 48. (1) Beginning January 1, 2021, a person may apply to the  
5 department for Support the Arts Plates in lieu of regular license plates  
6 on an application prescribed and provided by the department for any motor  
7 vehicle, trailer, or semitrailer, except for a motor vehicle, trailer, or  
8 semitrailer registered under section 60-3,198. An applicant receiving a  
9 Support the Arts Plate for a farm truck with a gross weight of over  
10 sixteen tons or for a commercial motor vehicle registered for a gross  
11 weight of five tons or over shall affix the appropriate tonnage decal to  
12 the plate. The department shall make forms available for such  
13 applications through the county treasurers. The license plates shall be  
14 issued upon payment of the license fee described in subsection (2) of  
15 this section.

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

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

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

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

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

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

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

12 Sec. 49. (1) The department shall design license plates to be known  
13 as The Good Life Is Outside Plates. The design shall reflect the  
14 importance of safe walking and biking in Nebraska and the value of our  
15 recreational trails. The design shall be selected on the basis of  
16 limiting the manufacturing cost of each plate to an amount less than or  
17 equal to the amount charged for license plates pursuant to section  
18 60-3,102. The department shall make applications available for this type  
19 of plate beginning January 1, 2021. The department may adopt and  
20 promulgate rules and regulations to carry out this section and section 50  
21 of this act.

22 (2) One type of The Good Life Is Outside Plates shall be  
23 alphanumeric plates. The department shall:

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

25 (b) Not use a county designation.

26 (3) One type of The Good Life Is Outside Plates shall be  
27 personalized message plates. Such plates shall be issued subject to the  
28 same conditions specified for personalized message license plates in  
29 section 60-3,118, except that a maximum of five characters may be used.

30 (4) The department shall cease to issue The Good Life Is Outside  
31 Plates beginning with the next license plate issuance cycle after the

1 license plate issuance cycle that begins in 2023 pursuant to section  
2 60-3,101 if the total number of registered vehicles that obtained such  
3 plates is less than five hundred per year within any prior consecutive  
4 two-year period.

5       Sec. 50. (1) Beginning January 1, 2021, a person may apply to the  
6 department for The Good Life Is Outside Plates in lieu of regular license  
7 plates on an application prescribed and provided by the department for  
8 any motor vehicle, trailer, or semitrailer, except for a motor vehicle,  
9 trailer, or semitrailer registered under section 60-3,198. An applicant  
10 receiving a The Good Life Is Outside Plate for a farm truck with a gross  
11 weight of over sixteen tons or for a commercial motor vehicle registered  
12 for a gross weight of five tons or over shall affix the appropriate  
13 tonnage decal to the plate. The department shall make forms available for  
14 such applications through the county treasurers. The license plates shall  
15 be issued upon payment of the license fee described in subsection (2) of  
16 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 The Good Life Is Outside Plates shall be  
20 accompanied by a fee of five dollars. County treasurers collecting fees  
21 pursuant to this subdivision shall remit such fees to the State  
22 Treasurer. The State Treasurer shall credit five dollars of the fee to  
23 the Game and Parks State Park Improvement and Maintenance Fund for the  
24 purpose of trail improvement and maintenance.

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

1 Motor Vehicles Cash Fund and seventy-five percent of the fee to the Game  
2 and Parks State Park Improvement and Maintenance Fund for the purpose of  
3 trail improvement and maintenance.

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

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

26 (5) The owner of a motor vehicle, trailer, or semitrailer bearing  
27 The Good Life Is Outside Plates may apply to the county treasurer to have  
28 such plates transferred to a motor vehicle, trailer, or semitrailer other  
29 than the motor vehicle, trailer, or semitrailer for which such plates  
30 were originally purchased if such motor vehicle, trailer, or semitrailer  
31 is owned by the owner of the plates. The owner may have the unused



1 portion of the fee for the plates credited to the other motor vehicle,  
2 trailer, or semitrailer which will bear the plates at the rate of eight  
3 and one-third percent per month for each full month left in the  
4 registration period. Application for such transfer shall be accompanied  
5 by a fee of three dollars. Fees collected pursuant to this subsection  
6 shall be remitted to the State Treasurer for credit to the Department of  
7 Motor Vehicles Cash Fund.

8 (6) If the cost of manufacturing The Good Life Is Outside Plates at  
9 any time exceeds the amount charged for license plates pursuant to  
10 section 60-3,102, any money to be credited to the Game and Parks State  
11 Park Improvement and Maintenance Fund shall instead be credited first to  
12 the Highway Trust Fund in an amount equal to the difference between the  
13 manufacturing costs of The Good Life Is Outside Plates and the amount  
14 charged pursuant to section 60-3,102 with respect to such plates and the  
15 remainder shall be credited to the Game and Parks State Park Improvement  
16 and Maintenance Fund for the purpose of trail improvement and  
17 maintenance.

18 Sec. 51. Section 60-462.01, Revised Statutes Supplement, 2019, is  
19 amended to read:

20 60-462.01 For purposes of the Motor Vehicle Operator's License Act,  
21 the following federal regulations are adopted as Nebraska law as they  
22 existed on January 1, 2020 ~~2019~~:

23 The parts, subparts, and sections of Title 49 of the Code of Federal  
24 Regulations, as referenced in the Motor Vehicle Operator's License Act.

25 Sec. 52. Section 60-479.01, Revised Statutes Supplement, 2019, is  
26 amended to read:

27 60-479.01 (1) All persons handling source documents or engaged in  
28 the issuance of new, renewed, or reissued operators' licenses or state  
29 identification cards shall have periodic fraudulent document recognition  
30 training.

31 (2) All persons and agents of the department involved in the

1 recording of verified application information or verified operator's  
2 license and state identification card information, involved in the  
3 manufacture or production of licenses or cards, or who have the ability  
4 to affect information on such licenses or cards shall be subject to a  
5 criminal history record information check, including a check of prior  
6 employment references, and a lawful status check as required by 6 C.F.R.  
7 part 37, as such part existed on January 1, 2020 ~~2019~~. Such persons and  
8 agents shall provide fingerprints which shall be submitted to the Federal  
9 Bureau of Investigation. The bureau shall use its records for the  
10 criminal history record information check.

11 (3) Upon receipt of a request pursuant to subsection (2) of this  
12 section, the Nebraska State Patrol shall undertake a search for criminal  
13 history record information relating to such applicant, including  
14 transmittal of the applicant's fingerprints to the Federal Bureau of  
15 Investigation for a national criminal history record information check.  
16 The criminal history record information check shall include information  
17 concerning the applicant from federal repositories of such information  
18 and repositories of such information in other states, if authorized by  
19 federal law. The Nebraska State Patrol shall issue a report to the  
20 employing public agency that shall include the criminal history record  
21 information concerning the applicant. The cost of any background check  
22 shall be borne by the employer of the person or agent.

23 (4) Any person convicted of any disqualifying offense as provided in  
24 6 C.F.R. part 37, as such part existed on January 1, 2020 ~~2019~~, shall not  
25 be involved in the recording of verified application information or  
26 verified operator's license and state identification card information,  
27 involved in the manufacture or production of licenses or cards, or  
28 involved in any capacity in which such person would have the ability to  
29 affect information on such licenses or cards. Any employee or prospective  
30 employee of the department shall be provided notice that he or she will  
31 undergo such criminal history record information check prior to

1 employment or prior to any involvement with the issuance of operators'  
2 licenses or state identification cards.

3 Sec. 53. Section 60-484.04, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5 60-484.04 (1) The Legislature finds and declares that section 202(c)  
6 (2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law  
7 109-13, enumerated categories of individuals who may demonstrate lawful  
8 status for the purpose of eligibility for a federally secure motor  
9 vehicle operator's license or state identification card. The Legislature  
10 further finds and declares that it was the intent of the Legislature in  
11 2011 to adopt the enumerated categories by the passage of Laws 2011,  
12 LB215. The Legislature declares that the passage of Laws 2015, LB623, is  
13 for the limited purpose of reaffirming the original legislative intent of  
14 Laws 2011, LB215. Except as provided in section 60-4,144 with respect to  
15 operators of commercial motor vehicles, before being issued any other  
16 type of operator's license or a state identification card under the Motor  
17 Vehicle Operator's License Act, the department shall require an applicant  
18 to present valid documentary evidence that he or she has lawful status in  
19 the United States as enumerated in section 202(c)(2)(B)(i) through (x)  
20 ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law 109-13. Lawful status  
21 may be shown by:

22 (a) A valid, unexpired United States passport;

23 (b) A certified copy of a birth certificate filed with a state  
24 office of vital statistics or equivalent agency in the individual's state  
25 of birth;

26 (c) A Consular Report of Birth Abroad (CRBA) issued by the United  
27 States Department of State, Form FS-240, DS-1350, or FS-545;

28 (d) A valid, unexpired Permanent Resident Card (Form I-551) issued  
29 by the United States Department of Homeland Security or United States  
30 Citizenship and Immigration Services;

31 (e) An unexpired employment authorization document (EAD) issued by

1 the United States Department of Homeland Security, Form I-766 or Form  
2 I-688B;

3 (f) An unexpired foreign passport with a valid, unexpired United  
4 States visa affixed accompanied by the approved I-94 form documenting the  
5 applicant's most recent admittance into the United States;

6 (g) A Certificate of Naturalization issued by the United States  
7 Department of Homeland Security, Form N-550 or Form N-570;

8 (h) A Certificate of Citizenship, Form N-560 or Form N-561, issued  
9 by the United States Department of Homeland Security;

10 (i) A driver's license or identification card issued in compliance  
11 with the standards established by the REAL ID Act of 2005, Public Law  
12 109-13, division B, section 1, 119 Stat. 302; or

13 (j) Such other documents as the director may approve.

14 (2)(a) If an applicant presents one of the documents listed under  
15 subdivision (1)(a), (b), (c), (d), (g), or (h) of this section, the  
16 verification of the applicant's identity in the manner prescribed in  
17 section 60-484 will also provide satisfactory evidence of lawful status.

18 (b) If the applicant presents one of the identity documents listed  
19 under subdivision (1)(e), (f), or (i) of this section, the verification  
20 of the identity documents does not provide satisfactory evidence of  
21 lawful status. The applicant must also present a second document from  
22 subsection (1) of this section or documentation issued by the United  
23 States Department of Homeland Security, the United States Citizenship and  
24 Immigration Services, or other federal agencies, such as one of the types  
25 of Form I-797 used by the United States Citizenship and Immigration  
26 Services, demonstrating that the applicant has lawful status as  
27 enumerated in section 202(c)(2)(B)(i) through (x) ~~(ix)~~ of the federal  
28 REAL ID Act of 2005, Public Law 109-13.

29 (3) An applicant may present other documents as designated by the  
30 director as proof of lawful status as enumerated in section 202(c)(2)(B)  
31 (i) through (x) ~~(ix)~~ of the federal REAL ID Act of 2005, Public Law

1 109-13. Any documents accepted shall be recorded according to a written  
2 exceptions process established by the director.

3 Sec. 54. Section 60-484.05, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5 60-484.05 (1) The department shall only issue an operator's license  
6 or a state identification card that is temporary to any applicant who  
7 presents documentation under sections 60-484 and 60-484.04 that shows his  
8 or her authorized stay in the United States is temporary. An operator's  
9 license or a state identification card that is temporary shall be valid  
10 only during the period of time of the applicant's authorized stay in the  
11 United States or, if there is no definite end to the period of authorized  
12 stay, a period of one year.

13 (2) An operator's license or state identification card that is  
14 temporary shall clearly indicate that it is temporary with a special  
15 notation on the front of the license or card and shall state the date on  
16 which it expires.

17 (3) An operator's license or state identification card that is  
18 temporary may be renewed only upon presentation of valid documentary  
19 evidence that the status by which the applicant qualified for the  
20 operator's license or state identification card that is temporary has  
21 been extended by the United States Department of Homeland Security.

22 (4) If an individual has an operator's license or a state  
23 identification card issued based on approved lawful status granted under  
24 section 202(c)(2)(B)(i) through (x) ~~(ix)~~ of the federal REAL ID Act of  
25 2005, Public Law 109-13, and the basis for the approved lawful status is  
26 terminated, the individual shall return the operator's license or state  
27 identification card to the Department of Motor Vehicles.

28 Sec. 55. Section 60-495, Revised Statutes Supplement, 2019, is  
29 amended to read:

30 60-495 (1) The director may adopt and promulgate such rules and  
31 regulations necessary to carry out sections 60-493 to 60-495 and the

1 duties of the department under the Revised Uniform Anatomical Gift Act.  
2 The director shall prepare and furnish all forms and information  
3 necessary under the act.

4 (2) The Organ and Tissue Donor Awareness and Education Fund is  
5 created. Department personnel and the county treasurer shall remit all  
6 funds contributed under sections 60-484, 60-4,144, and 60-4,181 to the  
7 State Treasurer for credit to the fund. The fund shall also include any  
8 money credited to the fund pursuant to section 42 of this act. The  
9 Department of Health and Human Services shall administer the Organ and  
10 Tissue Donor Awareness and Education Fund for the promotion of organ and  
11 tissue donation. The department shall use the fund to assist  
12 organizations such as the federally designated organ procurement  
13 organization for Nebraska and the State Anatomical Board in carrying out  
14 activities which promote organ and tissue donation through the creation  
15 and dissemination of educational information. Any money in the fund  
16 available for investment shall be invested by the state investment  
17 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
18 State Funds Investment Act.

19 Sec. 56. Section 60-4,111.01, Revised Statutes Supplement, 2019, is  
20 amended to read:

21 60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law  
22 enforcement agencies may store or compile information acquired from an  
23 operator's license or a state identification card for their statutorily  
24 authorized purposes.

25 (2) Except as otherwise provided in subsection (3) or (4) of this  
26 section, no person having use of or access to machine-readable  
27 information encoded on an operator's license or a state identification  
28 card shall compile, store, preserve, trade, sell, or share such  
29 information. Any person who trades, sells, or shares such information  
30 shall be guilty of a Class IV felony. Any person who compiles, stores, or  
31 preserves such information except as authorized in subsection (3) or (4)

1 of this section shall be guilty of a Class IV felony.

2 (3)(a) For purposes of compliance with and enforcement of  
3 restrictions on the purchase of alcohol, lottery tickets, and tobacco  
4 products, a retailer who sells any of such items pursuant to a license  
5 issued or a contract under the applicable statutory provision may scan  
6 machine-readable information encoded on an operator's license or a state  
7 identification card presented for the purpose of such a sale. The  
8 retailer may store only the following information obtained from the  
9 license or card: Age and license or card identification number. The  
10 retailer shall post a sign at the point of sale of any of such items  
11 stating that the license or card will be scanned and that the age and  
12 identification number will be stored. The stored information may only be  
13 used by a law enforcement agency for purposes of enforcement of the  
14 restrictions on the purchase of alcohol, lottery tickets, and tobacco  
15 products and may not be shared with any other person or entity.

16 (b) For purposes of compliance with the provisions of sections  
17 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant  
18 to such sections may scan machine-readable information encoded on an  
19 operator's license or a state identification card presented for the  
20 purpose of such a sale. The seller may store only the following  
21 information obtained from the license or card: Name, age, address, type  
22 of identification presented by the customer, the governmental entity that  
23 issued the identification, and the number on the identification. The  
24 seller shall post a sign at the point of sale stating that the license or  
25 card will be scanned and stating what information will be stored. The  
26 stored information may only be used by law enforcement agencies,  
27 regulatory agencies, and the exchange for purposes of enforcement of the  
28 restrictions on the sale or purchase of methamphetamine precursors  
29 pursuant to sections 28-458 to 28-462 and may not be shared with any  
30 other person or entity. For purposes of this subsection, the terms  
31 exchange, methamphetamine precursor, and seller have the same meanings as

1 in section 28-458.

2 (c) The retailer or seller shall utilize software that stores only  
3 the information allowed by this subsection. A programmer for computer  
4 software designed to store such information shall certify to the retailer  
5 that the software stores only the information allowed by this subsection.  
6 Intentional or grossly negligent programming by the programmer which  
7 allows for the storage of more than the age and identification number or  
8 wrongfully certifying the software shall be a Class IV felony.

9 (d) A retailer or seller who knowingly stores more information than  
10 authorized under this subsection from the operator's license or state  
11 identification card shall be guilty of a Class IV felony.

12 (e) Information scanned, compiled, stored, or preserved pursuant to  
13 subdivision (a) of this subsection may not be retained longer than  
14 eighteen months unless required by state or federal law.

15 (4) In order to approve a negotiable instrument, an electronic funds  
16 transfer, or a similar method of payment, a person having use of or  
17 access to machine-readable information encoded on an operator's license  
18 or a state identification card may:

19 (a) Scan, compile, store, or preserve such information in order to  
20 provide the information to a check services company subject to and in  
21 compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et  
22 seq., as such act existed on January 1, 2020 ~~2019~~, for the purpose of  
23 effecting, administering, or enforcing a transaction requested by the  
24 holder of the license or card or preventing fraud or other criminal  
25 activity; or

26 (b) Scan and store such information only as necessary to protect  
27 against or prevent actual or potential fraud, unauthorized transactions,  
28 claims, or other liability or to resolve a dispute or inquiry by the  
29 holder of the license or card.

30 (5) Except as provided in subdivision (4)(a) of this section,  
31 information scanned, compiled, stored, or preserved pursuant to this



1 section may not be traded or sold to or shared with a third party; used  
2 for any marketing or sales purpose by any person, including the retailer  
3 who obtained the information; or, unless pursuant to a court order,  
4 reported to or shared with any third party. A person who violates this  
5 subsection shall be guilty of a Class IV felony.

6 Sec. 57. Section 60-4,113, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8 60-4,113 (1) The director shall appoint as his or her agents one or  
9 more department personnel who shall examine all applicants for a state  
10 identification card or an operator's license as provided in section  
11 60-4,114, except as otherwise provided in subsection (8) of section  
12 60-4,122. The same department personnel may be assigned to one or more  
13 counties by the director. In counties in which the county treasurer  
14 collects the fees and issues receipts, the county shall furnish office  
15 space for the administration of the operator's license examination.  
16 Department personnel shall conduct the examination of applicants and  
17 deliver to each successful applicant an issuance certificate or receipt.  
18 The certificate may be presented to the county treasurer within ninety  
19 days after issuance, and the county treasurer shall collect the fee and  
20 surcharge as provided in section 60-4,115 and issue a receipt which is  
21 valid for up to thirty days. If an operator's license is being issued,  
22 the receipt shall also authorize driving privileges for such thirty-day  
23 period. If department personnel refuse to issue an issuance certificate  
24 or receipt, the department personnel shall state such cause in writing  
25 and deliver such written cause to the applicant.

26 (2) The department may provide for the central production and  
27 issuance of operators' licenses and state identification cards.  
28 Production shall take place at a secure production facility designated by  
29 the director. The licenses and cards shall be of such a design and  
30 produced in such a way as to discourage, to the maximum extent possible,  
31 fraud in applicant enrollment, identity theft, and the forgery and

1 counterfeiting of such licenses and cards. Delivery of an operator's  
2 license or state identification card shall be to the mailing address  
3 provided by the applicant at the time of application and may be provided  
4 by secure electronic delivery to specified contact information at the  
5 request of the applicant.

6 Sec. 58. Section 60-4,114, Revised Statutes Cumulative Supplement,  
7 2018, is amended to read:

8 60-4,114 (1) The county treasurer may employ such additional  
9 clerical help as may be necessary to assist him or her in the performance  
10 of the ministerial duties required of him or her under the Motor Vehicle  
11 Operator's License Act and, for such additional expense, shall be  
12 reimbursed as set out in section 60-4,115.

13 (2) The director may, in his or her discretion, appoint department  
14 personnel to examine all applicants who apply for an initial license or  
15 whose licenses have been revoked or canceled to ascertain such person's  
16 ability to operate a motor vehicle properly and safely.

17 (3) Except as otherwise provided in section 60-4,122, the  
18 application process, in addition to the other requisites of the act,  
19 shall include the following:

20 (a) An inquiry into the medical condition and visual ability of the  
21 applicant to operate a motor vehicle;

22 (b) An inquiry into the applicant's ability to drive and maneuver a  
23 motor vehicle, except that no driving skills test shall be conducted  
24 using an autocycle; and

25 (c) An inquiry touching upon the applicant's knowledge of the motor  
26 vehicle laws of this state, which shall include sufficient questions to  
27 indicate familiarity with the provisions thereof. Such knowledge inquiry  
28 may be performed remotely if proctored by an agent approved by the  
29 director.

30 (4) If an applicant is denied or refused a certificate for license  
31 or a license is canceled, such applicant or licensee shall have the right

1 to an immediate appeal to the director from the decision. It shall be the  
2 duty of the director to review the appeal and issue a final order, to be  
3 made not later than ten days after the receipt of the appeal by the  
4 director. The director shall issue a final order not later than ten days  
5 following receipt of the medical opinion if the applicant or licensee  
6 submits reports from a physician of his or her choice for the director's  
7 consideration as provided in section 60-4,118.03. The applicant or  
8 licensee who files an appeal pursuant to this section shall notify the  
9 director in writing if he or she intends to submit records or reports for  
10 consideration. Such notice must be received by the director not later  
11 than ten days after an appeal is filed pursuant to this section to stay  
12 the director's decision until after the consideration of such records or  
13 reports as provided in section 60-4,118.03. After consideration of  
14 evidence in the records of the applicant or licensee, including any  
15 records submitted by the applicant or licensee, the director shall make a  
16 determination of the physical or mental ability of the applicant or  
17 licensee to operate a motor vehicle and shall issue a final order. The  
18 order shall be in writing, shall be accompanied by findings of fact and  
19 conclusions of law, and shall be sent by regular United States mail to  
20 the last-known address of the applicant or licensee. The order may be  
21 appealed as provided in section 60-4,105.

22 Sec. 59. Section 60-4,132, Revised Statutes Supplement, 2019, is  
23 amended to read:

24 60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137  
25 to 60-4,172 are to implement the requirements mandated by the federal  
26 Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the  
27 federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159,  
28 section 1012 of the federal Uniting and Strengthening America by  
29 Providing Appropriate Tools Required to Intercept and Obstruct Terrorism  
30 Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, and federal regulations as  
31 such acts and regulations existed on January 1, 2020 ~~2019~~, and to reduce

1 or prevent commercial motor vehicle accidents, fatalities, and injuries  
2 by: (1) Permitting drivers to hold only one operator's license; (2)  
3 disqualifying drivers for specified offenses and serious traffic  
4 violations; and (3) strengthening licensing and testing standards.

5 Sec. 60. Section 60-4,134, Revised Statutes Supplement, 2019, is  
6 amended to read:

7 60-4,134 In conformance with section 7208 of the federal Fixing  
8 America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such  
9 section and regulation existed on January 1, 2020 ~~2019~~, no hazardous  
10 materials endorsement authorizing the holder of a Class A commercial  
11 driver's license to operate a commercial motor vehicle transporting  
12 diesel fuel shall be required if such driver is (1) operating within the  
13 state and acting within the scope of his or her employment as an employee  
14 of a custom harvester operation, an agrichemical business, a farm retail  
15 outlet and supplier, or a livestock feeder and (2) operating a service  
16 vehicle that is (a) transporting diesel in a quantity of one thousand  
17 gallons or less and (b) clearly marked with a flammable or combustible  
18 placard, as appropriate.

19 Sec. 61. Section 60-4,138, Revised Statutes Cumulative Supplement,  
20 2018, is amended to read:

21 60-4,138 (1) Commercial drivers' licenses and restricted commercial  
22 drivers' licenses shall be issued by the department in compliance with 49  
23 C.F.R. parts 383 and 391, shall be classified as provided in subsection  
24 (2) of this section, and shall bear such endorsements and restrictions as  
25 are provided in subsections (3) and (4) of this section.

26 (2) Commercial motor vehicle classifications for purposes of  
27 commercial drivers' licenses shall be as follows:

28 (a) Class A Combination Vehicle – Any combination of motor vehicles  
29 and towed vehicles with a gross vehicle weight rating of more than  
30 twenty-six thousand pounds if the gross vehicle weight rating of the  
31 vehicles being towed are in excess of ten thousand pounds;

1 (b) Class B Heavy Straight Vehicle – Any single commercial motor  
2 vehicle with a gross vehicle weight rating of twenty-six thousand one  
3 pounds or more or any such commercial motor vehicle towing a vehicle with  
4 a gross vehicle weight rating not exceeding ten thousand pounds; and

5 (c) Class C Small Vehicle – Any single commercial motor vehicle with  
6 a gross vehicle weight rating of less than twenty-six thousand one pounds  
7 or any such commercial motor vehicle towing a vehicle with a gross  
8 vehicle weight rating not exceeding ten thousand pounds comprising:

9 (i) Motor vehicles designed to transport sixteen or more passengers,  
10 including the driver; and

11 (ii) Motor vehicles used in the transportation of hazardous  
12 materials and required to be placarded pursuant to section 75-364.

13 (3) The endorsements to a commercial driver's license shall be as  
14 follows:

15 (a) T – Double/triple trailers;

16 (b) P – Passenger;

17 (c) N – Tank vehicle;

18 (d) H – Hazardous materials;

19 (e) X – Combination tank vehicle and hazardous materials; and

20 (f) S – School bus.

21 (4) The restrictions to a commercial driver's license shall be as  
22 follows:

23 (a) E – No manual transmission equipped commercial motor vehicle;

24 (b) K – Operation of a commercial motor vehicle only in intrastate  
25 commerce;

26 (c) L – Operation of only a commercial motor vehicle which is not  
27 equipped with air brakes;

28 (d) M – Operation of a commercial motor vehicle which is not a Class  
29 A passenger vehicle bus;

30 (e) N – Operation of a commercial motor vehicle which is not a Class  
31 A or Class B passenger vehicle bus;

1 (f) O – No tractor-trailer commercial motor vehicle;

2 (g) V – Operation of a commercial motor vehicle for drivers with  
3 medical variance documentation. The documentation shall be required to be  
4 carried on the driver's person while operating a commercial motor  
5 vehicle; and

6 (h) Z – No full air brake equipped commercial motor vehicle.

7 Sec. 62. Section 60-4,141, Revised Statutes Cumulative Supplement,  
8 2018, is amended to read:

9 60-4,141 (1) Except as provided in subsections (2), (3), and (4) of  
10 this section, no person shall operate any class of commercial motor  
11 vehicle upon the highways of this state unless such person possesses a  
12 valid commercial driver's license authorizing the operation of the class  
13 of commercial motor vehicle being operated, except that (a) any person  
14 possessing a valid commercial driver's license authorizing the operation  
15 of a Class A commercial motor vehicle may lawfully operate any Class B or  
16 C commercial motor vehicle and (b) any person possessing a valid  
17 commercial driver's license authorizing the operation of a Class B  
18 commercial motor vehicle may lawfully operate a Class C commercial motor  
19 vehicle. No person shall operate upon the highways of this state any  
20 commercial motor vehicle which requires a specific endorsement unless  
21 such person possesses a valid commercial driver's license with such  
22 endorsement. No person possessing a restricted commercial driver's  
23 license shall operate upon the highways of this state any commercial  
24 motor vehicle to which such restriction is applicable.

25 (2)(a) Any person holding a CLP-commercial learner's permit may  
26 operate a commercial motor vehicle for learning purposes upon the  
27 highways of this state if accompanied by a person who is twenty-one years  
28 of age or older, who holds a commercial driver's license valid for the  
29 class of commercial motor vehicle being operated, and who occupies the  
30 seat beside the person for the purpose of giving instruction in the  
31 operation of the commercial motor vehicle. Any person holding a CLP-

1 commercial learner's permit may operate a commercial motor vehicle upon  
2 the highways of this state for purposes of taking a driving skills  
3 examination if accompanied by licensing staff who is designated by the  
4 director under section 60-4,149 or an examiner employed by a third-party  
5 tester certified pursuant to section 60-4,158 and who occupies the seat  
6 beside the person for the purpose of giving the examination. A person  
7 holding a CLP-commercial learner's permit shall not operate a commercial  
8 motor vehicle transporting hazardous materials. A holder of a commercial  
9 learner's permit may operate a Class A combination vehicle, Class B heavy  
10 straight vehicle, or Class C small vehicle, as appropriate.

11 (b) A CLP-commercial learner's permit shall only be allowed to bear  
12 any of the following endorsements: (i) P – Passenger; (ii) S – School  
13 bus; and (iii) N – Tank vehicle.

14 (c) A CLP-commercial learner's permit shall only be allowed to bear  
15 any of the following restrictions: (i) K – Operation of a commercial  
16 motor vehicle only in intrastate commerce; (ii) L – Operation of only a  
17 commercial motor vehicle which is not equipped with air brakes; (iii) V –  
18 Operation of a commercial motor vehicle for drivers with medical variance  
19 documentation; (iv) P – No passengers in commercial motor vehicle bus;  
20 ~~and~~ (v) X – No cargo in commercial motor vehicle tank vehicle; (vi) M –  
21 Operation of a commercial motor vehicle that is not a Class A passenger  
22 vehicle; and (vii) N – Operation of a commercial motor vehicle that is  
23 not a Class A or Class B passenger vehicle.

24 (3) Except for nonresident individuals who are enrolled and taking  
25 training in a driver training school in this state, any holder of a  
26 nonresident commercial learner's permit or nonresident commercial  
27 driver's license who is in this state for a period of thirty consecutive  
28 days or more shall apply for a Nebraska-issued CLP-commercial learner's  
29 permit or commercial driver's license and shall surrender to the  
30 department any operator's license issued to such nonresident by any other  
31 state.

1           (4) Except for individuals who are enrolled and taking training in a  
2 driver training school in this state, any holder of a nondomiciled  
3 commercial learner's permit or nondomiciled commercial driver's license  
4 issued by another state who is in this state for a period of thirty  
5 consecutive days or more shall apply for a Nebraska-issued CLP-commercial  
6 learner's permit or commercial driver's license and shall surrender to  
7 the department any operator's license issued to such individual by any  
8 other state.

9           (5) An operator's license surrendered pursuant to this section may  
10 be returned to the driver after the license has been perforated with the  
11 word "VOID".

12           (6) Any person who operates a commercial motor vehicle upon the  
13 highways of this state in violation of this section shall, upon  
14 conviction, be guilty of a Class III misdemeanor.

15           Sec. 63. Section 60-4,147.02, Revised Statutes Supplement, 2019, is  
16 amended to read:

17           60-4,147.02 No endorsement authorizing the driver to operate a  
18 commercial motor vehicle transporting hazardous materials shall be  
19 issued, renewed, or transferred by the Department of Motor Vehicles  
20 unless the endorsement is issued, renewed, or transferred in conformance  
21 with the requirements of section 1012 of the federal Uniting and  
22 Strengthening America by Providing Appropriate Tools Required to  
23 Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C.  
24 5103a, including all amendments and federal regulations adopted pursuant  
25 thereto as of January 1, 2020 ~~2019~~, for the issuance of licenses to  
26 operate commercial motor vehicles transporting hazardous materials.

27           Sec. 64. Section 60-4,168, Revised Statutes Cumulative Supplement,  
28 2018, is amended to read:

29           60-4,168 (1) Except as provided in subsections (2) and (3) of this  
30 section, a person shall be disqualified from operating a commercial motor  
31 vehicle for one year upon his or her first conviction, after April 1,



1 1992, in this or any other state for:

2 (a) Operating a commercial motor vehicle in violation of section  
3 60-6,196 or 60-6,197 or under the influence of a controlled substance or,  
4 beginning September 30, 2005, operating any motor vehicle in violation of  
5 section 60-6,196 or 60-6,197 or under the influence of a controlled  
6 substance;

7 (b) Operating a commercial motor vehicle in violation of section  
8 60-4,163 or 60-4,164;

9 (c) Leaving the scene of an accident involving a commercial motor  
10 vehicle operated by the person or, beginning September 30, 2005, leaving  
11 the scene of an accident involving any motor vehicle operated by the  
12 person;

13 (d) Using a commercial motor vehicle in the commission of a felony  
14 other than a felony described in subdivision (3)(b) of this section or,  
15 beginning September 30, 2005, using any motor vehicle in the commission  
16 of a felony other than a felony described in subdivision (3)(b) of this  
17 section;

18 (e) Beginning September 30, 2005, operating a commercial motor  
19 vehicle after his or her commercial driver's license has been suspended,  
20 revoked, or canceled or the driver is disqualified from operating a  
21 commercial motor vehicle; or

22 (f) Beginning September 30, 2005, causing a fatality through the  
23 negligent or criminal operation of a commercial motor vehicle.

24 (2) Except as provided in subsection (3) of this section, if any of  
25 the offenses described in subsection (1) of this section occurred while a  
26 person was transporting hazardous material in a commercial motor vehicle  
27 which required placarding pursuant to section 75-364, the person shall,  
28 upon conviction or administrative determination, be disqualified from  
29 operating a commercial motor vehicle for three years.

30 (3) A person shall be disqualified from operating a commercial motor  
31 vehicle for life if, after April 1, 1992, he or she:

1 (a) Is convicted of or administratively determined to have committed  
2 a second or subsequent violation of any of the offenses described in  
3 subsection (1) of this section or any combination of those offenses  
4 arising from two or more separate incidents;~~or~~

5 (b) Beginning September 30, 2005, used a commercial motor vehicle in  
6 the commission of a felony involving the manufacturing, distributing, or  
7 dispensing of a controlled substance; or -

8 (c) Used a commercial motor vehicle in the commission of a felony  
9 involving an act or practice of severe forms of trafficking in persons,  
10 as defined and described in 22 U.S.C. 7102(11), as such section existed  
11 on January 1, 2020.

12 (4)(a) A person is disqualified from operating a commercial motor  
13 vehicle for a period of not less than sixty days if he or she is  
14 convicted in this or any other state of two serious traffic violations,  
15 or not less than one hundred twenty days if he or she is convicted in  
16 this or any other state of three serious traffic violations, arising from  
17 separate incidents occurring within a three-year period while operating a  
18 commercial motor vehicle.

19 (b) A person is disqualified from operating a commercial motor  
20 vehicle for a period of not less than sixty days if he or she is  
21 convicted in this or any other state of two serious traffic violations,  
22 or not less than one hundred twenty days if he or she is convicted in  
23 this or any other state of three serious traffic violations, arising from  
24 separate incidents occurring within a three-year period while operating a  
25 motor vehicle other than a commercial motor vehicle if the convictions  
26 have resulted in the revocation, cancellation, or suspension of the  
27 person's operator's license or driving privileges.

28 (5)(a) A person who is convicted of operating a commercial motor  
29 vehicle in violation of a federal, state, or local law or regulation  
30 pertaining to one of the following six offenses at a highway-rail grade  
31 crossing shall be disqualified for the period of time specified in

1 subdivision (5)(b) of this section:

2 (i) For drivers who are not required to always stop, failing to slow  
3 down and check that the tracks are clear of an approaching train;

4 (ii) For drivers who are not required to always stop, failing to  
5 stop before reaching the crossing, if the tracks are not clear;

6 (iii) For drivers who are always required to stop, failing to stop  
7 before driving onto the crossing;

8 (iv) For all drivers, failing to have sufficient space to drive  
9 completely through the crossing without stopping;

10 (v) For all drivers, failing to obey a traffic control device or the  
11 directions of an enforcement official at the crossing; or

12 (vi) For all drivers, failing to negotiate a crossing because of  
13 insufficient undercarriage clearance.

14 (b)(i) A person shall be disqualified for not less than sixty days  
15 if the person is convicted of a first violation described in this  
16 subsection.

17 (ii) A person shall be disqualified for not less than one hundred  
18 twenty days if, during any three-year period, the person is convicted of  
19 a second violation described in this subsection in separate incidents.

20 (iii) A person shall be disqualified for not less than one year if,  
21 during any three-year period, the person is convicted of a third or  
22 subsequent violation described in this subsection in separate incidents.

23 (6) A person shall be disqualified from operating a commercial motor  
24 vehicle for at least one year if, on or after July 8, 2015, the person  
25 has been convicted of fraud related to the issuance of his or her CLP-  
26 commercial learner's permit or commercial driver's license.

27 (7) If the department receives credible information that a CLP-  
28 commercial learner's permit holder or a commercial driver's license  
29 holder is suspected, but has not been convicted, on or after July 8,  
30 2015, of fraud related to the issuance of his or her CLP-commercial  
31 learner's permit or commercial driver's license, the department must

1 require the driver to retake the skills and knowledge tests. Within  
2 thirty days after receiving notification from the department that  
3 retesting is necessary, the affected CLP-commercial learner's permit  
4 holder or commercial driver's license holder must make an appointment or  
5 otherwise schedule to take the next available test. If the CLP-commercial  
6 learner's permit holder or commercial driver's license holder fails to  
7 make an appointment within thirty days, the department must disqualify  
8 his or her CLP-commercial learner's permit or commercial driver's  
9 license. If the driver fails either the knowledge or skills test or does  
10 not take the test, the department must disqualify his or her CLP-  
11 commercial learner's permit or commercial driver's license. If the holder  
12 of a CLP-commercial learner's permit or commercial driver's license has  
13 had his or her CLP-commercial learner's permit or commercial driver's  
14 license disqualified, he or she must reapply for a CLP-commercial  
15 learner's permit or commercial driver's license under department  
16 procedures applicable to all applicants for a CLP-commercial learner's  
17 permit or commercial driver's license.

18 (8) For purposes of this section, controlled substance has the same  
19 meaning as in section 28-401.

20 (9) For purposes of this section, conviction means an unvacated  
21 adjudication of guilt, or a determination that a person has violated or  
22 failed to comply with the law, in a court of original jurisdiction or by  
23 an authorized administrative tribunal, an unvacated forfeiture of bail or  
24 collateral deposited to secure the person's appearance in court, a plea  
25 of guilty or nolo contendere accepted by the court, the payment of a fine  
26 or court costs, or a violation of a condition of release without bail,  
27 regardless of whether or not the penalty is rebated, suspended, or  
28 probated.

29 (10) For purposes of this section, serious traffic violation means:

30 (a) Speeding at or in excess of fifteen miles per hour over the  
31 legally posted speed limit;

1 (b) Willful reckless driving as described in section 60-6,214 or  
2 reckless driving as described in section 60-6,213;

3 (c) Improper lane change as described in section 60-6,139;

4 (d) Following the vehicle ahead too closely as described in section  
5 60-6,140;

6 (e) A violation of any law or ordinance related to motor vehicle  
7 traffic control, other than parking violations or overweight or vehicle  
8 defect violations, arising in connection with an accident or collision  
9 resulting in death to any person;

10 (f) Beginning September 30, 2005, operating a commercial motor  
11 vehicle without a commercial driver's license;

12 (g) Beginning September 30, 2005, operating a commercial motor  
13 vehicle without a commercial driver's license in the operator's  
14 possession;

15 (h) Beginning September 30, 2005, operating a commercial motor  
16 vehicle without the proper class of commercial driver's license and any  
17 endorsements, if required, for the specific vehicle group being operated  
18 or for the passengers or type of cargo being transported on the vehicle;

19 (i) Beginning October 27, 2013, texting while driving as described  
20 in section 60-6,179.02; and

21 (j) Using a handheld mobile telephone as described in section  
22 60-6,179.02.

23 (11) Each period of disqualification imposed under this section  
24 shall be served consecutively and separately.

25 Sec. 65. Section 60-4,182, Revised Statutes Supplement, 2019, is  
26 amended to read:

27 60-4,182 In order to prevent and eliminate successive traffic  
28 violations, there is hereby provided a point system dealing with traffic  
29 violations as disclosed by the files of the director. The following point  
30 system shall be adopted:

31 (1) Conviction of motor vehicle homicide - 12 points;

1 (2) Third offense drunken driving in violation of any city or  
2 village ordinance or of section 60-6,196, as disclosed by the conviction  
3 record of the court's order - 12 points;

4 (3) Failure to stop and render aid as required under section 60-697  
5 in the event of involvement in a motor vehicle accident resulting in the  
6 death or personal injury of another - 6 points;

7 (4) Failure to stop and report as required under section 60-696 or  
8 any city or village ordinance in the event of a motor vehicle accident  
9 resulting in property damage - 6 points;

10 (5) Driving a motor vehicle while under the influence of alcoholic  
11 liquor or any drug or when such person has a concentration of eight-  
12 hundredths of one gram or more by weight of alcohol per one hundred  
13 milliliters of his or her blood or per two hundred ten liters of his or  
14 her breath in violation of any city or village ordinance or of section  
15 60-6,196 - 6 points;

16 (6) Willful reckless driving in violation of any city or village  
17 ordinance or of section 60-6,214 or 60-6,217 - 6 points;

18 (7) Careless driving in violation of any city or village ordinance  
19 or of section 60-6,212 - 4 points;

20 (8) Negligent driving in violation of any city or village ordinance  
21 - 3 points;

22 (9) Reckless driving in violation of any city or village ordinance  
23 or of section 60-6,213 - 5 points;

24 (10) Speeding in violation of any city or village ordinance or any  
25 of sections 60-6,185 to 60-6,190 and 60-6,313:

26 ~~(a) Not more than five miles per hour over the speed limit - 1~~  
27 ~~point;~~

28 (a) ~~(b)~~ More than five miles per hour but not more than ten miles  
29 per hour over the speed limit - 2 points;

30 (b) ~~(c)~~ More than ten miles per hour but not more than thirty-five  
31 miles per hour over the speed limit - 3 points, except that one point

1 shall be assessed upon conviction of exceeding by not more than ten miles  
2 per hour, two points shall be assessed upon conviction of exceeding by  
3 more than ten miles per hour but not more than fifteen miles per hour,  
4 and three points shall be assessed upon conviction of exceeding by more  
5 than fifteen miles per hour but not more than thirty-five miles per hour  
6 the speed limits provided for in subdivision (1)(f), (g), (h), or (i) of  
7 section 60-6,186; and

8 (c) ~~(d)~~ More than thirty-five miles per hour over the speed limit -  
9 4 points;

10 (11) Failure to yield to a pedestrian not resulting in bodily injury  
11 to a pedestrian - 2 points;

12 (12) Failure to yield to a pedestrian resulting in bodily injury to  
13 a pedestrian - 4 points;

14 (13) Using a handheld wireless communication device in violation of  
15 section 60-6,179.01 or texting while driving in violation of subsection  
16 (1) or (3) of section 60-6,179.02 - 3 points;

17 (14) Using a handheld mobile telephone in violation of subsection  
18 (2) or (4) of section 60-6,179.02 - 3 points;

19 (15) Unlawful obstruction or interference of the view of an operator  
20 in violation of section 60-6,256 - 1 point;

21 (16) A violation of subsection (1) of section 60-6,175 - 3 points;  
22 and

23 (17) All other traffic violations involving the operation of motor  
24 vehicles by the operator for which reports to the Department of Motor  
25 Vehicles are required under sections 60-497.01 and 60-497.02 - 1 point.

26 Subdivision (17) of this section does not include violations  
27 involving an occupant protection system or a three-point safety belt  
28 system pursuant to section 60-6,270; parking violations; violations for  
29 operating a motor vehicle without a valid operator's license in the  
30 operator's possession; muffler violations; overwidth, overheight, or  
31 overlength violations; autocycle, motorcycle, or moped protective helmet

1 violations; or overloading of trucks.

2 All such points shall be assessed against the driving record of the  
3 operator as of the date of the violation for which conviction was had.  
4 Points may be reduced by the department under section 60-4,188.

5 In all cases, the forfeiture of bail not vacated shall be regarded  
6 as equivalent to the conviction of the offense with which the operator  
7 was charged.

8 The point system shall not apply to persons convicted of traffic  
9 violations committed while operating a bicycle as defined in section  
10 60-611 or an electric personal assistive mobility device as defined in  
11 section 60-618.02.

12 Sec. 66. Section 60-501, Revised Statutes Supplement, 2019, is  
13 amended to read:

14 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,  
15 unless the context otherwise requires:

16 (1) Department means Department of Motor Vehicles;

17 (2) Former military vehicle means a motor vehicle that was  
18 manufactured for use in any country's military forces and is maintained  
19 to accurately represent its military design and markings, regardless of  
20 the vehicle's size or weight, but is no longer used, or never was used,  
21 by a military force;

22 (3) Golf car vehicle means a vehicle that has at least four wheels,  
23 has a maximum level ground speed of less than twenty miles per hour, has  
24 a maximum payload capacity of one thousand two hundred pounds, has a  
25 maximum gross vehicle weight of two thousand five hundred pounds, has a  
26 maximum passenger capacity of not more than four persons, and is designed  
27 and manufactured for operation on a golf course for sporting and  
28 recreational purposes;

29 (4) Judgment means any judgment which shall have become final by the  
30 expiration of the time within which an appeal might have been perfected  
31 without being appealed, or by final affirmation on appeal, rendered by a



1 court of competent jurisdiction of any state or of the United States, (a)  
2 upon a cause of action arising out of the ownership, maintenance, or use  
3 of any motor vehicle for damages, including damages for care and loss of  
4 services, because of bodily injury to or death of any person or for  
5 damages because of injury to or destruction of property, including the  
6 loss of use thereof, or (b) upon a cause of action on an agreement of  
7 settlement for such damages;

8 (5) License means any license issued to any person under the laws of  
9 this state pertaining to operation of a motor vehicle within this state;

10 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)  
11 whose speed attainable in one mile is more than twenty miles per hour and  
12 not more than twenty-five miles per hour on a paved, level surface, (ii)  
13 whose gross vehicle weight rating is less than three thousand pounds, and  
14 (iii) that complies with 49 C.F.R. part 571, as such part existed on  
15 January 1, 2020 ~~2019~~, or (b) three-wheeled motor vehicle (i) whose  
16 maximum speed attainable is not more than twenty-five miles per hour on a  
17 paved, level surface, (ii) whose gross vehicle weight rating is less than  
18 three thousand pounds, and (iii) which is equipped with a windshield and  
19 an occupant protection system. A motorcycle with a sidecar attached is  
20 not a low-speed vehicle;

21 (7) Minitruck means a foreign-manufactured import vehicle or  
22 domestic-manufactured vehicle which (a) is powered by an internal  
23 combustion engine with a piston or rotor displacement of one thousand  
24 five hundred cubic centimeters or less, (b) is sixty-seven inches or less  
25 in width, (c) has a dry weight of four thousand two hundred pounds or  
26 less, (d) travels on four or more tires, (e) has a top speed of  
27 approximately fifty-five miles per hour, (f) is equipped with a bed or  
28 compartment for hauling, (g) has an enclosed passenger cab, (h) is  
29 equipped with headlights, taillights, turnsignals, windshield wipers, a  
30 rearview mirror, and an occupant protection system, and (i) has a four-  
31 speed, five-speed, or automatic transmission;

1           (8) Motor vehicle means any self-propelled vehicle which is designed  
2     for use upon a highway, including trailers designed for use with such  
3     vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a  
4     former military vehicle. Motor vehicle does not include (a) mopeds as  
5     defined in section 60-637, (b) traction engines, (c) road rollers, (d)  
6     farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers,  
7     (h) every vehicle which is propelled by electric power obtained from  
8     overhead wires but not operated upon rails, (i) electric personal  
9     assistive mobility devices as defined in section 60-618.02, (j) off-road  
10    designed vehicles, including, but not limited to, golf car vehicles, go-  
11    carts, riding lawnmowers, garden tractors, all-terrain vehicles and  
12    utility-type vehicles as defined in section 60-6,355, minibikes as  
13    defined in section 60-636, and snowmobiles as defined in section 60-663,  
14    and (k) bicycles as defined in section 60-611;

15           (9) Nonresident means every person who is not a resident of this  
16    state;

17           (10) Nonresident's operating privilege means the privilege conferred  
18    upon a nonresident by the laws of this state pertaining to the operation  
19    by him or her of a motor vehicle or the use of a motor vehicle owned by  
20    him or her in this state;

21           (11) Operator means every person who is in actual physical control  
22    of a motor vehicle;

23           (12) Owner means a person who holds the legal title of a motor  
24    vehicle, or in the event (a) a motor vehicle is the subject of an  
25    agreement for the conditional sale or lease thereof with the right of  
26    purchase upon performance of the conditions stated in the agreement and  
27    with an immediate right of possession vested in the conditional vendee or  
28    lessee or (b) a mortgagor of a vehicle is entitled to possession, then  
29    such conditional vendee or lessee or mortgagor shall be deemed the owner  
30    for the purposes of the act;

31           (13) Person means every natural person, firm, partnership, limited

1 liability company, association, or corporation;

2 (14) Proof of financial responsibility means evidence of ability to  
3 respond in damages for liability, on account of accidents occurring  
4 subsequent to the effective date of such proof, arising out of the  
5 ownership, maintenance, or use of a motor vehicle, (a) in the amount of  
6 twenty-five thousand dollars because of bodily injury to or death of one  
7 person in any one accident, (b) subject to such limit for one person, in  
8 the amount of fifty thousand dollars because of bodily injury to or death  
9 of two or more persons in any one accident, and (c) in the amount of  
10 twenty-five thousand dollars because of injury to or destruction of  
11 property of others in any one accident;

12 (15) Registration means registration certificate or certificates and  
13 registration plates issued under the laws of this state pertaining to the  
14 registration of motor vehicles;

15 (16) State means any state, territory, or possession of the United  
16 States, the District of Columbia, or any province of the Dominion of  
17 Canada; and

18 (17) The forfeiture of bail, not vacated, or of collateral deposited  
19 to secure an appearance for trial shall be regarded as equivalent to  
20 conviction of the offense charged.

21 Sec. 67. Section 60-628.01, Revised Statutes Supplement, 2019, is  
22 amended to read:

23 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle  
24 (a) whose speed attainable in one mile is more than twenty miles per hour  
25 and not more than twenty-five miles per hour on a paved, level surface,  
26 (b) whose gross vehicle weight rating is less than three thousand pounds,  
27 and (c) that complies with 49 C.F.R. part 571, as such part existed on  
28 January 1, 2020 ~~2019~~, or (2) three-wheeled motor vehicle (a) whose  
29 maximum speed attainable is not more than twenty-five miles per hour on a  
30 paved, level surface, (b) whose gross vehicle weight rating is less than  
31 three thousand pounds, and (c) which is equipped with a windshield and an

1 occupant protection system. A motorcycle with a sidecar attached is not a  
2 low-speed vehicle.

3 Sec. 68. Section 60-6,265, Revised Statutes Supplement, 2019, is  
4 amended to read:

5 60-6,265 For purposes of sections 60-6,266 to 60-6,273:

6 (1) Occupant protection system means a system utilizing a lap belt,  
7 a shoulder belt, or any combination of belts installed in a motor vehicle  
8 which (a) restrains drivers and passengers and (b) conforms to Federal  
9 Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and  
10 571.210, as such standards existed on January 1, 2020 ~~2019~~, or, as a  
11 minimum standard, to the federal motor vehicle safety standards for  
12 passenger restraint systems applicable for the motor vehicle's model  
13 year; and

14 (2) Three-point safety belt system means a system utilizing a  
15 combination of a lap belt and a shoulder belt installed in a motor  
16 vehicle which restrains drivers and passengers.

17 Sec. 69. Section 60-6,290, Revised Statutes Supplement, 2019, is  
18 amended to read:

19 60-6,290 (1)(a) No vehicle shall exceed a length of forty feet,  
20 extreme overall dimensions, inclusive of front and rear bumpers including  
21 load, except that:

22 (i) A bus or a motor home, as defined in section 71-4603, may exceed  
23 the forty-foot limitation but shall not exceed a length of forty-five  
24 feet;

25 (ii) A truck-tractor may exceed the forty-foot limitation;

26 (iii) A semitrailer operating in a truck-tractor single semitrailer  
27 combination, which semitrailer was actually and lawfully operating in the  
28 State of Nebraska on December 1, 1982, may exceed the forty-foot  
29 limitation;

30 (iv) A semitrailer operating in a truck-tractor single semitrailer  
31 combination, which semitrailer was not actually and lawfully operating in

1 the State of Nebraska on December 1, 1982, may exceed the forty-foot  
2 limitation but shall not exceed a length of fifty-three feet including  
3 load;

4 (v) A semitrailer operating in a truck-tractor single semitrailer  
5 combination, while transporting baled livestock forage, may exceed the  
6 forty-foot limitation but shall not exceed a length of fifty-nine feet  
7 six inches including load; and

8 (vi) An articulated bus vehicle operated by a transit authority  
9 established under the Transit Authority Law or regional metropolitan  
10 transit authority established pursuant to section 18-804 may exceed the  
11 forty-foot limitation. For purposes of this subdivision (vi), an  
12 articulated bus vehicle shall not exceed sixty-five feet in length.

13 (b) No combination of vehicles shall exceed a length of sixty-five  
14 feet, extreme overall dimensions, inclusive of front and rear bumpers and  
15 including load, except:

16 (i) One truck and one trailer, loaded or unloaded, used in  
17 transporting implements of husbandry to be engaged in harvesting, while  
18 being transported into or through the state during daylight hours if the  
19 total length does not exceed seventy-five feet including load;

20 (ii) A truck-tractor single semitrailer combination;

21 (iii) A truck-tractor semitrailer trailer combination, but the  
22 semitrailer trailer portion of such combination shall not exceed sixty-  
23 five feet inclusive of connective devices; ~~and~~

24 (iv) A driveaway saddlemount vehicle transporter combination and  
25 driveaway saddlemount with fullmount vehicle transporter combination, but  
26 the total overall length shall not exceed ninety-seven feet; ~~and~~

27 (v) A stinger-steered automobile transporter, but the total overall  
28 length shall not exceed eighty feet, inclusive of a front overhang of  
29 less than four feet and a rear overhang of less than six feet. For  
30 purposes of this subdivision, automobile transporter means any vehicle  
31 combination designed and used for the transport of assembled highway

1 vehicles, including truck camper units. An automobile transporter shall  
2 not be prohibited from the transport of cargo or general freight on a  
3 backhaul, so long as it is in compliance with weight limitations for a  
4 truck-tractor and semitrailer combination; and

5 (vi) A towaway trailer transporter combination, but the total  
6 overall length shall not exceed eighty-two feet. For purposes of this  
7 subdivision, towaway trailer transporter combination means a combination  
8 of vehicles consisting of a trailer transporter towing unit and two  
9 trailers or semitrailers with a total weight that does not exceed twenty-  
10 six thousand pounds, and in which the trailers or semitrailers carry no  
11 property and constitute inventory property of a manufacturer,  
12 distributor, or dealer of such trailers or semitrailers.

13 (c) A truck shall be construed to be one vehicle for the purpose of  
14 determining length.

15 (d) A trailer shall be construed to be one vehicle for the purpose  
16 of determining length.

17 (2) Subsection (1) of this section shall not apply to:

18 (a) Extra-long vehicles which have been issued a permit pursuant to  
19 section 60-6,292;

20 (b) Vehicles which have been issued a permit pursuant to section  
21 60-6,299;

22 (c) The temporary moving of farm machinery during daylight hours in  
23 the normal course of farm operations;

24 (d) The movement of unbaled livestock forage vehicles, loaded or  
25 unloaded;

26 (e) The movement of public utility or other construction and  
27 maintenance material and equipment at any time;

28 (f) Farm equipment dealers or their representatives as authorized  
29 under section 60-6,382 driving, delivering, or picking up farm equipment  
30 or implements of husbandry within the county in which the dealer  
31 maintains his or her place of business, or in any adjoining county or

1 counties, and return;

2 (g) The overhang of any motor vehicle being hauled upon any lawful  
3 combination of vehicles, but such overhang shall not exceed the distance  
4 from the rear axle of the hauled motor vehicle to the closest bumper  
5 thereof;

6 (h) The overhang of a combine to be engaged in harvesting, while  
7 being transported into or through the state driven during daylight hours  
8 by a truck-tractor semitrailer combination, but the length of the  
9 semitrailer, including overhang, shall not exceed sixty-three feet and  
10 the maximum semitrailer length shall not exceed fifty-three feet;

11 (i) Any self-propelled specialized mobile equipment with a fixed  
12 load when the requirements of subdivision (2)(i) of section 60-6,288 are  
13 met; or

14 (j) One truck-tractor two trailer combination or one truck-tractor  
15 semitrailer trailer combination used in transporting equipment utilized  
16 by custom harvesters under contract to agricultural producers to harvest  
17 wheat, soybeans, or milo during the months of April through November but  
18 the length of the property-carrying units, excluding load, shall not  
19 exceed eighty-one feet six inches.

20 (3) The length limitations of this section shall be exclusive of  
21 safety and energy conservation devices such as rearview mirrors,  
22 turnsignal lights, marker lights, steps and handholds for entry and  
23 egress, flexible fender extensions, mudflaps and splash and spray  
24 suppressant devices, load-induced tire bulge, refrigeration units or air  
25 compressors, and other devices necessary for safe and efficient operation  
26 of commercial motor vehicles, except that no device excluded from the  
27 limitations of this section shall have by its design or use the  
28 capability to carry cargo.

29 Sec. 70. Section 60-6,294, Revised Statutes Cumulative Supplement,  
30 2018, is amended to read:

31 60-6,294 (1) Every vehicle, whether operated singly or in a

1 combination of vehicles, and every combination of vehicles shall comply  
2 with subsections (2) and (3) of this section except as provided in  
3 sections 60-6,294.01, 60-6,297, and 60-6,383. The limitations imposed by  
4 this section shall be supplemental to all other provisions imposing  
5 limitations upon the size and weight of vehicles.

6 (2) No wheel of a vehicle or trailer equipped with pneumatic or  
7 solid rubber tires shall carry a gross load in excess of ten thousand  
8 pounds on any highway nor shall any axle carry a gross load in excess of  
9 twenty thousand pounds on any highway. An axle load shall be defined as  
10 the total load transmitted to the highway by all wheels the centers of  
11 which may be included between two parallel transverse vertical planes  
12 forty inches apart extending across the full width of the vehicle.

13 (3) No group of two or more consecutive axles shall carry a load in  
14 pounds in excess of the value given in the following table corresponding  
15 to the distance in feet between the extreme axles of the group, measured  
16 longitudinally to the nearest foot, except that the maximum load carried  
17 on any group of two or more axles shall not exceed eighty thousand pounds  
18 on the National System of Interstate and Defense Highways unless the  
19 Director-State Engineer pursuant to section 60-6,295 authorizes a greater  
20 weight.

21	Distance in feet	Maximum load in pounds carried					
22	between the	on any group of two or more					
23	extremes of	consecutive axles					
24	any group of						
25	two or more						
26	consecutive	Two	Three	Four	Five	Six	Seven
27	axles	Axles	Axles	Axles	Axles	Axles	Axles
28	4	34,000					
29	5	34,000					
30	6	34,000					
31	7	34,000					



1	8	34,000	42,000			
2	9	39,000	42,500			
3	10	40,000	43,500			
4	11		44,000			
5	12		45,000	50,000		
6	13		45,500	50,500		
7	14		46,500	51,500		
8	15		47,000	52,000		
9	16		48,000	52,500	58,000	
10	17		48,500	53,500	58,500	
11	18		49,500	54,000	59,000	
12	19		50,000	54,500	60,000	
13	20		51,000	55,500	60,500	
14	21		51,500	56,000	61,000	
15	22		52,500	56,500	61,500	
16	23		53,000	57,500	62,500	
17	24		54,000	58,000	63,000	
18	25		54,500	58,500	63,500	69,000
19	26		55,500	59,500	64,000	69,500
20	27		56,000	60,000	65,000	70,000
21	28		57,000	60,500	65,500	71,000
22	29		57,500	61,500	66,000	71,500
23	30		58,500	62,000	66,500	72,000
24	31		59,000	62,500	67,500	72,500
25	32		60,000	63,500	68,000	73,000
26	33			64,000	68,500	74,000
27	34			64,500	69,000	74,500
28	35			65,500	70,000	75,000
29	36			66,000	70,500	75,500
30	37			66,500	71,000	76,000
						81,500

1	38	67,500	72,000	77,000	82,000
2	39	68,000	72,500	77,500	82,500
3	40	68,500	73,000	78,000	83,500
4	41	69,500	73,500	78,500	84,000
5	42	70,000	74,000	79,000	84,500
6	43	70,500	75,000	80,000	85,000
7	44	71,500	75,500	80,500	85,500
8	45	72,000	76,000	81,000	86,000
9	46	72,500	76,500	81,500	87,000
10	47	73,500	77,500	82,000	87,500
11	48	74,000	78,000	83,000	88,000
12	49	74,500	78,500	83,500	88,500
13	50	75,500	79,000	84,000	89,000
14	51	76,000	80,000	84,500	89,500
15	52	76,500	80,500	85,000	90,500
16	53	77,500	81,000	86,000	91,000
17	54	78,000	81,500	86,500	91,500
18	55	78,500	82,500	87,000	92,000
19	56	79,500	83,000	87,500	92,500
20	57	80,000	83,500	88,000	93,000
21	58		84,000	89,000	94,000
22	59		85,000	89,500	94,500
23	60		85,500	90,000	95,000

24 (4) The distance between axles shall be measured to the nearest  
25 foot. When a fraction is exactly one-half foot, the next larger whole  
26 number shall be used, except that:

27 (a) Any group of three axles shall be restricted to a maximum load  
28 of thirty-four thousand pounds unless the distance between the extremes  
29 of the first and third axles is at least ninety-six inches in fact; and

30 (b) The maximum gross load on any group of two axles, the distance

1 between the extremes of which is more than eight feet but less than eight  
2 feet six inches, shall be thirty-eight thousand pounds.

3 (5) The limitations of subsections (2) through (4) of this section  
4 shall apply as stated to all main, rural, and intercity highways but  
5 shall not be construed as inhibiting heavier axle loads in metropolitan  
6 areas, except on the National System of Interstate and Defense Highways,  
7 if such loads are not prohibited by city ordinance.

8 (6) The weight limitations of wheel and axle loads as defined in  
9 subsections (2) through (4) of this section shall be restricted to the  
10 extent deemed necessary by the Department of Transportation for a  
11 reasonable period when road subgrades or pavements are weak or are  
12 materially weakened by climatic conditions.

13 (7) Two consecutive sets of tandem axles may carry a gross load of  
14 thirty-four thousand pounds each when the overall distance between the  
15 first and last axles of such consecutive sets of tandem axles is thirty-  
16 six, thirty-seven, or thirty-eight feet except as provided in section  
17 60-6,297. Such vehicles shall be subject to section 60-6,301.

18 (8) If any vehicle crosses a bridge with a total gross load in  
19 excess of the posted capacity of such bridge and as a result of such  
20 crossing any damage results to the bridge, the owner of such vehicle  
21 shall be responsible for all of such damage.

22 (9) Vehicles equipped with a greater number of axles than provided  
23 in the table in subsection (3) of this section shall be legal if they do  
24 not exceed the maximum load upon any wheel or axle, the maximum load upon  
25 any group of two or more consecutive axles, and the total gross weight,  
26 or any of such weights as provided in subsections (2) and (3) of this  
27 section.

28 (10) Subsections (1) through (9) of this section shall not apply to  
29 a vehicle which has been issued a permit pursuant to section 60-6,299,  
30 self-propelled specialized mobile equipment with a fixed load when the  
31 requirements of subdivision (2)(i) of section 60-6,288 are met, or an

1 emergency vehicle when the requirements of subdivision (1)(a)(v) of  
2 section 60-6,298 are met.

3 (11) Any two consecutive axles the centers of which are more than  
4 forty inches and not more than ninety-six inches apart, measured to the  
5 nearest inch between any two adjacent axles in the series, shall be  
6 defined as tandem axles, and the gross weight transmitted to the road  
7 surface through such series shall not exceed thirty-four thousand pounds.  
8 No axle of the series shall exceed the maximum weight permitted under  
9 this section for a single axle.

10 (12) Dummy axles shall be disregarded in determining the lawful  
11 weight of a vehicle or vehicle combination for operation on the highway.  
12 Dummy axle shall mean an axle attached to a vehicle or vehicle  
13 combination in a manner so that it does not articulate or substantially  
14 equalize the load and does not carry at least the lesser of eight  
15 thousand pounds or eight percent of the gross weight of the vehicle or  
16 vehicle combination.

17 (13) The maximum gross weight limit and the axle weight limit for  
18 any vehicle or combination of vehicles equipped with idle reduction  
19 technology may be increased by an amount necessary to compensate for the  
20 additional weight of the idle reduction technology as provided in 23  
21 U.S.C. 127(a)(12), as such section existed on October 1, 2012. The  
22 additional amount of weight allowed by this subsection shall not exceed  
23 five hundred fifty pounds and shall not be construed to be in addition to  
24 the five-percent-in-excess-of-maximum-load provision of subdivision (1)  
25 of section 60-6,301.

26 ~~(14)(a) (14)~~ The maximum gross weight for any vehicle or combination  
27 of vehicles (i) operated on the National System of Interstate and Defense  
28 Highways, including adjoining portions of the state highway system for  
29 reasonable access to terminals and facilities for food, fuel, repairs,  
30 and rest, as designated by the Department of Transportation, and (ii)  
31 powered (A) by an engine fueled primarily by natural gas or (B) primarily

1 by means of electric battery power, may exceed the gross weight  
2 limitations provided in subsections (2), subsection (3), (4), (7), (9),  
3 and (11) of this section, and as provided in 23 U.S.C. 127(s), as such  
4 section existed on January 1, 2018, in an amount that:

5 (b)(i) (a) Is equal to the difference, up to a maximum of two  
6 thousand pounds, between the weight of the natural gas tank and fueling  
7 system carried by such vehicle, and the weight of a comparable diesel  
8 tank and fueling system; and

9 (ii) (b) Does not exceed eighty-two thousand pounds on the National  
10 System of Interstate and Defense Highways.

11 (15) For purposes of this subsection, emergency vehicle means a  
12 vehicle designed to be used under emergency conditions to transport  
13 personnel and equipment and to support the suppression of fires and  
14 mitigation of other hazardous situations. An emergency vehicle may exceed  
15 the gross load limitations provided in subsections (2), (3), (4), (7),  
16 (9), and (11) of this section on the National System of Interstate and  
17 Defense Highways, including adjoining portions of the state highway  
18 system for reasonable access to terminals and facilities for food, fuel,  
19 repairs, and rest, as designated by the Department of Transportation, up  
20 to a gross vehicle weight of eighty-six thousand pounds, and that does  
21 not exceed:

22 (a) Twenty-four thousand pounds on a single steering axle;

23 (b) Thirty-three thousand five hundred pounds on a single drive  
24 axle;

25 (c) Sixty-two thousand pounds on a tandem axle; or

26 (d) Fifty-two thousand pounds on a tandem rear drive steer axle.

27 Sec. 71. Section 60-6,297, Revised Statutes Cumulative Supplement,  
28 2018, is amended to read:

29 60-6,297 (1) Subdivision (1)(b) of section 60-6,290 and subsections  
30 (2) and (3) of section 60-6,294 shall not apply to a vehicle or  
31 combination of vehicles disabled or wrecked on a highway or right-of-way

1 when the vehicle or combination of vehicles is towed to a place of secure  
2 safekeeping by any wrecker or tow truck performing a wrecker or towing  
3 service.

4 (2) Subdivision (1)(b) of section 60-6,290 and subsections (2) and  
5 (3) of section 60-6,294 shall not apply to a single vehicle that is  
6 disabled or wrecked when the single vehicle is towed by any wrecker or  
7 tow truck to a place for repair or to a point of storage or is being  
8 transported by a covered heavy-duty tow and recovery vehicle.

9 (3)(a) Section 60-6,288, subsection (1) of section 60-6,289,  
10 subdivision (1)(b) of section 60-6,290, and subsections (2) and (3) of  
11 section 60-6,294 shall not apply to a vehicle or combination of vehicles  
12 permitted by the Department of Transportation for overwidth, overheight,  
13 overlength, or overweight operation that is disabled or wrecked on a  
14 highway or right-of-way when the vehicle or combination of vehicles is  
15 towed if the vehicle or combination of vehicles is towed by any wrecker  
16 or tow truck performing a wrecker or towing service to the first or  
17 nearest place of secure safekeeping off the traveled portion of the  
18 highway that can accommodate the parking of such disabled vehicle or  
19 combination of vehicles.

20 (b) After the vehicle or combination of vehicles has been towed to a  
21 place of secure safekeeping, such vehicle or combination of vehicles  
22 shall then be operated in compliance with section 60-6,288, subsection  
23 (1) of section 60-6,289, subdivision (1)(b) of section 60-6,290, and  
24 subsections (2) and (3) of section 60-6,294, or the vehicle or  
25 combination of vehicles shall acquire a special single trip permit from  
26 the department for the movement of the overwidth, overheight, overlength,  
27 or overweight vehicle or combination of vehicles beyond the first or  
28 nearest place of secure safekeeping to its intended destination.

29 (4) The owners, lessees, and operators of any wrecker or tow truck  
30 exceeding the width, height, length, or weight restrictions while towing  
31 a disabled or wrecked vehicle or combination of vehicles shall be jointly

1 and severally liable for any injury or damages that result from the  
2 operation of the wrecker or tow truck while exceeding such restrictions.

3 (5) If a disabled or wrecked vehicle or combination of vehicles is  
4 towed, the wrecker or tow truck shall be connected with the air brakes  
5 and brake lights of the towed vehicle or combination of vehicles.

6 (6) For purposes of this section:

7 (a) Covered heavy-duty tow and recovery vehicle means a vehicle that  
8 (i) is transporting a disabled vehicle on the National System of  
9 Interstate and Defense Highways from the place where the vehicle became  
10 disabled to the nearest appropriate repair facility, including such  
11 segments of highways off the National System of Interstate and Defense  
12 Highways that connect the nearest appropriate repair facility to the  
13 National System of Interstate and Defense Highways and adjoining portions  
14 of the state highway system for reasonable access to terminals and  
15 facilities for food, fuel, repairs, and rest, as designated by the  
16 Department of Transportation, and (ii) has a gross vehicle weight that is  
17 equal to or exceeds the gross vehicle weight of the disabled vehicle  
18 being transported;

19 (b) (a) Place of secure safekeeping means a location off the  
20 traveled portion of the highway that can accommodate the parking of the  
21 disabled or wrecked vehicle or combination of vehicles in order for the  
22 vehicle or combination of vehicles to be repaired or moved to a point of  
23 storage; and

24 (c) (b) Wrecker or tow truck means an emergency commercial vehicle  
25 equipped, designed, and used to assist or render aid and transport or tow  
26 a disabled vehicle or combination of vehicles from a highway or right-of-  
27 way to a place of secure safekeeping.

28 Sec. 72. Section 60-6,356, Revised Statutes Cumulative Supplement,  
29 2018, is amended to read:

30 60-6,356 (1) An all-terrain vehicle or a utility-type vehicle shall  
31 not be operated on any controlled-access highway with more than two

1 marked traffic lanes. The crossing of any controlled-access highway with  
2 more than two marked traffic lanes shall not be permitted except as  
3 provided in subsections ~~subsection~~ (9) and (10) of this section.  
4 Subsections (2), (3), and (5) through (8) of this section authorize and  
5 apply to operation of an all-terrain vehicle or a utility-type vehicle  
6 only on a highway other than a controlled-access highway with more than  
7 two marked traffic lanes.

8 (2) An all-terrain vehicle or a utility-type vehicle may be operated  
9 in accordance with the operating requirements of subsection (3) of this  
10 section:

11 (a) Outside the corporate limits of a city, village, or  
12 unincorporated village if incidental to the vehicle's use for  
13 agricultural purposes;

14 (b) Within the corporate limits of a city or village if authorized  
15 by the city or village by ordinance adopted in accordance with this  
16 section; or

17 (c) Within an unincorporated village if authorized by the county  
18 board of the county in which the unincorporated village is located by  
19 resolution in accordance with this section.

20 (3) An all-terrain vehicle or a utility-type vehicle may be operated  
21 as authorized in subsection (2) of this section when such operation  
22 occurs only between the hours of sunrise and sunset. Any person operating  
23 an all-terrain vehicle or a utility-type vehicle as authorized in  
24 subsection (2) of this section shall have a valid Class 0 operator's  
25 license or a farm permit as provided in section 60-4,126, shall have  
26 liability insurance coverage for the all-terrain vehicle or a utility-  
27 type vehicle while operating the all-terrain vehicle or a utility-type  
28 vehicle on a highway, and shall not operate such vehicle at a speed in  
29 excess of thirty miles per hour. The person operating the all-terrain  
30 vehicle or a utility-type vehicle shall provide proof of such insurance  
31 coverage to any peace officer requesting such proof within five days of



1 such a request. When operating an all-terrain vehicle or a utility-type  
2 vehicle as authorized in subsection (2) of this section, the headlight  
3 and taillight of the vehicle shall be on and the vehicle shall be  
4 equipped with a bicycle safety flag which extends not less than five feet  
5 above ground attached to the rear of such vehicle. The bicycle safety  
6 flag shall be triangular in shape with an area of not less than thirty  
7 square inches and shall be day-glow in color.

8 (4) All-terrain vehicles and utility-type vehicles may be operated  
9 without complying with subsection (3) of this section on highways in  
10 parades which have been authorized by the State of Nebraska or any  
11 department, board, commission, or political subdivision of the state.

12 (5) The crossing of a highway other than a controlled-access highway  
13 with more than two marked traffic lanes shall be permitted by an all-  
14 terrain vehicle or a utility-type vehicle without complying with  
15 subsection (3) of this section only if:

16 (a) The crossing is made at an angle of approximately ninety degrees  
17 to the direction of the highway and at a place where no obstruction  
18 prevents a quick and safe crossing;

19 (b) The vehicle is brought to a complete stop before crossing the  
20 shoulder or roadway of the highway;

21 (c) The operator yields the right-of-way to all oncoming traffic  
22 that constitutes an immediate potential hazard;

23 (d) In crossing a divided highway, the crossing is made only at an  
24 intersection of such highway with another highway; and

25 (e) Both the headlight and taillight of the vehicle are on when the  
26 crossing is made.

27 (6) All-terrain vehicles and utility-type vehicles may be operated  
28 outside the corporate limits of any municipality by electric utility  
29 personnel within the course of their employment in accordance with the  
30 operation requirements of subsection (3) of this section, except that the  
31 operation of the vehicle pursuant to this subsection need not be limited

1 to the hours between sunrise and sunset.

2 (7) A city or village may adopt an ordinance authorizing the  
3 operation of all-terrain vehicles and utility-type vehicles within the  
4 corporate limits of the city or village if the operation is in accordance  
5 with subsection (3) of this section. The city or village may place other  
6 restrictions on the operation of all-terrain vehicles and utility-type  
7 vehicles within its corporate limits.

8 (8) A county board may adopt a resolution authorizing the operation  
9 of all-terrain vehicles and utility-type vehicles within any  
10 unincorporated village within the county if the operation is in  
11 accordance with subsection (3) of this section. The county may place  
12 other restrictions on the operation of all-terrain vehicles and utility-  
13 type vehicles within the unincorporated village.

14 (9) Except as provided in subsection (10) of this section, the The  
15 crossing of a controlled-access highway with more than two marked traffic  
16 lanes shall be permitted by a utility-type vehicle if the operation is in  
17 accordance with the operation requirements of subsection (3) of this  
18 section and if the following requirements are met:

19 (a) The crossing is made at an intersection that:

20 (i) Is controlled by a traffic control signal; or

21 (ii) For any intersection located outside the corporate limits of a  
22 city or village, is controlled by stop signs;

23 (b) The crossing at such intersection is made in compliance with the  
24 traffic control signal or stop signs; and

25 (c) The crossing at such intersection is specifically authorized as  
26 follows:

27 (i) If such intersection is located within the corporate limits of a  
28 city or village, by ordinance of such city or village;

29 (ii) If such intersection is located within an unincorporated  
30 village, by resolution of the county board of the county in which such  
31 unincorporated village is located; or

1 (iii) If such intersection is located outside the corporate limits  
2 of a city or village and outside any unincorporated village, by  
3 resolution of the county board of the county in which such intersection  
4 is located.

5 (10) When the use of the all-terrain vehicle or utility-type vehicle  
6 is for an agricultural purpose, the crossing of a controlled-access  
7 highway with more than two marked traffic lanes shall be permitted if  
8 such vehicle is operated in accordance with subsection (3) of this  
9 section.

10 Sec. 73. Section 60-2705, Revised Statutes Supplement, 2019, is  
11 amended to read:

12 60-2705 The Director of Motor Vehicles shall adopt standards for an  
13 informal dispute settlement procedure which substantially comply with the  
14 provisions of 16 C.F.R. part 703, as such part existed on January 1, 2020  
15 ~~2019~~.

16 If a manufacturer has established or participates in a dispute  
17 settlement procedure certified by the Director of Motor Vehicles within  
18 the guidelines of such standards, the provisions of section 60-2703  
19 concerning refunds or replacement shall not apply to any consumer who has  
20 not first resorted to such a procedure.

21 Sec. 74. Section 60-2909.01, Revised Statutes Supplement, 2019, is  
22 amended to read:

23 60-2909.01 The department and any officer, employee, agent, or  
24 contractor of the department having custody of a motor vehicle record  
25 shall, upon the verification of identity and purpose of a requester,  
26 disclose and make available the requested motor vehicle record, including  
27 the sensitive personal information in the record, other than the social  
28 security number, for the following purposes:

29 (1) For use by any federal, state, or local governmental agency,  
30 including any court or law enforcement agency, in carrying out the  
31 agency's functions or by a private person or entity acting on behalf of a

1 governmental agency in carrying out the agency's functions;

2 (2) For use in connection with any civil, criminal, administrative,  
3 or arbitral proceeding in any federal, state, or local court or  
4 governmental agency or before any self-regulatory body, including service  
5 of process, investigation in anticipation of litigation, and execution or  
6 enforcement of judgments and orders, or pursuant to an order of a  
7 federal, state, or local court, an administrative agency, or a self-  
8 regulatory body;

9 (3) For use by any insurer or insurance support organization, or by  
10 a self-insured entity, or its agents, employees, or contractors, in  
11 connection with claims investigation activities, anti-fraud activities,  
12 rating, or underwriting;

13 (4) For use by an employer or the employer's agent or insurer to  
14 obtain or verify information relating to a holder of a commercial  
15 driver's license or CLP-commercial learner's permit that is required  
16 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et  
17 seq., as such act existed on January 1, 2020 ~~2019~~, or pursuant to  
18 sections 60-4,132 and 60-4,141; and

19 (5) For use by employers of a holder of a commercial driver's  
20 license or CLP-commercial learner's permit and by the Commercial Driver  
21 License Information System as provided in section 60-4,144.02 and 49  
22 C.F.R. 383.73, as such regulation existed on January 1, 2020 ~~2019~~.

23 Sec. 75. Section 66-1406.02, Reissue Revised Statutes of Nebraska,  
24 is amended to read:

25 66-1406.02 (1) The director may suspend, revoke, cancel, or refuse  
26 to issue or renew a license under the International Fuel Tax Agreement  
27 Act:

28 (a) If the applicant's or licensee's registration certificate issued  
29 pursuant to the International Registration Plan Act has been suspended,  
30 revoked, or canceled or the director refused to issue or renew such  
31 certificate;

1 (b) If the applicant or licensee is in violation of sections 75-392  
2 to 75-399 and section 87 of this act;

3 (c) If the applicant's or licensee's security has been canceled;

4 (d) If the applicant or licensee failed to provide additional  
5 security as required;

6 (e) If the applicant or licensee failed to file any report or return  
7 required by the motor fuel laws, filed an incomplete report or return  
8 required by the motor fuel laws, did not file any report or return  
9 required by the motor fuel laws electronically, or did not file a report  
10 or return required by the motor fuel laws on time;

11 (f) If the applicant or licensee failed to pay taxes required by the  
12 motor fuel laws due within the time provided;

13 (g) If the applicant or licensee filed any false report, return,  
14 statement, or affidavit, required by the motor fuel laws, knowing it to  
15 be false;

16 (h) If the applicant or licensee would no longer be eligible to  
17 obtain a license; or

18 (i) If the applicant or licensee committed any other violation of  
19 the International Fuel Tax Agreement Act or the rules and regulations  
20 adopted and promulgated under the act.

21 (2) Prior to taking any action pursuant to subsection (1) of this  
22 section, the director shall notify and advise the applicant or licensee  
23 of the proposed action and the reasons for such action in writing, by  
24 regular United States mail, to his or her last-known business address as  
25 shown on the application or license. The notice shall also include an  
26 advisement of the procedures in subsection (3) of this section.

27 (3) The applicant or licensee may, within thirty days after the  
28 mailing of the notice, petition the director in writing for a hearing to  
29 contest the proposed action. The hearing shall be commenced in accordance  
30 with the rules and regulations adopted and promulgated by the Department  
31 of Motor Vehicles. If a petition is filed, the director shall, within

1 twenty days after receipt of the petition, set a hearing date at which  
2 the applicant or licensee may show cause why the proposed action should  
3 not be taken. The director shall give the applicant or licensee  
4 reasonable notice of the time and place of the hearing. If the director's  
5 decision is adverse to the applicant or licensee, the applicant or  
6 licensee may appeal the decision in accordance with the Administrative  
7 Procedure Act.

8 (4) Except as provided in subsection (2) of section 60-3,205 and  
9 subsection (8) of this section, the filing of the petition shall stay any  
10 action by the director until a hearing is held and a final decision and  
11 order is issued.

12 (5) Except as provided in subsection (2) of section 60-3,205 and  
13 subsection (8) of this section, if no petition is filed at the expiration  
14 of thirty days after the date on which the notification was mailed, the  
15 director may take the proposed action described in the notice.

16 (6) Except as provided in subsection (2) of section 60-3,205 and  
17 subsection (8) of this section, if, in the judgment of the director, the  
18 applicant or licensee has complied with or is no longer in violation of  
19 the provisions for which the director took action under this section, the  
20 director may reinstate the license without delay. An applicant for  
21 reinstatement, issuance, or renewal of a license within three years after  
22 the date of suspension, revocation, cancellation, or refusal to issue or  
23 renew shall submit a fee of one hundred dollars to the director. The  
24 director shall remit the fee to the State Treasurer for credit to the  
25 Highway Cash Fund.

26 (7) Suspension of, revocation of, cancellation of, or refusal to  
27 issue or renew a license by the director shall not relieve any person  
28 from making or filing the reports or returns required by the motor fuel  
29 laws in the manner or within the time required.

30 (8) Any person who receives notice from the director of action taken  
31 pursuant to subsection (1) of this section shall, within three business

1 days, return such registration certificate and license plates issued  
2 pursuant to section 60-3,198 to the department. If any person fails to  
3 return the registration certificate and license plates to the department,  
4 the department shall notify the Nebraska State Patrol that any such  
5 person is in violation of this section.

6 Sec. 76. Section 66-1424, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 66-1424 (1) As soon as practical after a return is filed, the  
9 department shall examine it to determine the correct amount of tax. If  
10 the department finds that the amount of tax shown on the return is less  
11 than the correct amount, it shall notify the taxpayer of the amount of  
12 the deficiency determined.

13 (2) If any person fails to file a return or has improperly purchased  
14 motor fuel without the payment of tax, the department may ~~shall~~ estimate  
15 the person's liability from any available information and notify the  
16 person of the amount of the deficiency determined.

17 (3) The amount of the deficiency determined shall constitute a final  
18 assessment together with interest and penalties thirty days after the  
19 date on which notice was mailed to the taxpayer at his or her last-known  
20 address unless a written protest is filed with the department within such  
21 thirty-day period.

22 (4) The final assessment provisions of this section shall constitute  
23 a final decision of the agency for purposes of the Administrative  
24 Procedure Act.

25 (5) An assessment made by the department shall be presumed to be  
26 correct. In any case when the validity of the assessment is questioned,  
27 the burden shall be on the person who challenges the assessment to  
28 establish by a preponderance of the evidence that the assessment is  
29 erroneous or excessive.

30 (6)(a) Except in the case of a fraudulent return or of neglect or  
31 refusal to make a return, the notice of a proposed deficiency

1 determination shall be mailed within three years after the last day of  
2 the month following the end of the period for which the amount proposed  
3 is to be determined or within three years after the return is filed,  
4 whichever period expires later.

5 (b) The taxpayer and the department may agree, prior to the  
6 expiration of the period in subdivision (a) of this subsection, to extend  
7 the period during which the notice of a deficiency determination can be  
8 mailed. The extension of the period for the mailing of a deficiency  
9 determination shall also extend the period during which a refund can be  
10 claimed.

11 Sec. 77. Section 75-362, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 75-362 For purposes of sections 75-362 to 75-369.07, unless the  
14 context otherwise requires:

15 (1) Accident means:

16 (a) Except as provided in subdivision (b) of this subdivision, an  
17 occurrence involving a commercial motor vehicle operating on a highway in  
18 interstate or intrastate commerce which results in:

19 (i) A fatality;

20 (ii) Bodily injury to a person who, as a result of the injury,  
21 immediately receives medical treatment away from the scene of the  
22 accident; or

23 (iii) One or more motor vehicles incurring disabling damage as a  
24 result of the accident, requiring the motor vehicles to be transported  
25 away from the scene by a tow truck or other motor vehicle.

26 (b) The term accident does not include:

27 (i) An occurrence involving only boarding and alighting from a  
28 stationary motor vehicle; or

29 (ii) An occurrence involving only the loading or unloading of cargo;

30 (2) Bulk packaging means a packaging, other than a vessel or a  
31 barge, including a transport vehicle or freight container, in which



1 hazardous materials are loaded with no intermediate form of containment.  
2 A large packaging in which hazardous materials are loaded with an  
3 intermediate form of containment, such as one or more articles or inner  
4 packagings, is also a bulk packaging. Additionally, a bulk packaging and  
5 ~~which~~ has:

6 (a) A maximum capacity greater than one hundred nineteen gallons as  
7 a receptacle for a liquid;

8 (b) A maximum net mass greater than eight hundred eighty-two pounds  
9 and a maximum capacity greater than one hundred nineteen gallons as a  
10 receptacle for a solid; or

11 (c) A water capacity greater than one thousand pounds as a  
12 receptacle for a gas as defined in 49 C.F.R. 173.115;

13 (3) Cargo tank means a bulk packaging that:

14 (a) Is a tank intended primarily for the carriage of liquids or  
15 gases and includes appurtenances, reinforcements, fittings, and closures;

16 (b) Is permanently attached to or forms a part of a motor vehicle or  
17 is not permanently attached to a motor vehicle but which, by reason of  
18 its size, construction, or attachment to a motor vehicle, is loaded or  
19 unloaded without being removed from the motor vehicle; and

20 (c) Is not fabricated under a specification for cylinders,  
21 intermediate bulk containers, multi-unit tank-car tanks, portable tanks,  
22 or tank cars;

23 (4) Cargo tank motor vehicle means a motor vehicle with one or more  
24 cargo tanks permanently attached to or forming an integral part of the  
25 motor vehicle;

26 (5) Commercial enterprise means any business activity relating to or  
27 based upon the production, distribution, or consumption of goods or  
28 services;

29 (6) Commercial motor vehicle means any self-propelled or towed motor  
30 vehicle used on a highway in interstate commerce or intrastate commerce  
31 to transport passengers or property when the vehicle:

1 (a) Has a gross vehicle weight rating or gross combination weight  
2 rating or gross vehicle weight or gross combination weight of ten  
3 thousand one pounds or more, whichever is greater;

4 (b) Is designed or used to transport more than eight passengers,  
5 including the driver, for compensation;

6 (c) Is designed or used to transport more than fifteen passengers,  
7 including the driver, and is not used to transport passengers for  
8 compensation; or

9 (d) Is used in transporting material found to be hazardous and such  
10 material is transported in a quantity requiring placarding pursuant to  
11 section 75-364;

12 (7) Compliance review means an onsite examination of motor carrier  
13 operations, such as drivers' hours of service, maintenance and  
14 inspection, driver qualification, commercial driver's license  
15 requirements, financial responsibility, accidents, hazardous materials,  
16 and other safety and transportation records to determine whether a motor  
17 carrier meets the safety fitness standard. A compliance review may be  
18 conducted in response to a request to change a safety rating, to  
19 investigate potential violations of safety regulations by motor carriers,  
20 or to investigate complaints or other evidence of safety violations. The  
21 compliance review may result in the initiation of an enforcement action  
22 with penalties;

23 (8)(a) Covered farm vehicle means a motor vehicle, including an  
24 articulated motor vehicle:

25 (i) That:

26 (A) Is traveling in the state in which the vehicle is registered or  
27 another state;

28 (B) Is operated by:

29 (I) A farm owner or operator;

30 (II) A ranch owner or operator; or

31 (III) An employee or family member of an individual specified in

1 subdivision (8)(a)(i)(B)(I) or (8)(a)(i)(B)(II) of this section;

2 (C) Is transporting to or from a farm or ranch:

3 (I) Agricultural commodities;

4 (II) Livestock; or

5 (III) Machinery or supplies;

6 (D) Except as provided in subdivision (8)(b) of this section, is not  
7 used in the operations of a for-hire motor carrier; and

8 (E) Is equipped with a special license plate or other designation by  
9 the state in which the vehicle is registered to allow for identification  
10 of the vehicle as a farm vehicle by law enforcement personnel; and

11 (ii) That has a gross vehicle weight rating or gross vehicle weight,  
12 whichever is greater, that is:

13 (A) Less than twenty-six thousand one pounds; or

14 (B) Twenty-six thousand one pounds or more and is traveling within  
15 the state or within one hundred fifty air miles of the farm or ranch with  
16 respect to which the vehicle is being operated.

17 (b) Covered farm vehicle includes a motor vehicle that meets the  
18 requirements of subdivision (8)(a) of this section, except for  
19 subdivision (8)(a)(i)(D) of this section, and:

20 (i) Is operated pursuant to a crop share farm lease agreement;

21 (ii) Is owned by a tenant with respect to that agreement; and

22 (iii) Is transporting the landlord's portion of the crops under that  
23 agreement.

24 (c) Covered farm vehicle does not include:

25 (i) A combination of truck-tractor and semitrailer which is operated  
26 by a person under eighteen years of age; or

27 (ii) A combination of truck-tractor and semitrailer which is used in  
28 the transportation of materials found to be hazardous for the purposes of  
29 the federal Hazardous Materials Transportation Act and which require the  
30 combination to be placarded under 49 C.F.R. part 172, subpart F;

31 (9) Disabling damage means damage which precludes departure of a

1 motor vehicle from the scene of the accident in its usual manner in  
2 daylight after simple repairs.

3 (a) Inclusions: Damage to motor vehicles that could have been driven  
4 but would have been further damaged if so driven.

5 (b) Exclusions:

6 (i) Damage which can be remedied temporarily at the scene of the  
7 accident without special tools or parts;

8 (ii) Tire disablement without other damage even if no spare tire is  
9 available;

10 (iii) Headlight or taillight damage; and

11 (iv) Damage to turnsignals, horn, or windshield wipers which makes  
12 them inoperative;

13 (10) Driver means any person who operates any commercial motor  
14 vehicle;

15 (11) Elevated temperature material means a material which, when  
16 offered for transportation or transported in a bulk packaging:

17 (a) Is in a liquid phase and at a temperature at or above two  
18 hundred twelve degrees Fahrenheit;

19 (b) Is in a liquid phase with a flash point at or above one hundred  
20 degrees Fahrenheit that is intentionally heated and offered for  
21 transportation or transported at or above its flash point; or

22 (c) Is in a solid phase and at a temperature at or above four  
23 hundred sixty-four degrees Fahrenheit;

24 (12) Employee means any individual, other than an employer, who is  
25 employed by an employer and who in the course of his or her employment  
26 directly affects commercial motor vehicle safety. Such term includes a  
27 driver of a commercial motor vehicle, including an independent contractor  
28 while in the course of operating a commercial motor vehicle, a mechanic,  
29 and a freight handler. Such term does not include an employee of the  
30 United States, any state, any political subdivision of a state, or any  
31 agency established under a compact between states and approved by the

1 Congress of the United States who is acting within the course of such  
2 employment;

3 (13) Employer means any person engaged in a business affecting  
4 commerce who owns or leases a commercial motor vehicle in connection with  
5 that business or assigns employees to operate it. Such term does not  
6 include the United States, any state, any political subdivision of a  
7 state, or an agency established under a compact between states approved  
8 by the Congress of the United States;

9 (14) Exempt motor carrier means a person engaged in transportation  
10 exempt from economic regulation under 49 U.S.C. 13506. An exempt motor  
11 carrier is subject to the safety regulations adopted in sections 75-362  
12 to 75-369.07;

13 (15) Farm vehicle driver means a person who drives only a commercial  
14 motor vehicle that is controlled and operated by a farmer as a private  
15 motor carrier of property;

16 (16) Farmer means any person who operates a farm or is directly  
17 involved in the cultivation of land, crops, or livestock which:

18 (a) Are owned by that person; or

19 (b) Are under the direct control of that person;

20 (17) Fatality means any injury which results in the death of a  
21 person at the time of the motor vehicle accident or within thirty days  
22 after the accident;

23 (18) Fertilizer and agricultural chemical application and  
24 distribution equipment means:

25 (a) Self-propelled or towed equipment, designed and used exclusively  
26 to apply commercial fertilizer, as that term is defined in section  
27 81-2,162.02, chemicals, or related products to agricultural soil and  
28 crops; or

29 (b) Towed equipment designed and used exclusively to carry  
30 commercial fertilizer, as that term is defined in section 81-2,162.02,  
31 chemicals, or related products for use on agricultural soil and crops,

1 which are equipped with implement or floatation tires;

2 (19) For-hire motor carrier means a person engaged in the  
3 transportation of goods or passengers for compensation;

4 (20) Gross combination weight means the sum of the empty weight of a  
5 motor vehicle plus the total weight of any load carried thereon and the  
6 empty weight of the towed unit or units plus the total weight of any load  
7 carried on such towed unit or units;

8 (21) Gross combination weight rating means the greater of (a) a  
9 value specified by the manufacturer of the power unit, if such value is  
10 displayed on the Federal Motor Vehicle Safety Standard certification  
11 label required by the National Highway Traffic Safety Administration, or  
12 (b) the sum of the gross vehicle weight ratings or the gross vehicle  
13 weights of the power unit and the towed unit or units, or any combination  
14 thereof, that produces the highest value. Gross combination weight rating  
15 does not apply to a commercial motor vehicle if the power unit is not  
16 towing another vehicle;

17 (22) Gross vehicle weight means the sum of the empty weight of a  
18 motor vehicle plus the total weight of any load carried thereon;

19 (23) Gross vehicle weight rating means the value specified by the  
20 manufacturer as the loaded weight of a single motor vehicle. In the  
21 absence of such value specified by the manufacturer or the absence of any  
22 marking of such value on the vehicle, the gross vehicle weight rating  
23 shall be determined from the sum of the axle weight ratings of the  
24 vehicle or the sum of the tire weight ratings as marked on the sidewall  
25 of the tires, whichever is greater. In the absence of any tire sidewall  
26 marking, the tire weight ratings shall be determined for the specified  
27 tires from any of the publications of any of the organizations listed in  
28 49 C.F.R. 571.119;

29 (24) Hazardous material means a substance or material that the  
30 Secretary of the United States Department of Transportation has  
31 determined is capable of posing an unreasonable risk to health, safety,

1 and property when transported in commerce and has designated as hazardous  
2 under 49 U.S.C. 5103. The term includes hazardous substances, hazardous  
3 wastes, marine pollutants, elevated temperature materials, materials  
4 designated as hazardous in the Hazardous Materials Table, 49 C.F.R.  
5 172.101, and materials that meet the defining criteria for hazard classes  
6 and divisions in 49 C.F.R. part 173;

7 (25) Hazardous substance means a material, including its mixtures  
8 and solutions, that is listed in 49 C.F.R. 172.101, Appendix A, List Of  
9 Hazardous Substances and Reportable Quantities, and is in a quantity, in  
10 one package, which equals or exceeds the reportable quantity listed in 49  
11 C.F.R. 172.101, Appendix A. This definition does not apply to petroleum  
12 products that are lubricants or fuels or to mixtures or solutions of  
13 hazardous substances if in a concentration less than that shown in the  
14 table in 49 C.F.R. 171.8 under the definition of hazardous substance  
15 based on the reportable quantity specified for the materials listed in 49  
16 C.F.R. 172.101, Appendix A;

17 (26) Hazardous waste means any material that is subject to the  
18 hazardous waste manifest requirements of the United States Environmental  
19 Protection Agency specified in 40 C.F.R. 262;

20 (27) Highway means the entire width between the boundary limits of  
21 any street, road, avenue, boulevard, or way which is publicly maintained  
22 when any part thereof is open to the use of the public for purposes of  
23 vehicular travel;

24 (28) Interstate commerce means trade, traffic, or transportation  
25 provided in the furtherance of a commercial enterprise in the United  
26 States:

27 (a) Between a place in a state and a place outside of such state,  
28 including a place outside of the United States;

29 (b) Between two places in a state through another state or a place  
30 outside of the United States; or

31 (c) Between two places in a state as part of trade, traffic, or

1 transportation originating or terminating outside the state or the United  
2 States;

3 (29) Intrastate commerce means any trade, traffic, or transportation  
4 provided in the furtherance of a commercial enterprise between any place  
5 in the State of Nebraska and any other place in Nebraska and not through  
6 any other state;

7 (30) Large packaging means a packaging that:

8 (a) Consists of an outer packaging that contains articles or inner  
9 packagings;

10 (b) Is designated for mechanical handling;

11 (c) Exceeds a net mass of four hundred kilograms or four hundred  
12 fifty liters (one hundred nineteen gallons) capacity;

13 (d) Has a volume of not more than three cubic meters; and

14 (e) Conforms to the requirements for the construction, testing, and  
15 marking of large packagings as specified in subparts P and Q of 49 C.F.R.  
16 part 178.

17 (31) ~~(30)~~ Marine pollutant means a material which is listed in the  
18 Hazardous Materials Table, 49 C.F.R. 172.101, Appendix B, as a marine  
19 pollutant (see 49 C.F.R. 171.4 for applicability to marine pollutants)  
20 and, when in a solution or mixture of one or more marine pollutants, is  
21 packaged in a concentration which equals or exceeds:

22 (a) Ten percent by weight of the solution or mixture for materials  
23 listed in 49 C.F.R. 172.101, Appendix B; or

24 (b) One percent by weight of the solution or mixture for materials  
25 that are identified as severe marine pollutants in the Hazardous  
26 Materials Table, 49 C.F.R. 172.101, Appendix B;

27 (32) ~~(31)~~ Motor carrier means a for-hire motor carrier or a private  
28 motor carrier. The term includes a motor carrier's agents, officers, and  
29 representatives as well as employees responsible for hiring, supervising,  
30 training, assigning, or dispatching of drivers and employees concerned  
31 with the installation, inspection, and maintenance of motor vehicle



1 equipment or accessories. This definition includes the terms employer and  
2 exempt motor carrier;

3 (33) ~~(32)~~ Motor vehicle means any vehicle, truck, truck-tractor,  
4 trailer, or semitrailer propelled or drawn by mechanical power except (a)  
5 farm tractors, (b) vehicles which run only on rails or tracks, and (c)  
6 road and general-purpose construction and maintenance machinery which by  
7 design and function is obviously not intended for use on a public  
8 highway, including, but not limited to, motor scrapers, earthmoving  
9 equipment, backhoes, trenchers, motor graders, compactors, tractors,  
10 bulldozers, bucket loaders, ditchdigging apparatus, asphalt spreaders,  
11 leveling graders, power shovels, and crawler tractors;

12 (34) ~~(33)~~ Nonbulk packaging means a packaging which has:

13 (a) A maximum capacity of four hundred fifty liters (one hundred  
14 nineteen gallons) ~~one hundred nineteen gallons~~ or less as a receptacle  
15 for a liquid;

16 (b) A maximum net mass of four hundred kilograms (eight hundred  
17 eighty-two pounds) ~~eight hundred eighty-two pounds~~ or less and a maximum  
18 capacity of four hundred fifty liters (one hundred nineteen gallons) ~~one~~  
19 ~~hundred nineteen gallons~~ or less as a receptacle for a solid; ~~or~~

20 (c) A water capacity of four hundred fifty-four kilograms (one  
21 thousand pounds) ~~one thousand pounds~~ or less as a receptacle for a gas as  
22 defined in 49 C.F.R. 173.115; or

23 (d) Regardless of the definition of bulk packaging, a maximum net  
24 mass of four hundred kilograms (eight hundred eighty-two pounds) or less  
25 for a bag or box conforming to the applicable requirements for  
26 specification packagings, including the maximum net mass limitations  
27 provided in subpart L of 49 C.F.R. 178;

28 (35) ~~(34)~~ Out-of-service order means a declaration by an authorized  
29 enforcement officer of a federal, state, Canadian, Mexican, or local  
30 jurisdiction that a driver, a commercial motor vehicle, or a motor  
31 carrier operation is out of service pursuant to 49 C.F.R. 386.72, 392.5,

1 392.9a, 395.13, or 396.9, or compatible laws or the North American  
2 Uniform Out-of-Service Criteria;

3 (36) ~~(35)~~ Packaging means a receptacle and any other components or  
4 materials necessary for the receptacle to perform its containment  
5 function in conformance with the minimum packing requirements of Title 49  
6 of the Code of Federal Regulations. For radioactive materials packaging,  
7 see 49 C.F.R. 173.403;

8 (37) ~~(36)~~ Person means any individual, partnership, association,  
9 corporation, business trust, or any other organized group of individuals;

10 (38) ~~(37)~~ Planting and harvesting season means the period beginning  
11 on January 1 up to and including December 31 of each calendar year;

12 (39) ~~(38)~~ Principal place of business means the single location  
13 designated by the motor carrier, normally its headquarters, for purposes  
14 of identification. The motor carrier must make records required by the  
15 regulations referred to in sections 75-362 to 75-369.07 available for  
16 inspection at this location within forty-eight hours, Saturdays, Sundays,  
17 and state or federal holidays excluded, after a request has been made by  
18 an officer of the Nebraska State Patrol;

19 (40) ~~(39)~~ Private motor carrier means a person who provides  
20 transportation of property or passengers by commercial motor vehicle and  
21 is not a for-hire motor carrier;

22 (41) ~~(40)~~ Safety audit means an examination of a motor carrier's  
23 operations to provide educational and technical assistance on drivers'  
24 hours of service, maintenance and inspection, driver qualification,  
25 commercial driver's license requirements, financial responsibility,  
26 accidents, hazardous materials, and other safety and transportation  
27 records to determine whether a motor carrier meets the safety fitness  
28 standard. The purpose of a safety audit is to gather critical safety data  
29 needed to make an assessment of the carrier's safety performance and  
30 basic safety management controls. Safety audits do not result in safety  
31 ratings; and

1        ~~(42)~~ ~~(41)~~ Tank means a container, consisting of a shell and heads,  
2        that forms a pressure-tight vessel having openings designed to accept  
3        pressure-tight fittings or closures, but excludes any appurtenances,  
4        reinforcements, fittings, or closures.

5        Sec. 78. Section 75-363, Revised Statutes Supplement, 2019, is  
6        amended to read:

7        75-363 (1) The parts, subparts, and sections of Title 49 of the Code  
8        of Federal Regulations listed below, as modified in this section, or any  
9        other parts, subparts, and sections referred to by such parts, subparts,  
10       and sections, in existence and effective as of January 1, 2020 ~~2019~~, are  
11       adopted as Nebraska law.

12       (2) Except as otherwise provided in this section, the regulations  
13       shall be applicable to:

14       (a) All motor carriers, drivers, and vehicles to which the federal  
15       regulations apply; and

16       (b) All motor carriers transporting persons or property in  
17       intrastate commerce to include:

18       (i) All vehicles of such motor carriers with a gross vehicle weight  
19       rating, gross combination weight rating, gross vehicle weight, or gross  
20       combination weight over ten thousand pounds;

21       (ii) All vehicles of such motor carriers designed or used to  
22       transport more than eight passengers, including the driver, for  
23       compensation, or designed or used to transport more than fifteen  
24       passengers, including the driver, and not used to transport passengers  
25       for compensation;

26       (iii) All vehicles of such motor carriers transporting hazardous  
27       materials required to be placarded pursuant to section 75-364; and

28       (iv) All drivers of such motor carriers if the drivers are operating  
29       a commercial motor vehicle as defined in section 60-465 which requires a  
30       commercial driver's license.

31       (3) The Legislature hereby adopts, as modified in this section, the

1 following parts of Title 49 of the Code of Federal Regulations:

2 (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

3 (b) Part 385 - SAFETY FITNESS PROCEDURES;

4 (c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

5 (d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR  
6 CARRIERS;

7 (e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

8 (f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION  
9 VEHICLE (LCV) DRIVER INSTRUCTORS;

10 (g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

11 (h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

12 (i) Part 395 - HOURS OF SERVICE OF DRIVERS;

13 (j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

14 (k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND  
15 PARKING RULES; and

16 (l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

17 (4) The provisions of subpart E - Physical Qualifications And  
18 Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER  
19 COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any  
20 driver subject to this section who: (a) Operates a commercial motor  
21 vehicle exclusively in intrastate commerce; and (b) holds, or has held, a  
22 commercial driver's license issued by this state prior to July 30, 1996.

23 (5) The regulations adopted in subsection (3) of this section shall  
24 not apply to farm trucks registered pursuant to section 60-3,146 with a  
25 gross weight of sixteen tons or less. The following parts and sections of  
26 49 C.F.R. chapter III shall not apply to drivers of farm trucks  
27 registered pursuant to section 60-3,146 and operated solely in intrastate  
28 commerce:

29 (a) All of part 391;

30 (b) Section 395.8 of part 395; and

31 (c) Section 396.11 of part 396.

1           (6) The following parts and subparts of 49 C.F.R. chapter III shall  
2 not apply to the operation of covered farm vehicles:

3           (a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

4           (b) Part 391, subpart E - Physical Qualifications and Examinations;

5           (c) Part 395 - HOURS OF SERVICE OF DRIVERS; and

6           (d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

7           (7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION  
8 and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to  
9 fertilizer and agricultural chemical application and distribution  
10 equipment transported in units with a capacity of three thousand five  
11 hundred gallons or less.

12           (8) For purposes of this section, intrastate motor carriers shall  
13 not include any motor carrier or driver excepted from 49 C.F.R. chapter  
14 III by section 390.3(f) of part 390.

15           (9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor  
16 carriers and drivers who engage in intrastate commerce as defined in  
17 section 75-362, except that no motor carrier who engages in intrastate  
18 commerce shall permit or require any driver used by it to drive nor shall  
19 any driver drive:

20           (i) More than twelve hours following ten consecutive hours off duty;  
21 or

22           (ii) For any period after having been on duty sixteen hours  
23 following ten consecutive hours off duty.

24           (b) No motor carrier who engages in intrastate commerce shall permit  
25 or require a driver of a commercial motor vehicle, regardless of the  
26 number of motor carriers using the driver's services, to drive, nor shall  
27 any driver of a commercial motor vehicle drive, for any period after:

28           (i) Having been on duty seventy hours in any seven consecutive days  
29 if the employing motor carrier does not operate every day of the week; or

30           (ii) Having been on duty eighty hours in any period of eight  
31 consecutive days if the employing motor carrier operates motor vehicles

1 every day of the week.

2 (10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in  
3 subsections (3) and (9) of this section, shall not apply to drivers  
4 transporting agricultural commodities or farm supplies for agricultural  
5 purposes during planting and harvesting season when:

6 (a) The transportation of such agricultural commodities is from the  
7 source of the commodities to a location within a one-hundred-fifty-air-  
8 mile radius of the source of the commodities;

9 (b) The transportation of such farm supplies is from a wholesale or  
10 retail distribution point of the farm supplies to a farm or other  
11 location where the farm supplies are intended to be used which is within  
12 a one-hundred-fifty-air-mile radius of the wholesale or retail  
13 distribution point; or

14 (c) The transportation of such farm supplies is from a wholesale  
15 distribution point of the farm supplies to a retail distribution point of  
16 the farm supplies which is within a one-hundred-fifty-air-mile radius of  
17 the wholesale distribution point.

18 (11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and  
19 intermodal equipment shall not apply to farm trucks and farm truck-  
20 tractors registered pursuant to section 60-3,146 and operated solely in  
21 intrastate commerce.

22 (12) 49 C.F.R. 392.9a - Operating authority shall not apply to  
23 Nebraska motor carriers operating commercial motor vehicles solely in  
24 intrastate commerce.

25 (13) No motor carrier shall permit or require a driver of a  
26 commercial motor vehicle to violate, and no driver of a commercial motor  
27 vehicle shall violate, any out-of-service order.

28 Sec. 79. Section 75-364, Revised Statutes Supplement, 2019, is  
29 amended to read:

30 75-364 The parts, subparts, and sections of Title 49 of the Code of  
31 Federal Regulations listed below, or any other parts, subparts, and

1 sections referred to by such parts, subparts, and sections, in existence  
2 and effective as of January 1, 2020 ~~2019~~, are adopted as part of Nebraska  
3 law and shall be applicable to all motor carriers whether engaged in  
4 interstate or intrastate commerce, drivers of such motor carriers, and  
5 vehicles of such motor carriers:

6 (1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F -  
7 Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers,  
8 Assemblers, Repairers, Inspectors, Testers, and Design Certifying  
9 Engineers;

10 (2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G -  
11 Registration of Persons Who Offer or Transport Hazardous Materials;

12 (3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

13 (4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS,  
14 HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION,  
15 TRAINING REQUIREMENTS, AND SECURITY PLANS;

16 (5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND  
17 PACKAGINGS;

18 (6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

19 (7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

20 (8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF  
21 PACKAGINGS.

22 Sec. 80. Section 75-366, Revised Statutes Supplement, 2019, is  
23 amended to read:

24 75-366 For the purpose of enforcing Chapter 75, article 3, any  
25 officer of the Nebraska State Patrol may, upon demand, inspect the  
26 accounts, records, and equipment of any motor carrier or shipper. Any  
27 officer of the Nebraska State Patrol shall have the authority to enforce  
28 the federal motor carrier safety regulations, as such regulations existed  
29 on January 1, 2020 ~~2019~~, and federal hazardous materials regulations, as  
30 such regulations existed on January 1, 2020 ~~2019~~, and is authorized to  
31 enter upon, inspect, and examine any and all lands, buildings, and

1 equipment of any motor carrier, any shipper, and any other person subject  
2 to the federal Interstate Commerce Act, the federal Department of  
3 Transportation Act, and other related federal laws and to inspect and  
4 copy any and all accounts, books, records, memoranda, correspondence, and  
5 other documents of a motor carrier, a shipper, and any other person  
6 subject to Chapter 75, article 3, for the purposes of enforcing Chapter  
7 75, article 3. To promote uniformity of enforcement, the carrier  
8 enforcement division of the Nebraska State Patrol shall cooperate and  
9 consult with the Public Service Commission and the Division of Motor  
10 Carrier Services.

11 Sec. 81. Section 75-369.03, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 75-369.03 (1) The Superintendent of Law Enforcement and Public  
14 Safety may issue an order imposing a civil penalty against a motor  
15 carrier transporting persons or property in interstate commerce for a  
16 violation of sections 75-392 to 75-399 and section 87 of this act or  
17 against a motor carrier transporting persons or property in intrastate  
18 commerce for a violation or violations of section 75-363 or 75-364 based  
19 upon an inspection conducted pursuant to section 75-366 in an amount  
20 which shall not exceed eight hundred dollars for any single violation in  
21 any proceeding or series of related proceedings against any person or  
22 motor carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

23 (2) The superintendent shall issue an order imposing a civil penalty  
24 in an amount not to exceed sixteen thousand four hundred fifty-three  
25 ~~fifteen thousand seven hundred twenty-seven~~ dollars against a motor  
26 carrier transporting persons or property in interstate commerce for a  
27 violation of subdivision (2)(e) of section 60-4,162 based upon a  
28 conviction of such a violation.

29 (3) The superintendent shall issue an order imposing a civil penalty  
30 against a driver operating a commercial motor vehicle, as defined in  
31 section 60-465, that requires a commercial driver's license or CLP-



1 commercial learner's permit, in violation of an out-of-service order. The  
2 civil penalty shall be in an amount not less than three thousand one  
3 hundred seventy-four ~~thirty-four~~ dollars for a first violation and not  
4 less than six thousand three hundred forty-eight ~~sixty-eight~~ dollars for  
5 a second or subsequent violation.

6 (4) The superintendent shall issue an order imposing a civil penalty  
7 against a motor carrier who knowingly allows, requires, permits, or  
8 authorizes the operation of a commercial motor vehicle, as defined in  
9 section 60-465, that requires a commercial driver's license or CLP-  
10 commercial learner's permit, in violation of an out-of-service order. The  
11 civil penalty shall be not less than five thousand seven hundred thirty-  
12 two ~~four hundred seventy-nine~~ dollars but not more than thirty-one  
13 thousand seven ~~thirty thousand three~~ hundred thirty-seven dollars per  
14 violation.

15 (5) Upon the discovery of any violation by a motor carrier  
16 transporting persons or property in interstate commerce of section  
17 75-307, 75-363, or 75-364 or sections 75-392 to 75-399 and section 87 of  
18 this act based upon an inspection conducted pursuant to section 75-366,  
19 the superintendent shall immediately refer such violation to the  
20 appropriate federal agency for disposition, and upon the discovery of any  
21 violation by a motor carrier transporting persons or property in  
22 intrastate commerce of section 75-307 based upon such inspection, the  
23 superintendent shall refer such violation to the Public Service  
24 Commission for disposition.

25 Sec. 82. Section 75-386, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 75-386 The Division of Motor Carrier Services shall:

28 (1) Foster, promote, and preserve the motor carrier industry of the  
29 State of Nebraska;

30 (2) Protect and promote the public health and welfare of the  
31 citizens of the state by ensuring that the motor carrier industry is

1 operated in an efficient and safe manner;

2 (3) Promote and provide for efficient and uniform governmental  
3 oversight of the motor carrier industry;

4 (4) Promote financial responsibility on the part of motor carriers  
5 operating in and through the State of Nebraska;

6 (5) Administer all provisions of the International Fuel Tax  
7 Agreement Act, the International Registration Plan Act, and the unified  
8 carrier registration plan and agreement pursuant to sections 75-392 to  
9 75-399 and section 87 of this act;

10 (6) Provide for the issuance of certificates of title to apportioned  
11 registered motor vehicles as provided for by subsection (6) of section  
12 60-144; and

13 (7) Carry out such other duties and responsibilities as directed by  
14 the Legislature.

15 Sec. 83. Section 75-392, Revised Statutes Supplement, 2019, is  
16 amended to read:

17 75-392 For purposes of sections 75-392 to 75-399 and section 87 of  
18 this act:

19 (1) Director means the Director of Motor Vehicles;

20 (2) Division means the Division of Motor Carrier Services of the  
21 Department of Motor Vehicles; and

22 (3) Unified carrier registration plan and agreement means the plan  
23 and agreement established and authorized pursuant to 49 U.S.C. 14504a, as  
24 such section existed on January 1, 2020 ~~2019~~.

25 Sec. 84. Section 75-393, Revised Statutes Supplement, 2019, is  
26 amended to read:

27 75-393 The director may participate in the unified carrier  
28 registration plan and agreement pursuant to the Unified Carrier  
29 Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January  
30 1, 2020 ~~2019~~, and may file on behalf of this state the plan required by  
31 such plan and agreement for enforcement of the act in this state.

1       Sec. 85. Section 75-398, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3       75-398 Any foreign or domestic motor carrier, private carrier,  
4 leasing company, broker, or freight forwarder operating any motor vehicle  
5 in violation of sections 75-392 to 75-399 and section 87 of this act, any  
6 rule or regulation adopted and promulgated pursuant to such sections, or  
7 any order of the division issued pursuant to such sections is guilty of a  
8 Class IV misdemeanor and shall also be subject to section 75-369.03. Each  
9 day of the violation constitutes a separate offense.

10       Sec. 86. Section 75-399, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12       75-399 Sections 75-392 to 75-399 and section 87 of this act do not  
13 apply to a foreign or domestic motor carrier, private carrier, leasing  
14 company, broker, or freight forwarder, including a transporter of waste  
15 or recyclable materials, engaged exclusively in intrastate commerce.

16       Sec. 87. (1) The director may suspend, revoke, cancel, or refuse to  
17 issue or renew a registration pursuant to the unified carrier  
18 registration plan and agreement:

19       (a) If the applicant or registrant has had his or her license issued  
20 under the International Fuel Tax Agreement Act revoked or the director  
21 refused to issue or refused to renew such license;

22       (b) If the applicant's or registrant's registration certificate  
23 issued pursuant to the International Registration Plan Act has been  
24 suspended, revoked, or canceled or the director refused to issue or renew  
25 such certificate; or

26       (c) If the applicant or registrant is in violation of sections  
27 75-392 to 75-399 and section 87 of this act.

28       (2) Prior to taking any action pursuant to subsection (1) of this  
29 section, the director shall notify and advise the applicant or registrant  
30 of the proposed action and the reasons for such action in writing, by  
31 regular United States mail, to the last-known business address as shown

1 on the application for the registration or renewal. The notice shall also  
2 include an advisement of the procedures in subsection (3) of this  
3 section.

4 (3) The applicant or registrant may, within thirty days after the  
5 mailing of the notice, petition the director in writing for a hearing to  
6 contest the proposed action. The hearing shall be commenced in accordance  
7 with the Administrative Procedure Act. If a petition is filed, the  
8 director shall, within twenty days after receipt of the petition, set a  
9 hearing date at which the applicant or registrant may show cause why the  
10 proposed action should not be taken. The director shall give the  
11 applicant or registrant reasonable notice of the time and place of the  
12 hearing. If the director's decision is adverse to the applicant or  
13 registrant, such person may appeal the decision in accordance with the  
14 Administrative Procedure Act.

15 (4) The filing of the petition shall stay any action by the director  
16 until a hearing is held and a final decision and order is issued.

17 (5) If no petition is filed at the expiration of thirty days after  
18 the date on which the notification was mailed, the director may take the  
19 proposed action described in the notice.

20 (6) If, in the judgment of the director, the applicant or registrant  
21 has complied with or is no longer in violation of the provisions for  
22 which the director took action under this section, the director may  
23 reinstate the registration without delay. An applicant for reinstatement,  
24 issuance, or renewal of a registration within three years after the date  
25 of suspension, revocation, cancellation, or refusal to issue or renew  
26 shall submit a fee of one hundred dollars to the director. The director  
27 shall remit the fee to the State Treasurer for credit to the Highway Cash  
28 Fund.

29 Sec. 88. The Department of Veterans' Affairs shall create a program  
30 for the purpose of providing financial support to veterans for the costs  
31 associated with adopting a pet animal. The department shall use the money

1 credited to the Pets for Vets Cash Fund under section 46 of this act to  
2 award grants to carry out the purposes of such program. The department  
3 may administer the program or contract with an organization dedicated to  
4 the care of dogs and cats to administer the program.

5       Sec. 89. The Pets for Vets Cash Fund is created for the purpose of  
6 administering the veteran grant program created under section 88 of this  
7 act. The fund shall consist of money credited to the fund pursuant to  
8 section 46 of this act. Any money in the fund available for investment  
9 shall be invested by the state investment officer pursuant to the  
10 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
11 Act.

12       Sec. 90. (1) The Support the Arts Cash Fund is created. The fund  
13 shall consist of all money credited to the fund pursuant to section 48 of  
14 this act. The Nebraska Arts Council shall administer and distribute the  
15 Support the Arts Cash Fund. The fund shall be expended by the Nebraska  
16 Arts Council to provide aid to communities that designate a focus area of  
17 the city for arts and cultural development, to provide money for a  
18 competitive grant program that awards a grant to any creative district  
19 that meets the criteria for the competitive grant, if such program  
20 exists, and to defray costs directly related to the administration of the  
21 fund.

22       (2) Any money in the fund available for investment shall be invested  
23 by the state investment officer pursuant to the Nebraska Capital  
24 Expansion Act and the Nebraska State Funds Investment Act.

25       Sec. 91. Sections 3, 10, 15, 17, 18, 19, 21, 22, 23, 30, 31, 32,  
26 33, 34, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 55, 88, 89,  
27 90, and 92 of this act become operative on January 1, 2021. Sections 1,  
28 2, 4, 5, 6, 9, 11, 12, 13, 14, 16, 20, 24, 25, 26, 27, 28, 29, 35, 37,  
29 39, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68,  
30 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,  
31 87, and 93 of this act become operative three calendar months after

1 adjournment of this legislative session. The other sections of this act  
2 become operative on their effective date.

3       Sec. 92. Original section 37-327.03, Reissue Revised Statutes of  
4 Nebraska, section 60-3,104.02, Revised Statutes Cumulative Supplement,  
5 2018, and sections 60-301, 60-393, 60-396, 60-3,104, 60-3,122.03,  
6 60-3,127, 60-3,130.04, 60-3,226, 60-3,230, 60-3,232, 60-3,234, 60-3,237,  
7 60-3,239, 60-3,241, 60-3,243, and 60-495, Revised Statutes Supplement,  
8 2019, are repealed.

9       Sec. 93. Original sections 18-1214, 38-129, 60-3,137, 60-3,203,  
10 60-3,212, 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and  
11 75-399, Reissue Revised Statutes of Nebraska, sections 4-111, 60-192,  
12 60-331.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113, 60-4,114, 60-4,138,  
13 60-4,141, 60-4,168, 60-6,294, 60-6,297, and 60-6,356, Revised Statutes  
14 Cumulative Supplement, 2018, and sections 60-107, 60-119.01, 60-302.01,  
15 60-336.01, 60-386, 60-395, 60-3,113.04, 60-3,193.01, 60-3,198, 60-3,238,  
16 60-3,240, 60-3,242, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132,  
17 60-4,134, 60-4,147.02, 60-4,182, 60-501, 60-628.01, 60-6,265, 60-6,290,  
18 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised  
19 Statutes Supplement, 2019, are repealed.

20       Sec. 94. Original section 60-142.01, Reissue Revised Statutes of  
21 Nebraska, and section 60-144, Revised Statutes Supplement, 2019, are  
22 repealed.

23       Sec. 95. Since an emergency exists, this act takes effect when  
24 passed and approved according to law.

### **FY 2021 Certification of MCSAP Conformance (State Certification)**

I, Col. John A. Bolduc, Superintendent of Law Enforcement and Public Safety, on behalf of the State of Nebraska, as requested by the Administrator as a condition of approval of a grant under the authority of 49 U.S.C. § 31102, as amended, do hereby certify as follows:

1. The State has designated Nebraska as the Lead State Agency to administer the Commercial Vehicle Safety Plan (CVSP) throughout the State for the grant sought and Nebraska State Patrol to perform defined functions under the CVSP.
2. The State has assumed responsibility for and adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
3. The State will cooperate in the enforcement of financial responsibility requirements under 49 C.F.R. part 387.
4. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C §§ 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
5. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved.
6. The Lead State Agency and any subrecipient of MCSAP funds have the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
7. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
8. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
9. The State will maintain the maintenance of effort required under 49 C.F.R. § 350.225.
10. The State requires that all reports required in the CVSP be available to FMCSA upon request, meets the reporting requirements, and uses the forms for recordkeeping, inspections, and investigations that FMCSA prescribes.
11. The State implements performance-based activities, including deployment and maintenance of technology, to enhance the efficiency and effectiveness of CMV safety programs.

12. The State dedicates sufficient resources to a program to ensure that accurate, complete, and timely motor carrier safety data are collected and reported, and to ensure the State's participation in a national motor carrier safety data correction system prescribed by FMCSA.
13. The State will ensure that the Lead State Agency will coordinate the CVSP, data collection, and information systems with the State highway safety improvement program under 23 U.S.C. § 148(c).
14. The State will ensure participation in information technology and data systems as required by FMCSA for jurisdictions receiving MCSAP funding.
15. The State will ensure that information is exchanged with other States in a timely manner.
16. The laws of the State provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
17. The State will conduct comprehensive and highly visible traffic enforcement and CMV safety inspection programs in high-risk locations and corridors.
18. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
19. The State will ensure that, except in the case of an imminent or obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where motor carriers may make planned stops (excluding a weigh station).
20. The State will address activities in support of the national program elements listed in 49 C.F.R. § 350.203.
21. The State will ensure that detection of criminal activities and CMV size and weight enforcement activities described in 49 C.F.R. § 350.227(b) funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
22. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
23. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.
24. The State has in effect a requirement that registrants of CMVS demonstrate their knowledge of the applicable FMCSRs, HMRs, or compatible State laws, regulations, standards, and orders on CMV safety.



25. The State will transmit to its roadside inspectors at the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 C.F.R. §§ 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
26. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
27. The State will fully participate in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
28. The State will ensure that it cooperates in the enforcement of hazardous materials safety permits issued under subpart E of part 385 of this subchapter by verifying possession of the permit when required while conducting vehicle inspections and investigations, as applicable.
29. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
30. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 C.F.R. subpart D.

Date 08/07/2020

Signature 

## 2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? Mark Boyer
2. What is the title of your certifying State official? Assistant General Counsel
3. What are the phone # and email address of your State official? 402-480-9312  
mark.boyer@nebraska.gov

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

Yes

Yes, uploaded certification document

No

### State Compatibility Review of Laws, Regulations, Standards, and Orders on CMV Safety Certification

I, Mark Boyer behalf of the State of Nebraska have the authority to make the following certification on behalf of the State. I certify that the State has conducted the annual review required by 49 C.F.R. section 350.303 of its laws, regulations, standards, and orders on commercial motor vehicle (CMV) safety and that the State's safety laws, regulations, standards, and orders on CMV safety are compatible with the Federal Motor Carrier Safety Regulations (49 C.F.R. parts 390, 391, 392, 393, 395, 396, and 397) and the Hazardous Material Regulations (49 C.F.R. parts 107 (subparts F and G only), 171-173, 177, 178, and 180), except as may be determined by the Administrator to be inapplicable to a State enforcement program.

For the purpose of this certification, *compatible* means State laws, regulations, standards, and orders on CMV safety that:

- (1) As applicable to interstate commerce not involving the movement of hazardous materials:
  - (i) Are identical to or have the same effect as the FMCSRs; or
  - (ii) If in addition to or more stringent than the FMCSRs, have a safety benefit, do not unreasonably frustrate the Federal goal of uniformity, and do not cause an unreasonable burden on interstate commerce when enforced;
- (2) As applicable to intrastate commerce not involving the movement of hazardous materials:
  - (i) Are identical to or have the same effect as the FMCSRs; or
  - (ii) Fall within the limited variances from the FMCSRs allowed under 49 C.F.R. sections 350.305 or 350.307; and
- (3) As applicable to interstate and intrastate commerce involving the movement of hazardous materials, are identical to the HMRs.