



## **NEBRASKA**

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

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

**Fiscal Years 2023 - 2025**

**Date of Approval: May 31, 2023**

**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 2023 - 2025)
- Part 2: Crash Reduction and National Program Elements (FY 2023 - 2025)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2023 - 2025)
- Part 4: Financial Information (FY 2023)
- Part 5: Certifications and Documents (FY 2023)

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 2023:

**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 2022 plans. States must carefully review and update this information to reflect FY 2023 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 2023 update). Include descriptions of the changes to your program, including how data tables were modified.
- The Trend Analysis areas in each section are only open for editing in Year 1 of a three-year plan. This data is not editable in Years 2 and 3.

**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****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.

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .234. Nationally, there was an 2% increase in fatalities from 2018-2019. (2019 Annual Truck/Bus Crash Facts). At .234, Nebraska's 2021 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. Some crash reporting in the state has been delayed due to technological difficulties in the Omaha area, which may skew the final results for 2021 and 2022. Based on the best data available, the fatality rate is significantly lower for 2021 compared to recent past data, however the number of fatalities has increased in 4 of the past 5 years, and early indicators for 2022 show the fatal trend increasing. Nebraska sets a goal of reducing the number of fatal crashes by 2 per year for the 3 year plan, compared to the current 5 year average of just over 48 crashes per year. For 2023, the goal will be 46, for 2024 the goal will be 44 and for 2025 the goal will be 42. Based on the 5 year high for VMT, 42 crashes would equate to .195 fatalities per 100M VMT.

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 crashes. 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 crash 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 1 fatality per 100 million VMT by calendar end 2022, inclusive of CMV crashes. The current CMV rate is below the stated goal of 1.0 fatality/100M VMT in the State Highway Safety plan and contributes to lowering the overall rate each year.

<b>Part 1 Section 3 - MCSAP Structure Explanation</b>
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**Instructions:**

*Answer the questions about your CVSP activities and briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant. Please do not include activities or expenses associated with any other FMCSA grant program.*

Yes	No	Question
<input checked="" type="radio"/>	<input type="radio"/>	Are there initiatives involving "rural roads" included in this CVSP?
<input checked="" type="radio"/>	<input type="radio"/>	Does your State voluntarily submit an annual Training Plan to the National Training Center (NTC)?
<input type="radio"/>	<input checked="" type="radio"/>	Does your State include activities regarding Migrant Worker Transportation in Rural Areas in this CVSP?

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. Total manpower for all divisions totals approximately 280 persons. In addition, nine civilians support the administration of 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. A Sergeant oversee the three investigators assigned to the Compliance Review program and four 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****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 *	7
Public Education and Awareness	80
Data Collection and Reporting	9
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	TBD
Enter total number of personnel participating in MCSAP activities	10
<b>National Program Elements</b>	<b>Enter # personnel below</b>
Driver and Vehicle Inspections	0
Traffic Enforcement Activities	10
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 2023 - 2025 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.*

**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 most recent five fiscal years using the Activity Dashboard on the A&I Online website. The Activity Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <https://ai.fmcsa.dot.gov>. 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

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 2017 - 2021

#### 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 relate to each other and 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.
- The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable in Years 2 and 3.

### 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			
01/01/2021	12/31/2021	37	0.2280	0.1720
01/01/2020	12/31/2020	52	0.2280	0.2680
01/01/2019	12/31/2019	58	0.2280	0.2730
01/01/2018	12/31/2018	49	0.2280	0.2330
01/01/2017	12/31/2017	47	0.2280	0.2240



**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			
01/01/2021	12/31/2021	0	0	0
01/01/2020	12/31/2020	0	0	0
01/01/2019	12/31/2019	0	0	0
01/01/2018	12/31/2018	1	0	1
01/01/2017	12/31/2017	0	0	0

## 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			
01/01/2021	12/31/2021	0	0	0
01/01/2020	12/31/2020	4	0	4
01/01/2019	12/31/2019	2	0	2
01/01/2018	12/31/2018	0	0	0
01/01/2017	12/31/2017	2	0	2

**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 28, 2022 FMCSA A&I July 30, 2022

**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 and 2020, presumed to be caused by COVID. In the past 5 years, 2017-2021, Nebraska has seen a general increase in fatalities, with a drop in 2021. Nebraska has set a goal of .195 fatalities/ 100 million VMT, for the grant period. 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.

Additionally, the Nebraska State Patrol has begun cooperative work with motor carriers in the state who are providing telematics data from their CMVs operated in the state where hard brake and evasive steering maneuvers take place. These events are compared to each other, to work zone information, and to roadway design features which may contribute to crash causation. This information is used to direct patrol efforts based on "near crash" events that have occurred over the last 12-18 months.

**Narrative Overview for FY 2023 - 2025****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 crashes in identified high crash counties (HCCs). For the calendar years 2018-2021, the top 10 HCCs represented 55.6% or an average of 681 CMV crashes. If the group is extended out to the top 15 HCCs, they represent 67% of all crashes. 13 of these 15 counties are also targeted in the current Nebraska Highway Safety Plan for various other concerns.

NSP Carrier Enforcement has determined the HCCs will be Douglas, Lancaster, Sarpy, Hall, York, Lincoln, Buffalo, Dawson, Seward, Dodge, Platte, Keith, Hamilton, Madison, Cass and Cheyenne counties due to their over-representation of CMV crashes/

Nebraska: Number of Large Trucks & Buses Involved in All Crashes (MCMIS) (Calendar Year 2018-2021)

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

FMCSA A&I Downloadable Crash Data, MCMIS 07/28/2022 Nebraska's Performance Based Strategic Traffic Safety Plan, October 2021-Sept 2022 - Nebraska Highway Safety Office

**Projected Goal for FY 2023 - 2025:**

**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 shown as 4 percent.**

Fiscal Year	Annual Crash Reduction Goals
2023	2
2024	2
2025	2

Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .234. Nationally, there was an 2% increase in fatalities from 2018-2019. (2019 Annual Truck/Bus Crash Facts). At .234, Nebraska's 2021 results were slightly below the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. Some crash reporting in the state has been delayed due to technological difficulties in the Omaha area, which may skew the final results for 2021 and 2022. Based on the best data available, the fatality rate is significantly lower for 2021 compared to recent past data, however the number of fatalities has increased in 4 of the past 5 years, and early indicators for 2022 show the fatal trend increasing. Nebraska sets a goal of reducing the number of fatal crashes by 2 per year for the 3 year plan, compared to the current 5 year average of just over 48 crashes per year. For 2023, the goal will be 46, for 2024 the goal will be 44 and for 2025 the goal will be 42. Based on the 5 year high for VMT, 42 crashes would equate to .195 fatalities per 100M VMT. This reduction represents a 12.5% decrease for the 3 fiscal years of the plan. Nebraska had a high of 5 fatality crashes in construction zones in FY2021. A decrease of one per year is a 20% decrease, contributing to the goal of a 15% reduction set by FMCSA. 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 crashes. The emphasis areas are increased seat belt use, reducing roadway departure crashes, reducing impaired driver crashes, and reducing construction zone crashes. Additionally, the Nebraska State Patrol Carrier Enforcement Division will seek to impact crash 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 1 fatality per 100 million VMT by calendar end 2022, inclusive of CMV crashes. The current CMV rate is below the stated goal of 1.0 fatality/100M VMT in the State Highway Safety plan and contributes to lowering the overall rate each year.

***Program Activities for FY 2023 - 2025: 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 2023, a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2024 and a minimum of 6800 Commercial Vehicle inspections (Level 1, 2 or 3) in 2025 in HCCs with emphasis on data driven analysis of problem areas in these localities.

2. The CVE Team will conduct at least 1 selective enforcement with Level I, II, and III inspections in each HCC in 2023, at least 1 selective enforcement with Level I, II, and III inspections in each HCC in 2024 and at least 1 selective enforcement with Level I, II, and III inspections in each HCC in 2025, with emphasis on data driven analysis of problem areas, including truck stops and rest areas that host large commercial vehicles in these localities.

3. The state will continue to utilize the Metropolitan Aggressive Preventative Selective program and continue to conduct a minimum of 1 selective in each of the top 10 HCCs, and devote additional effort to the corridors that are generating the high crash counts for the state, for a total of 14 selectives in 2023, 14 selectives in 2024 and 14 selectives in 2025.

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 more than 70% of fatalities in crashes involving commercial motor vehicles.

In an effort to more fully participate in the R.O.U.T.E.S. initiative, the Nebraska State Patrol will perform 12 selective enforcement events throughout Nebraska on rural highways, emphasizing safe travel in construction zones. To effectively identify and take enforcement action on crash-causing driving behaviors in construction zones, the Nebraska State Patrol will utilize airborne assets to observe, document, and positively identify violations for enforcement by ground-based units. Each selective will utilize a pilot, a secondary observer, and at least 3 ground based patrol units per event as manpower allows. Field lieutenants will coordinate selectives and focus efforts on moving violations in or near workzones using all available resources. FARS data indicates that Nebraska has seen a statistically significant increase in fatal crashes in work zones in 2019 and 2020. The state plans 100 hours of Airwing Division resources to enhance enforcement efforts during these 12 selectives.

The state plans to enhance enforcement efforts using unmarked vehicles, equipped with speed detection equipment, radios and cameras. This model is being used successfully with a single unmarked vehicle by observing crash causing activities, including phone use, speed, following distance, lane departures, and other violations of traffic law; the success of the enforcement efforts dictate addition of a second unit equipped for this purpose. These unmarked units will support efforts in R.O.U.T.E.S., MAPS, and CVE enforcement efforts towards the goals stated above.

***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 3,700 CMV Level I – III inspections in HCCs per year. Review and reporting on High Crash Corridor activity, as identified above, will be accomplished on a quarterly basis through a query of inspections conducted in those counties.

2. Perform 3100 Traffic Enforcement inspections in HCCs per year, conducted primarily by the CVE team in response to targeted enforcement as outlined in the activity plan. Review and reporting will be accomplished on a quarterly basis through a query of inspection activity by supervisory staff of members of the participating officers.

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. The MCSAP Sergeant will provide quarterly updates to the MCSAP Lieutenant on progress toward this goal which will be reported quarterly.

4. The R.O.U.T.E.S. initiative will be monitored by the MCSAP Lieutenant, with the goal of keeping CMV-involved crashes in construction zones below the 5 year running average for both number of fatality crashes. For 2016-2020, the yearly average is 3 fatalities in construction zones. The goal will be a reduction of the average to 2 fatalities per year for 2023, 2024, and 2025 by conducting a minimum of 12 enforcement events in construction zones with the assistance of Airwing Division. The MCSAP Lieutenant will utilize selective reporting to ensure progress toward this goal is made, which will be reported quarterly. FARS data lags behind activity so yearly averages will be calculated as data is made available from reporting resources at both the state and federal level.

## Part 2 Section 3 - Roadside Inspections

*In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2023 - 2025. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.*

**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 2017 - 2021**

Inspection Types	2017	2018	2019	2020	2021
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 2023 - 2025**

#### **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 the roadside inspection application name(s) (e.g., Aspen) used by the State.**

At the time of preparation of this plan, the state uses Aspen. Efforts have been underway for more than 2 years to transition to TraCS, and the state is hopeful to complete the transition and use TraCS exclusively by the end of 2022.

#### **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 utilizes 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 28,563 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 22,163 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, crash causation is largely defined by driver activity, particularly with speeds too fast for conditions being a primary cause of crashes when the state has snow on the ground. During the winter months of 2020, the total number of all crashes related to "driving too fast for conditions" is 1062. During the remaining months of the year, the total is 380. To help focus efforts on driver activities during inclement weather, the Nebraska State Patrol focuses inspection and enforcement effort on Level 3 inspections and traffic enforcement on both CMV and non-CMV traffic during this time. (2020 Monthly Crash Data, Nebraska Department of Transportation).

Currently, Nebraska utilizes advanced prescreening technologies 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. Nebraska utilizes prescreening practices at its highest volume scale sites in the state, and utilizes technology resources to maximize the number of vehicles required to exit the roadway, reducing fuel consumption due to idle time and unneeded deceleration/acceleration. 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. These technologies are expected to be brought online at Nebraska City in late 2022, and at Waverly Eastbound and North Platte Westbound in 2023, made possible by FMCSA ITD grant funding. 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.

Nebraska has not identified safety concerns regarding the transportation of seasonal and migrant farm workers. Therefore, special emphasis has not been instituted to develop or implement a targeted enforcement plan for recurring roadside enforcement in agricultural regions. Data shows Nebraska has 2 carriers that have selected Migrant Workers as part of their DOT registration. There have been no reported crashes involving these carriers.

Nebraska State Troopers all receive interdiction training as part of their initial training and are offered opportunities to enhance that training as opportunities arise to help assist in the detection of criminal activity, and specifically drug trafficking activity. Troopers rely on this training during every vehicle stop to evaluate the indicators that may be present.

Nebraska has an established partnership with Truckers Against Trafficking (TAT) and utilizes their resources for training and awareness of human trafficking. Wallet cards are provided during inspections, all CDL renewal information includes TAT awareness, roadside rest areas have awareness literature, and public presentations provide information about human trafficking as appropriate.

Nebraska has included an approved Title VI plan with the initial submission of this plan, which makes reference to established equitable enforcement practices in the state.

As a state with a vast majority of roadways designated as "rural", Nebraska is actively participating in the R.O.U.T.E.S. initiative to focus enforcement efforts on rural roadways, and specifically rural construction zones in the state.

## **Projected Goals for FY 2023 - 2025**

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

*Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2023 - 2025. For FY 2023, 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 2023 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	4400	850	10	5260	18.43%
Level 2: Walk-Around	1250	0	0	1250	4.38%
Level 3: Driver-Only	21813	0	0	21813	76.45%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.73%
Level 6: Radioactive Materials	0	1	0	1	0.00%
<b>Sub-Total Lead Agency</b>	<b>27463</b>	<b>851</b>	<b>219</b>	<b>28533</b>	

**MCSAP subrecipient agency****Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.****Subrecipient is:** TBD**Enter the total number of certified personnel in this funded agency:** 0

Projected Goals for FY 2023 - 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 2023:	

**Summary**

## Projected Goals for FY 2023 - Roadside Inspections Summary

Projected Goals for FY 2023 Summary for All Agencies					
<b>MCSAP Lead Agency: NEBRASKA STATE PATROL</b>					
<b># certified personnel: 80</b>					
<b>Subrecipient Agencies: TBD</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	4400	850	10	5260	18.43%
Level 2: Walk-Around	1250	0	0	1250	4.38%
Level 3: Driver-Only	21813	0	0	21813	76.45%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	209	209	0.73%
Level 6: Radioactive Materials	0	1	0	1	0.00%
<b>Total MCSAP Lead Agency &amp; Subrecipients</b>	<b>27463</b>	<b>851</b>	<b>219</b>	<b>28533</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:** The table below is created in Year 1. It cannot be edited in Years 2 or 3 and should be used only as a reference when updating your plan in Years 2 and 3.

Projected Goals for FY 2024 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	28533	0	0	28533
Enter total number of certified personnel	80	0	0	80
Projected Goals for FY 2025 Roadside Inspections				
Enter total number of projected inspections	28533	0	0	28533
Enter total number of certified personnel	80	0	0	80

## Part 2 Section 4 - Investigations

*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 Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.*

☐ 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 2017 - 2021

Investigative Types - Interstate	2017	2018	2019	2020	2021
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	2017	2018	2019	2020	2021
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 2023 - 2025****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 2023 - 2025**

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2023 - 2025.

Projected Goals for FY 2023 - 2025 - Investigations						
Investigation Type	FY 2023		FY 2024		FY 2025	
	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	44	0	44	0	44
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	20	0	20	0	20
CSA On-Site Comprehensive	0	2	0	2	0	2
<b>Total Investigations</b>	<b>0</b>	<b>66</b>	<b>0</b>	<b>66</b>	<b>0</b>	<b>66</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. The current inventory is 128 assigned carriers, with none scheduled for a comprehensive review.

**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. 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 66 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. This investigative team will assist in conducting Safety Audits in 2023. Those activities will be represented in that section of the plan.

**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 66 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 5 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. It is understood that FMCSA's goal is a 20% increase in this metric over historical performance, but a shortage of manpower, along with pooling of all available resources to address new entrant carriers, makes the likelihood of seeing a 20% increase unlikely.

**Part 2 Section 5 - Traffic Enforcement**

*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). The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.*

**Trend Analysis for 2017 - 2021**
**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		
10/01/2020	09/30/2021	5639	6099
10/01/2019	09/30/2020	5403	5452
10/01/2018	09/30/2019	5172	6472
10/01/2017	09/30/2018	6884	8281
10/01/2016	09/30/2017	6492	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		
01/01/2021	12/31/2021	554	828
01/01/2020	12/31/2020	458	627
01/01/2019	12/31/2019	556	848
01/01/2018	12/31/2018	758	883
01/01/2017	12/31/2017	516	628

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

Number of CMV Traffic Enforcement Stops with an Inspection: A&I Nebraska Traffic Enforcement Activity Summary  
 7/30/2022 Number of Non-CMV traffic stops TraCS Query 7/30/2022 Number of Stops/Citations/Warnings Non-CMV:  
 TraCS Query 7/30/2022

**Narrative Overview for FY 2023 - 2025****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 NSP has approximately 80 Troopers assigned to the Carrier Enforcement Division which are certified to conduct NAS Level 1 through 5 inspections. Approximately 200 Troopers are assigned to the Traffic Division which are certified to conduct NAS Level 3 inspections. All NSP Troopers are expected to enforce CMV traffic violations in conjunction with overall highway safety goals and the reduction of highway fatalities.

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 CMVs 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 1.0 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 seven Carrier Enforcement Troopers assigned. The CVE team is trained to address traffic enforcement laws in areas designated as High Crash Counties (HCC's). Currently, the most accurate reporting of non-CMV traffic enforcement contacts comes from this subgroup of officers, because of their unique role and 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. Violations of commercial vehicle regulations are included on a roadside inspection form, and citations or warnings for violation of state law are issued to all drivers. These violations are compared to MCP 5.4.2 for inclusion as traffic enforcement.

Activity generated from routine traffic stops as described above is estimated at 1200 traffic stops per year on non commercial vehicles operating proximate to CMVs on roadways throughout the state. A goal of 6400 CMV inspections will be conducted on CMVs in traffic enforcement stops. Special selective enforcement will be conducted in each Lieutenant area. Each area will have a quarterly goal, for a total of 48 special selectives focused on moving violations. The state is also planning on utilizing the agency Airwing Division to conduct 12 specific selectives in construction zones that will focus on moving violations on both CMV and non-CMV traffic in support of the R.O.U.T.E.S. initiative. It is believed that in spite of staff vacancies, the additional activity focused in these areas should all the agency to meet or exceed the goal of 6400. The goal is based on historical activity and known staffing shortages. A stated goal of exceeding this goal by 10% is not viewed as a attainable goal, and should the stated goal of 6400 inspections be achieved, it would represent a 13% increase over the previous year.

Safetynet and/or A&I is utilized to gather the number of CMV Traffic Enforcement stops with an inspection. TraCS and other proprietary software used by the agency is utilized to gather the number of citations and warnings issued, both for CMV and non-CMV stops.

**Projected Goals for FY 2023 - 2025**

*Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2023 - 2025. 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 2014/2015 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 2023	FY 2024	FY 2025
<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	1200	1200	1200
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	60	60	60

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 (including border inspections, if applicable), carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2014 and 2015.

The table below displays the information you input into this plan from the roadside inspections (including border inspections, if applicable), investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2014/2015 activities.

FY 2023 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2023 Activities	Average 2014/15 Activities
28533	66	740	29339	29169

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

Safety activity is inclusive of all activity conducted in the form of inspections or investigatory work in Safety Audits or Compliance Reviews. Levels of activity are uploaded daily, and are available through Safetynet queries for review. Supervisors are provided access to updated reports on a monthly basis and are expected to manage work outcomes for subordinates based on stated goals for the division and job duty. Deficiencies are addressed by supervisors as they are observed.

The Nebraska State Patrol derives Traffic Enforcement statistics from Safetynet, TraCS (electronic citation program), and manual collection during enforcement efforts. The Nebraska State Patrol relies on coding in enforcement documents, and supervisors monitor that data on a monthly basis. Activity in this category is a stated goal for the agency, with contributions being made by the CVE team (12 selectives per year), ROUTES (12 selectives with Airwing) Covert operations (10 with unmarked vehicles), and the balance (22) being conducted based on emergent trends and needs in HCCs.

Lieutenants will monitor activity toward goals in their area of responsibility and will provide that information to the MCSAP Lieutenant for review and adjustment of priorities and resources to meet stated goals. On a quarterly basis, the Nebraska State Patrol will provide progress toward stated goals in PPR documentation submitted to FMCSA.



## Part 2 Section 6 - Safety Technology

*Performance and Registration Information Systems Management (PRISM) is a condition for MCSAP eligibility in [49 CFR 350.207\(27\)](#). States must maintain, at a minimum, full PRISM participation. 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 Financial Information Part 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 ITD Compliant	Yes
PRISM	Enhanced Participation	No

Available data sources:

- [FMCSA ITD website](#)
- [PRISM Data and Activity Safety Hub \(DASH\) website](#)

**Enter the agency name responsible for ITD in the State:** Nebraska State Patrol

**Enter the agency name responsible for PRISM in the State:** Nebraska State Patrol, Nebraska Department of Motor Vehicles, Motor Carrier Services Division

### Narrative Overview for FY 2023 - 2025

**Problem Statement Narrative and Projected Goal:** *Describe any challenges encountered in implementing, maintaining, or improving your PRISM and/or ITD program compliance level (i.e., problems encountered, obstacles overcome, lessons learned, etc.).*

Currently PRISM Compliant.

**Program Activities for FY 2023 - 2025:** *Describe any activities that will be taken to implement, maintain or improve your PRISM and/or ITD programs.*

Currently PRISM Compliant. ITD equipment installed at scale sites provides high levels of data and trend information. The data reporting features come at an annual cost of \$12,000 per site which is included as a budget item. This data will be analyzed for patterns of non-compliance by drivers and motor carriers at these sites, with the information being used to provide staffing decisions and enforcement plans.

**Performance Measurements and Monitoring:** *Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress (e.g., including quarterly SF-PPR reporting).*

Currently PRISM Compliant.

Quarterly PRISM reporting will be accomplished in compliance with MCSAP program requirements.

The Nebraska Department of Motor Vehicles, Motor Carrier Services Division contributes greatly to the success of the State of Nebraska's PRISM compliance.

## Part 2 Section 7 - Public Education and Outreach

*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. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.*

### **Trend Analysis for 2017 - 2021**

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

Public Education and Outreach Activities	2017	2018	2019	2020	2021
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 2023 - 2025**

**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). Outreach at these events covers many topics, including familiarity with FMCSA regulations, weather awareness, work zone safety and awareness of criminal behaviors like transportation of contraband and trafficked humans.

Trend information listed above is provided with caveats. The Nebraska State Patrol does not categorize all of our public information and awareness in the categories 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. The Nebraska State Patrol has fostered a strong relationship with Truckers Against Trafficking (TAT), and will use that organization's promotional materials as awareness training during public events and as handouts at static displays. Awareness videos are played at scale sites throughout the state, posters are maintained at rest areas, and TAT awareness materials are provided during CDL transactions by the Nebraska Department of Motor Vehicles.

Nebraska plans to work cooperatively to host an annual Carrier Enforcement Citizen's Academy. The event is designed for safety officials from motor carriers to get a one-day exposure to the division's many resources as well as receive overview training on things such as drug and alcohol awareness, facets of investigations, basic understanding of roles of different agencies and divisions, and make personal connections with enforcement staff. Attendees are provided an opportunity to see a vehicle inspection, drone flight, and scale operation. Upon completion, attendees are authorized to request a ride-along with an officer if they choose. The multiplied effect of providing this information to safety department staff is a planned benefit of the effort. The first class was held in 2022, and was highly successful based on feedback from attendees.

### **Projected Goals for FY 2023 - 2025**

**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 2023	FY 2024	FY 2025
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	64	64	64
<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	8	8
<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 an annual Carrier Enforcement Citizen's Academy directed at safety officials at motor carriers.
  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 "Touch a Truck" at the State Fair.
- Progress toward these goals will be reported in quarterly PPRs.

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

MCSAP lead agencies are allowed to use MCSAP funds for Operations and Maintenance (O&M) costs associated with State Safety Data Quality (SSDQ) requirements to ensure 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.).

Data Quality Program	Current Compliance Level	Include O & M Costs?
SSDQ Performance	Good	No

Available data sources:

- [FMCSA SSDQ website](#)
- [FMCSA DataQs website](#)

Enter the agency name responsible for Data Quality: Nebraska State Patrol

Enter the agency or agencies name responsible for DataQs: Nebraska State Patrol

Enter the agency name responsible for the Crash Data Repository: Nebraska Department of Transportation

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 2023 - 2025.

SSDQ Measure	Current SSDQ Rating	Goal for FY 2023	Goal for FY 2024	Goal for FY 2025
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Fair	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

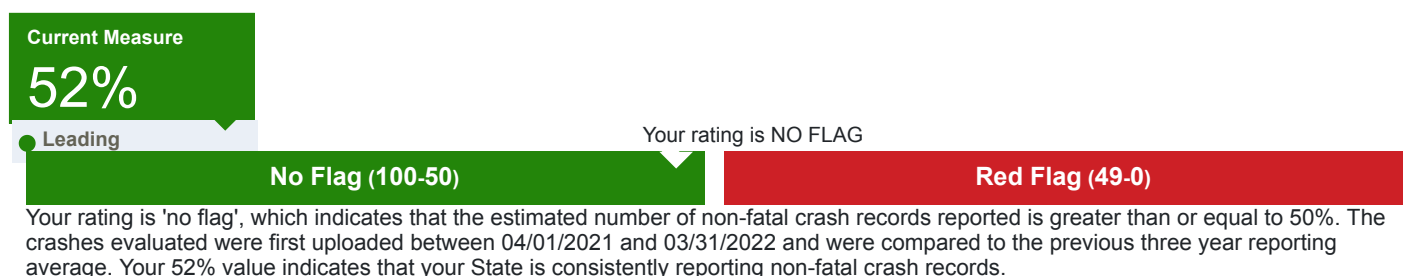
Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

A&I Online, July 30, 2022.

### Narrative Overview for FY 2023 - 2025

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

Per the SSDQ Report:



Crash Timeliness is currently rated at "Fair" due to a known, and ongoing issue with crash records being delayed out of the state's largest metro area due to the use of paper reports than must be converted to electronic files. Late records have adversely affected this rating, and efforts to correct the situation are ongoing. The metro agencies are transitioning to electronic reporting in the fall of 2022, and while we do expect a continued impact as all of the old forms make their way through the import process, the use of the new software should eliminate this low score by mid-2023 if all current implementation goals are met.

***Program Activities FY 2023 - 2025: Describe activities that will be taken to achieve or maintain a "Good/Green" rating in all measures including the overall SSDQ rating. Also, describe how your State provides resources to conduct DataQs operations within your State, and describe how elevated/appeals requests are handled.***

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 to monitor data quality and DataQs performance 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.

The State manages DataQs on a daily basis, and keeps DataQs within the 10 day limit for response. 3 sworn staff are trained and available as needed to make sure responses are timely and accurate. If the initial DataQ request is denied, the carrier can ask that it be reviewed. The secondary request is reviewed by the MCSAP Lieutenant, who provides a response. If the company wishes to appeal the secondary decision, a review board is formed, and includes at a minimum the division commander, the MCSAP lieutenant, and 3 industry partners chosen by the state Trucking Association who are responsible to render a final verdict.

A software upgrade issue is having an impact on crash timeliness at the time of this update, and has been impacting scores for the past 2 years. The Nebraska Department of Transportation assures the Nebraska State Patrol that the issue is almost completely corrected, and should result in stable scores in 2023. In addition to Quarterly PPRs which reflect the most current status of this area, timely communication with the Division Office, as well as with stakeholders assure regular awareness of ongoing issues..

## Part 2 Section 9 - New Entrant Safety Audits

States must conduct interstate New Entrant safety audits in order to participate in the MCSAP ([49 CFR 350.207](#).) 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. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

For the purpose of this section:

- **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.).

*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 2017 - 2021

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

New Entrant Safety Audits	2017	2018	2019	2020	2021
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 2023 - 2025

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

Please complete the information below by entering data from the NEWS Dashboard regarding Safety Audits in your State. Data Source: <a href="#">New Entrant website</a>	
Date information retrieved from NEWS Dashboard to complete eCVSP	07/16/2021
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	1142
Current Number of Past Dues	220

**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:** Meet the statutory time limit for processing and completing interstate safety audits of 120 days for Motor Carriers of Passengers and 12 months for all other Motor Carriers.

**Projected Goals for FY 2023 - 2025**

Summarize projected New Entrant safety audit activities in the table below.

Projected Goals for FY 2023 - 2025 - New Entrant Safety Audits						
	FY 2023		FY 2024		FY 2025	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	40	0	40	0	40	0
# of Safety Audits (Offsite)	700	0	700	0	700	0
# Group Audits	0	0	0	0	0	0
<b>TOTAL Safety Audits</b>	<b>740</b>	<b>0</b>	<b>740</b>	<b>0</b>	<b>740</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. In Nebraska, all Investigators are sworn officers, as mandated by state statute.

Recent history has seen a flood of new entrant carriers in the system, and Nebraska shares a common problem of overdue carriers. A 4th investigator was added in FY22, and the next phase in addressing the overdue carriers is to reassign duties to our Compliance Review Investigators to assist in completing additional audits until the overdue pool is eliminated. Nebraska will work aggressively in partnership with our local division office to address this ongoing concern and assure we are putting all available resources to work in this area.

Nebraska will be changing goals of Investigators in the unit, which includes Compliance Review Investigations and Safety Audits. Due to lower inventory in Compliance Reviews, these investigators will be given a goal of New Entrant Audits to complete each month until the New Entrant pool is at a manageable level based on overdue carriers, new carriers entering the pool, and trends in both of those metrics. It is the goal of the Division to have the overdue carriers reduced to 0 by the end of the 2023 fiscal year by employing this tactic.

**Activity Plan for FY 2023 - 2025:** 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 4 full-time investigators and 3 CR Investigators on a part time basis to conduct approximately 720 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.

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 MCSAP Staff Assistant 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 MCSAP Staff Assistant 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 MCSAP Staff Assistant 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 MCSAP Staff Assistant 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 MCSAP Staff Assistant 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.

Progress toward the annual goal will be provided in the quarterly PPR, or as requested to maintain awareness of the overdue pool.

**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 MCSAP CVSP Planning Memorandum and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2023 - 2025).*

**Part 3 Section 1 - Enforcement of Federal OOS Orders during Roadside Activities****Instructions:**

*FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an Imminent Hazard (IH) or UNSAT/UNFIT 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.

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

**Narrative Overview for FY 2023 - 2025**

***Problem Statement Narrative: Describe the problem as identified by performance data and include the baseline data.***

Nebraska has not historically seen significant crashes with passenger vehicle carriers. Knowing that any crash involving passenger transportation, the state will prioritize limited resources to help assure this metric is maintained.

***Projected Goals for FY 2023 - 2025: Enter the performance goal for the three year CVSP period for the State's passenger carrier enforcement initiative. Annual passenger carrier enforcement benchmarks for FY 2023, 2024 and 2025 must also be included.***

The state will endeavor to conduct 55 passenger vehicle inspections and 3 compliance reviews of passenger carrier companies.

***Program Activities for FY 2023 - 2025: Provide additional information regarding how these activities will be implemented.***

The state will work with passenger vehicle carriers to arrange for terminal inspection of at least 55 passenger vehicles each fiscal year. Additionally, 3 passenger carriers will be prioritized for compliance reviews in each fiscal year.

***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.***

Monitoring of inspections and compliance reviews will be conducted by the MCSAP Lieutenant and reported quarterly in the state's PPR.

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

#### Instructions:

*Describe any State-specific CMV problems that were addressed with FY 2022 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 2022 CVSP.*

#### **Progress Report on State Specific Objectives(s) from the FY 2022 CVSP**

*Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2022 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 HOS/ELD.

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

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

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

Awareness and enforcement training for division personnel was provided in annual update training conducted at the Nebraska State Fairgrounds in July of 2022. The training was recorded and can be provided on demand for future training needs. All sworn staff received updated training on HOS and violation coding at the State Patrol annual in-service during the spring of 2022.

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

Data Q analysis indicates that the technical environment of ELD and HOS regulations/exemptions continue to be a challenge, especially for those who conduct infrequent inspections. Subject matter experts within the division have developed a resource document that we believe will be useful, and which was provided to all road officers with the agency.

#### Activity #2

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

Trooper in a Truck program. Statistics tell us that a majority of the time, poor driving behaviors of passenger vehicle drivers are the root cause of most crashes involving CMVs. 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 FY2022 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).**

The state was able to complete most planned Trooper in a Truck events, with the exception of some events that could not be conducted due to Covid protocols.

##### **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

#### Instructions:

*The State may include additional objectives from the national priorities or emphasis areas identified in the MCSAP CVSP Planning Memorandum 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 2023 - 2025. 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.**

Construction Zone Enforcement with Aircraft support

##### **Narrative Overview for FY 2023 - 2025**

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

Construction zones are among the most difficult enforcement scenarios. CMVs contribute to more serious crashes in construction zones due limited space, speed differentials and congestion. Observing crash-causing driving behaviors is nearly impossible for ground-based units so Nebraska will utilize airborne resources to observe violations and provide that information to ground based officers who are situated in a safe space to make traffic stops on both CMVs and non-CMV's.

##### **Projected Goals for FY 2023 - 2025:**

##### **Enter performance goal.**

Nebraska plans to conduct 12 selectives per year, in cooperation with the Airwing Division to target moving violations in Construction zones. It is expected that each selective will require 6-8 hours of Airwing resources, which will be requested as a budget item to support this initiative.

##### **Program Activities for FY 2023 - 2025: Describe the activities that will be implemented including level of effort.**

Nebraska plans to conduct 12 selectives in 2023, 2024 and 2025 respectively toward fulfillment of this goal.

##### **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" will be reported quarterly and measured against the annual goal. All activity is coded to a selective from that can be queried for enforcement activity as well as data extraction from Safetynet on inspections conducted during the selective. Effectiveness of each selective will be evaluated by command staff and adjustments made to help assure activity levels are met or exceeded.

#### State Objective #2

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

Local Agency Participation

##### **Narrative Overview for FY 2023 - 2025**

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

CMVs operate in local jurisdictions, which may not be regularly patrolled by the Nebraska State Patrol. Local agency partners can actively patrol their own jurisdictions, with emphasis being placed on moving violations involving CMV and non-CMV drivers. Local jurisdictions are not authorized by state statute to conduct inspections, but can take enforcement as needed on all motor vehicles in their jurisdiction.

***Projected Goals for FY 2023 - 2025:***

***Enter performance goal.***

The state will seek to partner with at least 1 local agency per year through a sub-recipient agreement for CMV and non-CMV enforcement around CMVs.

***Program Activities for FY 2023 - 2025: Describe the activities that will be implemented including level of effort.***

Local agencies will be offered overtime funding to conduct up to 50 hours of selective enforcement. Activity (number of citations and warnings) level will be tracked and included in the state's traffic enforcement efforts.

***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 Nebraska State Patrol will require sub-recipients to report hours used and activity level on a monthly basis, with quarterly reporting in the state's PPR. The Nebraska Division Office will provide support in reporting and management of subrecipients as needed to ensure compliance with grant requirements.

## 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 2023 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. The budget category tables use 95 percent in the federal share calculation.
- **State Share** means the portion of the total project costs paid by State funds. The budget category tables use 5 percent in the state share calculation. A State is only required to contribute 5 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 5 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 a 95 percent Federal share and 5 percent State share automatically and populates these



values in each line. Federal share is the product of Total Project Costs x 95 percent. State share equals Total Project Costs minus Federal share. It is important to note, if Total Project Costs are updated based upon user edits to the input values, the share 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 ensure 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 15% of the MCSAP Award Amount.
- Planned MOE Costs equal or exceed the MOE Baseline amount.
- States' planned Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' planned Total Project Costs are within \$5 of the Federal share.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$5,308,217.00	\$279,380.00	\$5,587,597.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$838,140.00
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.**

*Salary and Overtime project costs must be separated when reporting to FMCSA, regardless of the Lead MCSAP Agency or Subrecipient pay structure.*

*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 15 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 15 percent limitation as provided in the MCP. Any deviation from the 15 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 (15% of MCSAP Award Amount):	\$838,140.00
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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	\$128,000.00	\$32,000.00	\$30,400.00	\$1,600.00	\$0.00
Administrative Assistant II	1	50.0000	\$48,000.00	\$24,000.00	\$22,800.00	\$1,200.00	\$0.00
Staff Assistant	1	50.0000	\$35,000.00	\$17,500.00	\$16,625.00	\$875.00	\$0.00
MCSAP Research Analyst	1	100.0000	\$55,000.00	\$55,000.00	\$52,250.00	\$2,750.00	\$0.00
Communication Specialist	3	100.0000	\$41,500.00	\$124,500.00	\$118,275.00	\$6,225.00	\$0.00
MCSAP Attorney III	1	50.0000	\$98,500.00	\$49,250.00	\$46,787.50	\$2,462.50	\$0.00
Safety Audit Investigator	4	100.0000	\$83,000.00	\$332,000.00	\$315,400.00	\$16,600.00	\$0.00
Division Commander	1	50.0000	\$115,000.00	\$57,500.00	\$54,625.00	\$2,875.00	\$0.00
District Lieutenants	3	25.0000	\$106,000.00	\$79,500.00	\$75,525.00	\$3,975.00	\$0.00
Area Sergeants	11	25.0000	\$85,000.00	\$233,750.00	\$222,062.50	\$11,687.50	\$0.00
MCSAP HM Coordinator	1	50.0000	\$94,000.00	\$47,000.00	\$44,650.00	\$2,350.00	\$0.00
NE/CR Sgt	1	100.0000	\$91,000.00	\$91,000.00	\$86,450.00	\$4,550.00	\$0.00
Traffic Division Trooper	200	100.0000	\$560.00	\$112,000.00	\$106,400.00	\$5,600.00	\$0.00
MCSAP Staff Sgt	1	100.0000	\$90,000.00	\$90,000.00	\$85,500.00	\$4,500.00	\$0.00
Officer FTE	39	15.0000	\$73,000.00	\$427,050.00	\$405,697.50	\$21,352.50	\$0.00
CR Investigators	3	100.0000	\$88,000.00	\$264,000.00	\$250,800.00	\$13,200.00	\$0.00
CVE Troopers	7	90.0000	\$63,000.00	\$396,900.00	\$377,055.00	\$19,845.00	\$0.00
IT Application Developer	1	100.0000	\$60,000.00	\$60,000.00	\$57,000.00	\$3,000.00	\$0.00
IT Business Systems Analyst/Coordinator	1	100.0000	\$64,000.00	\$64,000.00	\$60,800.00	\$3,200.00	\$0.00
MCSAP Staff Assistant	1	100.0000	\$40,000.00	\$40,000.00	\$38,000.00	\$2,000.00	\$0.00
Accountant I	2	25.0000	\$44,000.00	\$22,000.00	\$20,900.00	\$1,100.00	\$0.00
Office Supervisor	1	25.0000	\$37,000.00	\$9,250.00	\$8,787.50	\$462.50	\$0.00
Electronics Technician	1	100.0000	\$42,000.00	\$42,000.00	\$39,900.00	\$2,100.00	\$0.00
MCSAP Lieutenant	1	100.0000	\$106,000.00	\$106,000.00	\$100,700.00	\$5,300.00	\$0.00
Pilot	2	100.0000	\$3,500.00	\$7,000.00	\$6,650.00	\$350.00	\$0.00
<b>Subtotal: Salary</b>				<b>\$2,783,200.00</b>	<b>\$2,644,040.00</b>	<b>\$139,160.00</b>	<b>\$0.00</b>
Overtime Project Costs							
Incidental Overtime	80	100.0000	\$456.66	\$36,532.80	\$34,706.16	\$1,826.64	\$0.00
Planned Overtime	40	100.0000	\$12,177.60	\$487,104.00	\$462,748.80	\$24,355.20	\$0.00
HM Overtime	40	100.0000	\$3,044.40	\$121,776.00	\$115,687.20	\$6,088.80	\$0.00
<b>Subtotal: Overtime</b>				<b>\$645,412.80</b>	<b>\$613,142.16</b>	<b>\$32,270.64</b>	<b>\$0.00</b>
<b>TOTAL: Personnel</b>				<b>\$3,428,612.80</b>	<b>\$3,257,182.16</b>	<b>\$171,430.64</b>	<b>\$0.00</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) MCSAP Lieutenant is 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, MCSAP Staff Assistant, Administrative Assistant II, Accountant, Office Supervisor, and Staff Assistant are dedicated to MCSAP support activities at levels identified by the percentages listed. 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. MCSAP Attorney is 50% assigned to MCSAP activities, these activities include CR hearings, legislative issues, FMCSR interpretations review of casework, legal interpretations, communication with prosecutors on behalf of the division, personnel matters, 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. All activity will be coded on timesheets for actual reimbursement.

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 four (4) 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.

line item budget. This group of staff is supervised by a Sergeant who is dedicated 100 percent to oversight and compliance within this division. All activity will be coded on timesheets for actual reimbursement.

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. All activity will be coded on timesheets for actual reimbursement.

In the last full fiscal year (2021) members of the division who are not fully funded positions conducted in excess of 12,000 hours of eligible activity, and based on the annual manhours worked, the state's estimate at this time is a PARS rate of approximately 15%. All activity will be coded on timesheets for actual reimbursement, and PARS will be adjusted based on these ongoing reviews.

The seven (7) Carrier Enforcement Troopers designated as MCSAP Commercial Vehicle Enforcement (CVE) team, are dedicated to work full time on MCSAP eligible enforcement activities. Other non-eligible activity is necessary, which is estimated at 10% of their worktime. All activity will be coded on timesheets for actual reimbursement.

39 FTEs are the full time equivalent enforcement positions in the Carrier Enforcement Division that are not specifically identified elsewhere in the personnel budget, and are not supervisory.

200 FTEs are the number of officers in the traffic division that are required to conduct at least 32 Level 3 inspections annually as part of their job requirements. The salary computation in the budget table is a placeholder value based on known total expenses associated with this activity in previous years. Actual costs will be conveyed in reimbursement requests and will be supported by PARs.

The Central Division Major provides executive oversight to the entire division, including MCSAP compliance and safety programs. The percentage estimates the amount of time spent in this role. All activity will be coded on timesheets for actual reimbursement.

The Division Commander provides general administrative oversight to the entire division. The commander provides direction and makes final decisions on all matters related to MCSAP compliance for the division. The percentage estimates the amount of time spent in this role. All activity will be coded on timesheets for actual reimbursement.

The District Lieutenants provide administrative oversight to all CE personnel in a geographic section of the state, including all facets of MCSAP enforcement conducted by their staff. The percentage estimates amount of time spent in this role. All activity will be coded on timesheets for actual reimbursement.

Area sergeants provide first line supervision to troopers, and routinely answer questions and provide support to troopers conducting MCSAP enforcement by checking for timesheet compliance and complete reports as well as answering questions about regulatory issues. The percentage represents the estimated amount of time spent in this role.

The HM Coordinator dedicates 50 percent of time to oversight and compliance, as well as education, of all HM certified officers in the state who are conducting MCSAP funded HM inspections. All activity will be coded on timesheets for actual reimbursement.

The State Patrol utilizes staff at 2 centralized communication centers to provide assistance to roadside officers conducting enforcement. Commercial vehicle stops require additional resources to conduct checks on registration, CDL, DACH and OOS concerns. The 3 FTE positions funded by MCSAP approximate the pro-rated workload of this group of employees toward support of MCSAP enforcement. Verification is accomplished through a review of time spent on calls for service for MCSAP related communications.

Pilot time is based on 100 hours of flight time for 2 pilots at \$35/hour

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. Additional overtime will be dedicated to non-CMV enforcement efforts as available resources are available. 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 – 40 Officers x \$76.11 wage x 160 hours annually = \$487,104 (Grant 0256)

Hazardous Materials Inspections – 40 officers x \$76.11 wage x 40 hours annually = \$121,776.00 (Grant 1397)

Incidental Overtime - 80 officers x \$76.11 x 6 hours annually = \$36,352.80 (Grant 9308)

Total Overtime expenditure is \$767,188.80.

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 drivers, vehicles and motor 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 for eligible activity, as provided by the Fair Labor Standards Act for hours worked over 40 hours in a workweek and are not part of a planned overtime project and are necessary to fulfill responsibilities that are in addition to regular eligible work. The estimated hours reflect 1/2 hour per month for employees who conduct eligible activity.

The division utilizes civilian staff to conduct fundable activity to support the grant. The following staff contribute 100% of their time to the grant:

MCSAP Research Analyst - Verifies, validates and corrects crash data transfers and inspection data. Produces research products for use by field staff and managers based on data available from downloaded reports. Does predictive analysis based on trend research to guide selective enforcement campaigns, and works directly with the MCSAP Sergeant to produce reports and information for training and education.

MCSAP Staff Assistant is dedicated to producing outputs for the investigative team based on needs generated from Safety Audits and Compliance Reviews. Position produces quarterly reports of the division's activity toward ECVSP goals. Assists with generation of reports, helps manage incoming phone calls, conducts a review of safety activity and assists with travel and training management.

Administration Assistant II is dedicated to report generation, validation of timesheet entries, internal reporting for the division to management staff, travel and training management, answers incoming phone calls, coordinates management and reporting of safety activities to external stakeholders, and assists in special duties as assigned by the division commander in furtherance of specific divisional needs as they are identified.

Staff Assistant is responsible for daily management of inspection upload/download, verification of inspection data, certification management and DataQ inputs. Also manages return of validated inspection reports from carriers, provides clerical support for communications and helps manage incoming phone calls.

### 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. If using an approved rate by the applicant's Federal cognizant agency for indirect costs, a copy of the indirect cost rate agreement must be provided in the "My Documents" section in eCVSP and 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 rate, rate approved by HHS Statewide Cost Allocation or cognizant agency, or an aggregated rate). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.*

**Actual Fringe Rate:** *a fringe rate approved by your cognizant agency or a fixed rate applied uniformly to each position.*

**Aggregated Rate:** *a fringe rate based on actual costs and not a fixed rate (e.g. fringe costs may vary by employee position/classification).*

*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 more information on this item see the [Fringe Benefits Job Aid below](#).*

#### Fringe costs method: Actual Fringe Rate

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

**Fringe Benefit Rate:** *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.*

**Base Amount:** *The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.*

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	40.0000	25.0000	\$128,000.00	\$12,800.00	\$12,160.00	\$640.00	\$0.00
Administrative Asst II	40.0000	50.0000	\$48,000.00	\$9,600.00	\$9,120.00	\$480.00	\$0.00
Staff Assistant	40.0000	50.0000	\$35,000.00	\$7,000.00	\$6,650.00	\$350.00	\$0.00
MCSAP Research Analyst	40.0000	100.0000	\$55,000.00	\$22,000.00	\$20,900.00	\$1,100.00	\$0.00
Communication Specialist	40.0000	100.0000	\$124,500.00	\$49,800.00	\$47,310.00	\$2,490.00	\$0.00
MCSAP Attorney III	40.0000	50.0000	\$98,500.00	\$19,700.00	\$18,715.00	\$985.00	\$0.00
Safety Audit Investigator	40.0000	100.0000	\$332,000.00	\$132,800.00	\$126,160.00	\$6,640.00	\$0.00
Division Commander	40.0000	50.0000	\$115,000.00	\$23,000.00	\$21,850.00	\$1,150.00	\$0.00
District Lieutenants	40.0000	25.0000	\$79,500.00	\$7,950.00	\$7,552.50	\$397.50	\$0.00
Area Sergeants	40.0000	25.0000	\$935,000.00	\$93,500.00	\$88,825.00	\$4,675.00	\$0.00
MCSAP HM Coordinator	40.0000	50.0000	\$94,000.00	\$18,800.00	\$17,860.00	\$940.00	\$0.00
NE/CR Sergeant	40.0000	100.0000	\$91,000.00	\$36,400.00	\$34,580.00	\$1,820.00	\$0.00
Traffic Division Trooper	40.0000	100.0000	\$112,000.00	\$44,800.00	\$42,560.00	\$2,240.00	\$0.00
MCSAP Staff Sgt	40.0000	100.0000	\$90,000.00	\$36,000.00	\$34,200.00	\$1,800.00	\$0.00
Officer FTE	40.0000	15.0000	\$2,847,000.00	\$170,820.00	\$162,279.00	\$8,541.00	\$0.00
CR Investigators	40.0000	100.0000	\$264,000.00	\$105,600.00	\$100,320.00	\$5,280.00	\$0.00
CVE Troopers	40.0000	90.0000	\$441,000.00	\$158,760.00	\$150,822.00	\$7,938.00	\$0.00
IT Application Developer	40.0000	100.0000	\$60,000.00	\$24,000.00	\$22,800.00	\$1,200.00	\$0.00
IT Business Systems Analyst	40.0000	100.0000	\$64,000.00	\$25,600.00	\$24,320.00	\$1,280.00	\$0.00
MCSAP Staff Assistant	40.0000	100.0000	\$40,000.00	\$16,000.00	\$15,200.00	\$800.00	\$0.00
Accountant I	40.0000	50.0000	\$88,000.00	\$17,600.00	\$16,720.00	\$880.00	\$0.00
Office Supervisor	40.0000	25.0000	\$37,000.00	\$3,700.00	\$3,515.00	\$185.00	\$0.00
Electronics Technician	40.0000	100.0000	\$42,000.00	\$16,800.00	\$15,960.00	\$840.00	\$0.00
MCSAP Lieutenant	40.0000	100.0000	\$106,000.00	\$42,400.00	\$40,280.00	\$2,120.00	\$0.00
Overtime Fringe	37.0000	100.0000	\$645,412.80	\$238,802.73	\$226,862.59	\$11,940.14	\$0.00
<b>TOTAL: Fringe Benefits</b>				<b>\$1,334,232.73</b>	<b>\$1,267,521.09</b>	<b>\$66,711.64</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, statutory expense allowance, 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 40% 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 40% 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 37% 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.

**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
IPTM Conference	2	5	100.0000	\$4,400.00	\$4,180.00	\$220.00	\$0.00
NAS Part A Training	2	5	100.0000	\$700.00	\$665.00	\$35.00	\$0.00
NAS Part B Training	5	5	100.0000	\$8,500.00	\$8,075.00	\$425.00	\$0.00
CVSA Fall Conference	7	5	100.0000	\$20,300.00	\$19,285.00	\$1,015.00	\$0.00
Passenger Carrier Safety Training	4	5	100.0000	\$5,200.00	\$4,940.00	\$260.00	\$0.00
MCSAP Preplanning Conference	5	5	100.0000	\$10,000.00	\$9,500.00	\$500.00	\$0.00
MCSAP Inservice	5	2	100.0000	\$700.00	\$665.00	\$35.00	\$0.00
NAIC	1	6	100.0000	\$2,300.00	\$2,185.00	\$115.00	\$0.00
CVSA COHMED Conference	4	6	100.0000	\$12,000.00	\$11,400.00	\$600.00	\$0.00
CVSA Spring Conference	6	6	100.0000	\$17,400.00	\$16,530.00	\$870.00	\$0.00
Routine Travel	30	5	100.0000	\$26,000.00	\$24,700.00	\$1,300.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP	10	5	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
EDR Summit	6	2	100.0000	\$6,340.00	\$6,023.00	\$317.00	\$0.00
CVSA Board Meetings	1	8	100.0000	\$3,000.00	\$2,850.00	\$150.00	\$0.00
Nebraska Inspector's Championship	12	3	100.0000	\$8,160.00	\$7,752.00	\$408.00	\$0.00
HM In Service	10	2	100.0000	\$3,200.00	\$3,040.00	\$160.00	\$0.00
UGPTI SafetySummit	5	3	100.0000	\$3,000.00	\$2,850.00	\$150.00	\$0.00
Investigator Training	3	5	100.0000	\$6,000.00	\$5,700.00	\$300.00	\$0.00
<b>TOTAL: Travel</b>				<b>\$145,200.00</b>	<b>\$137,940.00</b>	<b>\$7,260.00</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 may claim 100% of GSA per diem for their travel location.

Maximum per diem to be claimed per GSA guidelines are to be verified prior to submission of reimbursement requests, with information available at [www.gsa.gov](http://www.gsa.gov).

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, program supervision, and other



industry meetings within the state. These expenses are inclusive of per Diem and lodging. The total is based on approximately 150 overnight travel days at \$160 per day which includes hotels at \$96/night, meals at \$59 per day and \$5 for incidental expenses.

#### 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. The expenses are estimated based on airfare of \$500, hotels at \$1000, per diem meals at \$350 and incidentals (transportation, luggage, etc) at \$150 per person.

#### 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. Currently, the agency has leadership or voting roles several committees and regional responsibilities. The attendees are either in current leadership roles with CVSA, or are part of our MCSAP leadership or training cadre for the state. Exposure at CVSA assures that Nebraska is both well represented and at the forefront of commercial vehicle enforcement practices. That information is shared across the state based on responsibilities with the Nebraska State Patrol. The expenses are estimated based on conference fees of \$700, airfare of \$500, hotels at \$1200, per diem at \$350, and incidentals at \$150 per person.

#### CVSA Fall Conference:

Costs represent necessary travel for NSP Personnel to attend the Commercial Vehicle Safety Alliance (CVSA) fall conference. Currently, the agency has leadership or voting roles several committees and regional responsibilities. The attendees are either in current leadership roles with CVSA, or are part of our MCSAP leadership or training cadre for the state. Exposure at CVSA assures that Nebraska is both well represented and at the forefront of commercial vehicle enforcement practices. An additional attendee is included at the fall conference to expose a new leader in our agency to CVSA and the important work that it does, and allows for attrition within the group of regular attendees. The expenses are estimated based on conference fees of \$700, airfare of \$500, hotels at \$1200, per diem at \$350, and incidentals at \$150 per person.

#### 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 3 officers will attend this conference. The expenses estimated at \$700 conference fee, \$500 airfare, \$1250 hotel, \$400 per diem, and \$150 for incidental expenses per person.

#### 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 estimated at \$500 airfare, \$1250 hotel, \$400 per diem and \$150 incidentals.

#### 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 conducted in-state. The number of staff to attend the training is based on refresher training, retirement, transfers, and resignation from the CE Division. Expenses are estimated at \$500 hotel, and \$300 for per diem and incidentals for those who attend training and can't travel home each night.

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

Costs represent necessary travel for NSP Instructors to travel to provide Part A Training to recruit camp. Meals and lodging are at the Training Academy and are approximately \$70 for food and lodging per day.

#### 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 officers 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 usually 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. If a class is not available in-state, students will attend out of state. Budget is for out of state travel as a worst case scenario. Costs are based on airfare of \$500, hotels for a week at \$700, per diem of \$350 and incidentals of \$150 for a total of \$1700 per student if out of state travel is required.

#### MCSAP/ HM in-service:

MCSAP and HM 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 5) will require meals and lodging due to travel distance. Daily rates are approximately \$70 per day for food (\$35) and lodging (\$35) at the NSPTA for MCSAP Inservice. Officers arrive the night before training and may elect to stay a



second night to reduce overtime expenses after training, so the budget allows for up to 2 nights per officer.  $(5*2)*(\$70)=\$700$ . HM in-service is usually held in Lincoln, and costs are for approximately 10 officers, based on hotel at \$100 and per diem and incidentals of \$60 a day.  $(10*\$160/\text{day})*2 \text{ days}=\$3200$

#### Passenger Vehicle Inspector Training:

Costs represent travel and training costs associated with 4 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 4 officers to receive initial training and certification for Passenger Vehicle Inspections. Cost is estimated at \$500 airfare, \$500 hotel, \$250 per diem, and \$50 incidental expenses  $(4*(500+500+250+50))$ .

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.

The IPTM conference is for 2 users of the Heavy Vehicle ECM software for training and updates to principles and best practices for advanced CMV crash investigation. Costs are based on \$1200 registration, \$500 airfare, \$350 per diem and \$150 for incidental costs for transportation, luggage, etc.

The EDR Summit is for users of the CDR software for updates and best practices during CMV crash investigation. These individuals will serve as trainers for other staff in NE as "train the trainers." Costs are for 6 attendees, and is based on a fixed training fee of \$5500 for up to 6 attendees, and lodging and meals at the NSPTA calculated at \$70 per day per student.

Costs for Nebraska Inspector's Championship is for lodging and hotel costs for staff to participate in the state's inspector championship to identify the state champion who competes at the national. Staff level is for competitors and judges. The total personnel is based on estimates, and may vary depending on the number of competitors. Costs are estimated at \$500 for hotel, and per diem of \$180.

A budget line item is included for 1 staff member to serve at a board of director's level position with CVSA. This responsibility includes 2 additional travel periods per year that are not included in regular CVSA conference travel. Cost is estimated at \$3000 for these 2 trips. Breakdown of this cost includes 8 nights of hotel @ \$200, 2 round trip airfares at \$500, and estimated per diem of \$200 per trip for a total of \$3000.

Investigator Training: This training is identified for training of investigators to receive training in either New Entrant Safety Audits or Compliance Reviews. The state is budgeting for 3 investigators to receive necessary training, which could include training for new investigators or retraining of an existing investigator into a new discipline. Cost is based on 500 airfare, \$1000 hotel, \$350 per diem and \$150 incidental expense per person, for a total of \$6000.  $(3*(500+1000+350+150))=\$6000$

**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
Marked Patrol unit	10	\$45,000.00	15	\$67,500.00	\$64,125.00	\$3,375.00	\$0.00
Vault System	2	\$2,000.00	100	\$4,000.00	\$3,800.00	\$200.00	\$0.00
LIDAR	8	\$2,700.00	100	\$21,600.00	\$20,520.00	\$1,080.00	\$0.00
Drone systems and training	2	\$6,350.00	100	\$12,700.00	\$12,065.00	\$635.00	\$0.00
Synercon Technologies HVDR kits	2	\$27,500.00	100	\$55,000.00	\$52,250.00	\$2,750.00	\$0.00
Unmarked Patrol Vehicle - Investigator	2	\$30,000.00	100	\$60,000.00	\$57,000.00	\$3,000.00	\$0.00
GETAC video system	2	\$5,000.00	100	\$10,000.00	\$9,500.00	\$500.00	\$0.00
RADAR units	2	\$3,000.00	100	\$6,000.00	\$5,700.00	\$300.00	\$0.00
Unmarked Patrol Unit	1	\$30,000.00	0	\$0.00	\$0.00	\$0.00	\$30,000.00
<b>TOTAL: Equipment</b>				<b>\$236,800.00</b>	<b>\$224,960.00</b>	<b>\$11,840.00</b>	<b>\$30,000.00</b>
<b>Equipment threshold is \$1,500</b>							

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

Two unmarked general purpose vehicles are for replacement units expected to come to the end of useful life, based on mileage, age and maintenance concerns in the coming fiscal year. Unmarked units are issued to investigators and are also used for covert patrolling operations. A third unmarked unit will be purchased with 100% state funds for covert operations. This is the line designated as MOE.

10 marked units are for replacement of units expected to come to the end of their useful life, based on mileage, age, and maintenance or repair concerns in the coming fiscal year. These units are issued to division employees who conduct eligible activity and the budget is based on PARS rate.

Vault system is for a secured storage system for unmarked patrol vehicles that lack weapon retainment systems and secure storage for other issued equipment. These will be issued to new unmarked units issued this year.

LIDAR units are dedicated to use during speed selective enforcement on CMVs and non-CMV's in furtherance of traffic enforcement goals set forth in this safety plan. LIDAR continues to be a highly selective and well-received speed detection tool by officers and courts alike. The newest models allow the officer to also do following distance validation, which continues to be one of the primary crash causal factors.

Drones have been deployed to the agency post crash investigators. Costs are for replacement of units that become unservicable or reach their end of useable life and must be replaced.

Synercon HVDR systems are used to image heavy vehicle event data recorders during CMV crash investigations. The cost is inclusive of initial training costs for 6 operators (\$5000) and cost of 2 download kits (\$50,000). The estimated cost to outsource this data collection on CMVs in high visibility crashes could be upwards of \$80,000, and is substantially slower than performing the data collection in-state.

GETAC video systems are for video recorders placed in 2 unmarked patrol units used for covert patrolling in support of stated goals in this ECVSP. Video is used to document violations observed during operations in support of successful prosecution of things like phone use, distracted driving, and other traffic violations.

RADAR units are for 2 unmarked patrol units used for covert patrolling in support of traffic enforcement goals in this ECVSP. RADAR accurately records speeding violations observed from the patrol unit.

**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
CDR Software	2 Each	\$1,250.00	100.0000	\$2,500.00	\$2,375.00	\$125.00	\$0.00
HM Reg Books	40 Each	\$30.00	100.0000	\$1,200.00	\$1,140.00	\$60.00	\$0.00
IT Equipment	1 Each	\$10,000.00	100.0000	\$10,000.00	\$9,500.00	\$500.00	\$0.00
Uniforms and Protective equipment	1 Each	\$16,412.47	100.0000	\$16,412.47	\$15,591.84	\$820.63	\$0.00
MCSAP Inspection Equipment	1 Each	\$9,100.00	100.0000	\$9,100.00	\$8,645.00	\$455.00	\$0.00
Regulation books	1 each	\$6,500.00	100.0000	\$6,500.00	\$6,175.00	\$325.00	\$0.00
<b>TOTAL: Supplies</b>				<b>\$45,712.47</b>	<b>\$43,426.84</b>	<b>\$2,285.63</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, as well as CVSA OOS Criteria books, for all NAS-certified personnel and any associated supplies needed for the FMCSRs. Approximately 100 FMCSR full

sized inspection books, 200 glove-box sized inspection books ,as well as 100 CVSA OOS books are purchased annually.

CDR Software is to be utilized by 2 post crash-trained inspectors to download ECM data in crash events on involved passenger vehicles. Data captured by ECM computers adds credibility and value to information gathered during crashes, and since a large majority of CMV crashes are caused by passenger vehicles, it is critical to thorough crash investigation to include as much information from passenger vehicles as possible.

Haz Mat reg books are for annual update copies of HM FMCSRs. This is a separate book from the standard FMCSR reg books.

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.

The Unique Entity Identifier (UEI) is the new, non-proprietary identifier that replaces the DUNS number. All contractors and subrecipients must be registered in the System for Award Management (SAM.gov). The UEI will be requested in and assigned by SAM.gov. Enter the UEI number of each entity in the space provided in the table.

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	UEI Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
International Road Dynamics	123456	Contract	100.0000	\$36,000.00	\$34,200.00	\$1,800.00	\$0.00
Description of Services: Annual maintenance and reporting from ITD systems at 6 scale facilities							
TBD Local	000000	Subrecipient	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
Description of Services: CMV Enforcement - Local							
<b>TOTAL: Contractual and Subaward</b>				<b>\$41,000.00</b>	<b>\$38,950.00</b>	<b>\$2,050.00</b>	<b>\$0.00</b>

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

Nebraska utilizes IRD's IROC system at 6 scale sites in the state. Maintenance and reporting of data from these systems are \$6000 per year, per site. The IROC system is the centralized operations system that manages the state's preclearance systems, including License Plate readers, DOT readers, Weigh in Motion scales, and Tire Anomaly systems, working in concert with the state's preclearance providers PrePass and Drivewyze. This equipment supports Nebraska's current PP-TLD.

Nebraska has added a placeholder to explore utilizing local agencies to do traffic enforcement on commercial vehicles in their jurisdictions, supporting the state's Traffic Enforcement plans and goals.

## 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
Division Fuel	39 Unit	\$5,000.00	15.0000	\$29,250.00	\$27,787.50	\$1,462.50	\$0.00
Funded Unit Fuel	17 Unit	\$6,000.00	100.0000	\$102,000.00	\$96,900.00	\$5,100.00	\$0.00
Unit Maintenance 100% MCSAP	17 Each	\$1,500.00	100.0000	\$25,500.00	\$24,225.00	\$1,275.00	\$0.00
Unit Maintenance Division	39 Each	\$1,500.00	15.0000	\$8,775.00	\$8,336.25	\$438.75	\$0.00
CVSA Decals	800 sheet	\$4.00	100.0000	\$3,200.00	\$3,040.00	\$160.00	\$0.00
Cell Phone Lines	23 annual	\$472.00	100.0000	\$10,856.00	\$10,313.20	\$542.80	\$0.00
MCSAP Telephone Charges (landline)	15 annual	\$634.00	100.0000	\$9,510.00	\$9,034.50	\$475.50	\$0.00
Towing expense Drug Interdiction	1 varies	\$2,000.00	100.0000	\$2,000.00	\$1,900.00	\$100.00	\$0.00
CVSA Annual Membership	1 membership	\$12,900.00	100.0000	\$12,900.00	\$12,255.00	\$645.00	\$0.00
HELP Inc Dues	1 annual	\$7,500.00	100.0000	\$7,500.00	\$7,125.00	\$375.00	\$0.00
Office Space and utilities	1 Each	\$115,000.00	100.0000	\$115,000.00	\$109,250.00	\$5,750.00	\$0.00
GETAC Annual fees	18 each	\$480.00	100.0000	\$8,640.00	\$8,208.00	\$432.00	\$0.00
GETAC Annual Fees Division	39 each	\$480.00	15.0000	\$2,808.00	\$2,667.60	\$140.40	\$0.00
Aircraft time	100 Hour	\$179.00	100.0000	\$17,900.00	\$17,005.00	\$895.00	\$0.00
Room Rent - MCSAP Inservice	1 Each	\$200.00	100.0000	\$200.00	\$190.00	\$10.00	\$0.00
<b>TOTAL: Other Costs</b>				<b>\$356,039.00</b>	<b>\$338,237.05</b>	<b>\$17,801.95</b>	<b>\$0.00</b>

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

MCSAP Fuel Funded-Cost represent necessary fuel costs associated with Investigator, CVE, MCSAP Sgt, MCSAP Lt, and Investigative Sgt units. Fuel costs have varied dramatically due to supply and demand issues brought on by COVID-19. Budget is based on costs of \$3.90 per gallon and approximately 25k miles per year per unit. Numbers have been rounded for simplicity.

Division fuel is based on PARS rate for 39 officers who conduct eligible activity in the division. Mileage is lower due to many of these units being based at scales with fewer miles per year. Fuel is estimated at \$3.90 per gallon and units are estimated at ~19k miles per year.

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

Division Maintenance is based per unit costs, and are based on PARS rate for 39 officers who conduct eligible activity in the division.

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.

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 prorated costs associated with space and services provided at the Nebraska State Patrol State Headquarters building by MCSAP funded positions within the building.

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.

O&M costs are for maintenance and ongoing operation of preclearance International Road Dynamics systems at Waverly, North Platte and Nebraska City. Cost is inclusive of all sites.

GETAC annual fees are for storage fees related to our GETAC body worn camera systems. Budget is for 18 units which include MCSAP Sgt, Investigative Sgt. 7 Investigators, 7 CVE units and 2 unmarked vehicles used exclusively for covert patrolling operations in support of ECVSP goals.

GETAC annual fees - division are for 39 officers in the division who conduct eligible activities and the budget is based on PARS rates.

Aircraft time is costs associated for the operation of fixed wing aircraft for 100 hours of flight time. These flights are planned for construction zones, in support of the R.O.U.T.E.S. initiative and Traffic Enforcement selective goals.

A budget line item is included for room rental for annual MCSAP Inservice. Room availability at facilities with no cost to the agency are limited, and a line item is included to assure we can rent space as needed for training.

All items listed as budget estimates and are placeholders; actual costs will be billed for reimbursement.

**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).

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$5,308,217.00	\$279,380.00	\$5,587,597.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$838,140.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Central Area Major	\$30,400.00	\$1,600.00	\$32,000.00	\$0.00
Administrative Assistant II	\$22,800.00	\$1,200.00	\$24,000.00	\$0.00
Staff Assistant	\$16,625.00	\$875.00	\$17,500.00	\$0.00
MCSAP Research Analyst	\$52,250.00	\$2,750.00	\$55,000.00	\$0.00
Communication Specialist	\$118,275.00	\$6,225.00	\$124,500.00	\$0.00
MCSAP Attorney III	\$46,787.50	\$2,462.50	\$49,250.00	\$0.00
Safety Audit Investigator	\$315,400.00	\$16,600.00	\$332,000.00	\$0.00
Division Commander	\$54,625.00	\$2,875.00	\$57,500.00	\$0.00
District Lieutenants	\$75,525.00	\$3,975.00	\$79,500.00	\$0.00
Area Sergeants	\$222,062.50	\$11,687.50	\$233,750.00	\$0.00
MCSAP HM Coordinator	\$44,650.00	\$2,350.00	\$47,000.00	\$0.00
NE/CR Sgt	\$86,450.00	\$4,550.00	\$91,000.00	\$0.00
Traffic Division Trooper	\$106,400.00	\$5,600.00	\$112,000.00	\$0.00
MCSAP Staff Sgt	\$85,500.00	\$4,500.00	\$90,000.00	\$0.00
Officer FTE	\$405,697.50	\$21,352.50	\$427,050.00	\$0.00
CR Investigators	\$250,800.00	\$13,200.00	\$264,000.00	\$0.00
CVE Troopers	\$377,055.00	\$19,845.00	\$396,900.00	\$0.00
IT Application Developer	\$57,000.00	\$3,000.00	\$60,000.00	\$0.00
IT Business Systems Analyst/Coordinator	\$60,800.00	\$3,200.00	\$64,000.00	\$0.00
MCSAP Staff Assistant	\$38,000.00	\$2,000.00	\$40,000.00	\$0.00
Accountant I	\$20,900.00	\$1,100.00	\$22,000.00	\$0.00
Office Supervisor	\$8,787.50	\$462.50	\$9,250.00	\$0.00
Electronics Technician	\$39,900.00	\$2,100.00	\$42,000.00	\$0.00
MCSAP Lieutenant	\$100,700.00	\$5,300.00	\$106,000.00	\$0.00
Pilot	\$6,650.00	\$350.00	\$7,000.00	\$0.00
<b>Salary Subtotal</b>	<b>\$2,644,040.00</b>	<b>\$139,160.00</b>	<b>\$2,783,200.00</b>	<b>\$0.00</b>
Incidental Overtime	\$34,706.16	\$1,826.64	\$36,532.80	\$0.00
Planned Overtime	\$462,748.80	\$24,355.20	\$487,104.00	\$0.00
HM Overtime	\$115,687.20	\$6,088.80	\$121,776.00	\$0.00
<b>Overtime subtotal</b>	<b>\$613,142.16</b>	<b>\$32,270.64</b>	<b>\$645,412.80</b>	<b>\$0.00</b>
<b>Personnel total</b>	<b>\$3,257,182.16</b>	<b>\$171,430.64</b>	<b>\$3,428,612.80</b>	<b>\$0.00</b>

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Central Area Major	\$12,160.00	\$640.00	\$12,800.00	\$0.00
Administrative Asst II	\$9,120.00	\$480.00	\$9,600.00	\$0.00
Staff Assistant	\$6,650.00	\$350.00	\$7,000.00	\$0.00
MCSAP Research Analyst	\$20,900.00	\$1,100.00	\$22,000.00	\$0.00
Communication Specialist	\$47,310.00	\$2,490.00	\$49,800.00	\$0.00
MCSAP Attorney III	\$18,715.00	\$985.00	\$19,700.00	\$0.00
Safety Audit Investigator	\$126,160.00	\$6,640.00	\$132,800.00	\$0.00
Division Commander	\$21,850.00	\$1,150.00	\$23,000.00	\$0.00
District Lieutenants	\$7,552.50	\$397.50	\$7,950.00	\$0.00
Area Sergeants	\$88,825.00	\$4,675.00	\$93,500.00	\$0.00
MCSAP HM Coordinator	\$17,860.00	\$940.00	\$18,800.00	\$0.00
NE/CR Sergeant	\$34,580.00	\$1,820.00	\$36,400.00	\$0.00
Traffic Division Trooper	\$42,560.00	\$2,240.00	\$44,800.00	\$0.00
MCSAP Staff Sgt	\$34,200.00	\$1,800.00	\$36,000.00	\$0.00
Officer FTE	\$162,279.00	\$8,541.00	\$170,820.00	\$0.00
CR Investigators	\$100,320.00	\$5,280.00	\$105,600.00	\$0.00
CVE Troopers	\$150,822.00	\$7,938.00	\$158,760.00	\$0.00
IT Application Developer	\$22,800.00	\$1,200.00	\$24,000.00	\$0.00
IT Business Systems Analyst	\$24,320.00	\$1,280.00	\$25,600.00	\$0.00
MCSAP Staff Assistant	\$15,200.00	\$800.00	\$16,000.00	\$0.00
Accountant I	\$16,720.00	\$880.00	\$17,600.00	\$0.00
Office Supervisor	\$3,515.00	\$185.00	\$3,700.00	\$0.00
Electronics Technician	\$15,960.00	\$840.00	\$16,800.00	\$0.00
MCSAP Lieutenant	\$40,280.00	\$2,120.00	\$42,400.00	\$0.00
Overtime Fringe	\$226,862.59	\$11,940.14	\$238,802.73	\$0.00
<b>Fringe Benefits total</b>	<b>\$1,267,521.09</b>	<b>\$66,711.64</b>	<b>\$1,334,232.73</b>	<b>\$0.00</b>

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
IPTM Conference	\$4,180.00	\$220.00	\$4,400.00	\$0.00
NAS Part A Training	\$665.00	\$35.00	\$700.00	\$0.00
NAS Part B Training	\$8,075.00	\$425.00	\$8,500.00	\$0.00
CVSA Fall Conference	\$19,285.00	\$1,015.00	\$20,300.00	\$0.00
Passenger Carrier Safety Training	\$4,940.00	\$260.00	\$5,200.00	\$0.00
MCSAP Preplanning Conference	\$9,500.00	\$500.00	\$10,000.00	\$0.00
MCSAP Inservice	\$665.00	\$35.00	\$700.00	\$0.00
NAIC	\$2,185.00	\$115.00	\$2,300.00	\$0.00
CVSA COHMED Conference	\$11,400.00	\$600.00	\$12,000.00	\$0.00
CVSA Spring Conference	\$16,530.00	\$870.00	\$17,400.00	\$0.00
Routine Travel	\$24,700.00	\$1,300.00	\$26,000.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP)	\$7,600.00	\$400.00	\$8,000.00	\$0.00
EDR Summit	\$6,023.00	\$317.00	\$6,340.00	\$0.00
CVSA Board Meetings	\$2,850.00	\$150.00	\$3,000.00	\$0.00
Nebraska Inspector's Championship	\$7,752.00	\$408.00	\$8,160.00	\$0.00
HM In Service	\$3,040.00	\$160.00	\$3,200.00	\$0.00
UGPTI SafeySummit	\$2,850.00	\$150.00	\$3,000.00	\$0.00
Investigator Training	\$5,700.00	\$300.00	\$6,000.00	\$0.00
<b>Travel total</b>	<b>\$137,940.00</b>	<b>\$7,260.00</b>	<b>\$145,200.00</b>	<b>\$0.00</b>

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Marked Patrol unit	\$64,125.00	\$3,375.00	\$67,500.00	\$0.00
Vault System	\$3,800.00	\$200.00	\$4,000.00	\$0.00
LIDAR	\$20,520.00	\$1,080.00	\$21,600.00	\$0.00
Drone systems and training	\$12,065.00	\$635.00	\$12,700.00	\$0.00
Synercon Technologies HVDR kits	\$52,250.00	\$2,750.00	\$55,000.00	\$0.00
Unmarked Patrol Vehicle - Investigator	\$57,000.00	\$3,000.00	\$60,000.00	\$0.00
GETAC video system	\$9,500.00	\$500.00	\$10,000.00	\$0.00
RADAR units	\$5,700.00	\$300.00	\$6,000.00	\$0.00
Unmarked Patrol Unit	\$0.00	\$0.00	\$0.00	\$30,000.00
<b>Equipment total</b>	<b>\$224,960.00</b>	<b>\$11,840.00</b>	<b>\$236,800.00</b>	<b>\$30,000.00</b>

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
CDR Software	\$2,375.00	\$125.00	\$2,500.00	\$0.00
HM Reg Books	\$1,140.00	\$60.00	\$1,200.00	\$0.00
IT Equipment	\$9,500.00	\$500.00	\$10,000.00	\$0.00
Uniforms and Protective equipment	\$15,591.84	\$820.63	\$16,412.47	\$0.00
MCSAP Inspection Equipment	\$8,645.00	\$455.00	\$9,100.00	\$0.00
Regulation books	\$6,175.00	\$325.00	\$6,500.00	\$0.00
<b>Supplies total</b>	<b>\$43,426.84</b>	<b>\$2,285.63</b>	<b>\$45,712.47</b>	<b>\$0.00</b>

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
International Road Dynamics	\$34,200.00	\$1,800.00	\$36,000.00	\$0.00
TBD Local	\$4,750.00	\$250.00	\$5,000.00	\$0.00
<b>Contractual and Subaward total</b>	<b>\$38,950.00</b>	<b>\$2,050.00</b>	<b>\$41,000.00</b>	<b>\$0.00</b>

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Division Fuel	\$27,787.50	\$1,462.50	\$29,250.00	\$0.00
Funded Unit Fuel	\$96,900.00	\$5,100.00	\$102,000.00	\$0.00
Unit Maintenance 100% MCSAP	\$24,225.00	\$1,275.00	\$25,500.00	\$0.00
Unit Maintenance Divison	\$8,336.25	\$438.75	\$8,775.00	\$0.00
CVSA Decals	\$3,040.00	\$160.00	\$3,200.00	\$0.00
Cell Phone Lines	\$10,313.20	\$542.80	\$10,856.00	\$0.00
MCSAP Telephone Charges (landline)	\$9,034.50	\$475.50	\$9,510.00	\$0.00
Towing expense Drug Interdiction	\$1,900.00	\$100.00	\$2,000.00	\$0.00
CVSA Annual Membership	\$12,255.00	\$645.00	\$12,900.00	\$0.00
HELP Inc Dues	\$7,125.00	\$375.00	\$7,500.00	\$0.00
Office Space and utilities	\$109,250.00	\$5,750.00	\$115,000.00	\$0.00
GETAC Annual fees	\$8,208.00	\$432.00	\$8,640.00	\$0.00
GETAC Annual Fees Divison	\$2,667.60	\$140.40	\$2,808.00	\$0.00
Aircraft time	\$17,005.00	\$895.00	\$17,900.00	\$0.00
Room Rent - MCSAP Inservice	\$190.00	\$10.00	\$200.00	\$0.00
<b>Other Costs total</b>	<b>\$338,237.05</b>	<b>\$17,801.95</b>	<b>\$356,039.00</b>	<b>\$0.00</b>

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
<b>Subtotal for Direct Costs</b>	<b>\$5,308,217.14</b>	<b>\$279,379.86</b>	<b>\$5,587,597.00</b>	<b>\$30,000.00</b>
<b>Total Costs Budgeted</b>	<b>\$5,308,217.14</b>	<b>\$279,379.86</b>	<b>\$5,587,597.00</b>	<b>\$30,000.00</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			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$5,308,217.00	\$279,380.00	\$5,587,597.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$838,140.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,644,040.00	\$139,160.00	\$2,783,200.00	\$0.00
Overtime Subtotal	\$613,142.16	\$32,270.64	\$645,412.80	\$0.00
Personnel Total	\$3,257,182.16	\$171,430.64	\$3,428,612.80	\$0.00
Fringe Benefits Total	\$1,267,521.09	\$66,711.64	\$1,334,232.73	\$0.00
Travel Total	\$137,940.00	\$7,260.00	\$145,200.00	\$0.00
Equipment Total	\$224,960.00	\$11,840.00	\$236,800.00	\$30,000.00
Supplies Total	\$43,426.84	\$2,285.63	\$45,712.47	\$0.00
Contractual and Subaward Total	\$38,950.00	\$2,050.00	\$41,000.00	\$0.00
Other Costs Total	\$338,237.05	\$17,801.95	\$356,039.00	\$0.00
	95% Federal Share	5% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$5,308,217.14	\$279,379.86	\$5,587,597.00	\$30,000.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
<b>Total Costs Budgeted</b>	<b>\$5,308,217.14</b>	<b>\$279,379.86</b>	<b>\$5,587,597.00</b>	<b>\$30,000.00</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, Nebraska State Patrol
3. Who is your Governor's highway safety representative? William Kovarik
4. What is this person's title? Highway Safety Administrator

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

- ☒ Yes
- ☐ Yes, uploaded certification document
- ☐ No

#### State Certification declaration:

I, John Bolduc, Colonel, Nebraska State Patrol, 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](#).

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



**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? 402-471-4545

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

- ☒ Yes
- ☐ Yes, uploaded certification document
- ☐ 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
LB750	04/18/2022	75-363, 75-364, 70-366	Codify FMCSR changes, in place on January 1, 2022, into Nebraska Law.

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

☐ Yes ☒ No

## LEGISLATIVE BILL 750

Approved by the Governor April 18, 2022

Introduced by Friesen, 34.

A BILL FOR AN ACT relating to transportation; to amend sections 39-1337, 60-107, 60-119.01, 60-142.11, 60-144, 60-149, 60-151, 60-169, 60-302.01, 60-336.01, 60-386, 60-392, 60-3,101, 60-3,102, 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463, 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,115, 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01, 60-4,147.02, 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188, 60-501, 60-628.01, 60-699, 60-6,265, 60-1515, 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126, Reissue Revised Statutes of Nebraska, sections 30-2715.01, 39-1302, 39-1320, and 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021; to change provisions relating to transfer-on-death certificates of title as prescribed, state highways and the Department of Transportation as prescribed, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road, the Department of Motor Vehicles Cash Fund, the International Fuel Tax Agreement Act, and motor carriers and civil penalties as prescribed; to provide for a postage and handling fee as prescribed; to define terms; to adopt certain updates to federal laws and regulations; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

Section 1. Section 30-2715.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

30-2715.01 (1) Subject to section 30-2333, a person who owns any of the following for which a certificate of title may be issued pursuant to the Motor Vehicle Certificate of Title Act or the State Boat Act may use a transfer-on-death certificate of title as prescribed in this section: A a motor vehicle or a motorboat. Such person may provide for the transfer of such property vehicle upon his or her death or the death of the last survivor of a joint tenancy with right of survivorship by including in the certificate of title a designation of beneficiary or beneficiaries to whom such property the vehicle will be transferred on the death of the owner or the last survivor, subject to the rights of all lienholders, whether created before, simultaneously with, or after the creation of the transfer-on-death interest. A trust may be the beneficiary of a transfer-on-death certificate of title. The certificate of title shall include the name of the owner, the name of any tenant-in-common owner or the name of any joint-tenant-with-right-of-survivorship owner, followed in substance by the words transfer on death to (name of beneficiary or beneficiaries or name of trustee if a trust is to be the beneficiary). The abbreviation TOD may be used instead of the words transfer on death to.

(2) A transfer-on-death beneficiary shall have no interest in such property the motor vehicle until the death of the owner or the last survivor of the joint-tenant-with-right-of-survivorship owners. A beneficiary designation may be changed at any time by the owner or by the joint-tenant-with-right-of-survivorship owners then surviving without the consent of any beneficiary by filing an application for a subsequent certificate of title.

(3) Ownership of property a motor vehicle which has a designation of beneficiary as provided in subsection (1) of this section and for which an application for a subsequent certificate of title has not been filed shall vest in the designated beneficiary or beneficiaries on the death of the owner or the last of the joint-tenant-with-right-of-survivorship owners, subject to the rights of all lienholders.

Sec. 2. Section 39-1302, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-1302 For purposes of sections 39-1301 to 39-1393, unless the context otherwise requires:

(1) Abandon means shall mean to reject all or part of the department's rights and responsibilities relating to all or part of a fragment, section, or route on the state highway system;

(2) Alley means shall mean an established passageway for vehicles and pedestrians affording a secondary means of access in the rear to properties abutting on a street or highway;

(3) Approach or exit road means shall mean any highway or ramp designed and used solely for the purpose of providing ingress or egress to or from an interchange or rest area of a highway. An approach road shall begin at the point where it intersects with any highway not a part of the highway for which

such approach road provides access and shall terminate at the point where it merges with an acceleration lane of a highway. An exit road shall begin at the point where it intersects with a deceleration lane of a highway and shall terminate at the point where it intersects any highway not a part of a highway from which the exit road provides egress;

(4) Arterial highway means ~~shall mean~~ a highway primarily for through traffic, usually on a continuous route;

(5) Beltway means ~~shall mean~~ the roads and streets not designated as a part of the state highway system and that are under the primary authority of a county or municipality, if the location of the beltway has been approved by (a) record of decision or finding of no significant impact and (b) the applicable local planning authority as a part of the comprehensive plan;

(6) Business means ~~shall mean~~ any lawful activity conducted primarily for the purchase and resale, manufacture, processing, or marketing of products, commodities, or other personal property or for the sale of services to the public or by a nonprofit corporation;

(7) Channel means ~~shall mean~~ a natural or artificial watercourse;

(8) Commercial activity means ~~shall mean~~ those activities generally recognized as commercial by zoning authorities in this state, and industrial activity means ~~shall mean~~ those activities generally recognized as industrial by zoning authorities in this state, except that none of the following shall be considered commercial or industrial:

(a) Outdoor advertising structures;

(b) General agricultural, forestry, ranching, grazing, farming, and related activities, including wayside fresh produce stands;

(c) Activities normally or regularly in operation less than three months of the year;

(d) Activities conducted in a building principally used as a residence;

(e) Railroad tracks and minor sidings; and

(f) Activities more than six hundred sixty feet from the nearest edge of the right-of-way of the road or highway;

(9) Connecting link means ~~shall mean~~ the roads, streets, and highways designated as part of the state highway system and which are within the corporate limits of any city or village in this state;

(10) Controlled-access facility means ~~shall mean~~ a highway or street especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a controlled right or easement of access, light, air, or view by reason of the fact that their property abuts upon such controlled-access facility or for any other reason. Such highways or streets may be freeways, or they may be parkways;

(11) Department means ~~shall mean~~ the Department of Transportation;

(12) Displaced person means ~~shall mean~~ any individual, family, business, or farm operation which moves from real property acquired for state highway purposes or for a federal-aid highway;

(13) Easement means ~~shall mean~~ a right acquired by public authority to use or control property for a designated highway purpose;

(14) Expressway means ~~shall mean~~ a divided arterial highway for through traffic with full or partial control of access which may have grade separations at intersections;

(15) Extreme weather event means a weather event that generates extraordinary costs related to such event for construction, reconstruction, relocation, improvement, or maintenance occurring on or after January 1, 2023, resulting from weather conditions including, but not limited to, snow, rain, drought, flood, storm, extreme heat, or extreme cold;

(16) (15) Family means shall mean two or more persons living together in the same dwelling unit who are related to each other by blood, marriage, adoption, or legal guardianship;

(17) (16) Farm operation means shall mean any activity conducted primarily for the production of one or more agricultural products or commodities for sale and home use and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support;

(18) Faulty engineering means a defect in the design of, construction of, workmanship on, or the materials or systems used on a project that results in failure of a component part or the structural integrity of a structure and that such failure causes damage;

(19) (17) Federal-aid primary roads means shall mean roads, streets, and highways, whether a part of the state highway system, county road systems, or city streets, which have been designated as federal-aid primary roads by the Nebraska Department of Transportation and approved by the United States Secretary of Transportation and shown on the maps provided for in section 39-1311;

(20) (18) Freeway means shall mean an expressway with full control of access;

(21) (19) Frontage road means shall mean a local street or road auxiliary to an arterial highway for service to abutting property and adjacent areas and for control of access;

(22) (20) Full control of access means shall mean that the right of owners or occupants of abutting land or other persons to access or view is fully controlled by public authority having jurisdiction and that such control is exercised to give preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings or intersections

at grade or direct private driveway connections;

(23) ~~(21)~~ Grade separation means ~~shall mean~~ a crossing of two highways at different levels;

(24) ~~(22)~~ Highway means ~~shall mean~~ a road or street, including the entire area within the right-of-way, which has been designated a part of the state highway system;

(25) Highway approach means the portion of a county road located within the right-of-way of a highway;

(26) ~~(23)~~ Individual means ~~shall mean~~ a person who is not a member of a family;

(27) ~~(24)~~ Interchange means ~~shall mean~~ a grade-separated intersection with one or more turning roadways for travel between any of the highways radiating from and forming part of such intersection;

(28) ~~(25)~~ Map means ~~shall mean~~ a drawing or other illustration or a series of drawings or illustrations which may be considered together to complete a representation;

(29) ~~(26)~~ Mileage means ~~shall mean~~ the aggregate distance in miles without counting double mileage where there are one-way or divided roads, streets, or highways;

(30) ~~(27)~~ Parking lane means ~~shall mean~~ an auxiliary lane primarily for the parking of vehicles;

(31) ~~(28)~~ Parkway means ~~shall mean~~ an arterial highway for noncommercial traffic, with full or partial control of access, and usually located within a park or a ribbon of park-like development;

(32) ~~(29)~~ Relinquish means ~~shall mean~~ to surrender all or part of the rights and responsibilities relating to all or part of a fragment, section, or route on the state highway system to a political or governmental subdivision or public corporation of Nebraska;

(33) ~~(30)~~ Right of access means ~~shall mean~~ the rights of ingress and egress to or from a road, street, or highway and the rights of owners or occupants of land abutting a road, street, or highway or other persons to a way or means of approach, light, air, or view;

(34) ~~(31)~~ Right-of-way means ~~shall mean~~ land, property, or interest therein, usually in a strip, acquired for or devoted to a road, street, or highway;

(35) ~~(32)~~ Road means ~~shall mean~~ a public way for the purposes of vehicular travel, including the entire area within the right-of-way. A road designated as part of the state highway system may be called a highway, while a road in an urban area may be called a street;

(36) ~~(33)~~ Roadside means ~~shall mean~~ the area adjoining the outer edge of the roadway. Extensive areas between the roadways of a divided highway may also be considered roadside;

(37) ~~(34)~~ Roadway means ~~shall mean~~ the portion of a highway, including shoulders, for vehicular use;

(38) ~~(35)~~ Separation structure means ~~shall mean~~ that part of any bridge or road which is directly overhead of the roadway of any part of a highway;

(39) ~~(36)~~ State highway purposes has ~~shall have~~ the same meaning set forth in subsection (2) of section 39-1320;

(40) ~~(37)~~ State highway system means ~~shall mean~~ the roads, streets, and highways shown on the map provided for in section 39-1311 as forming a group of highway transportation lines for which the Nebraska Department of Transportation shall be the primary authority. The state highway system shall include, but not be limited to, rights-of-way, connecting links, drainage facilities, and the bridges, appurtenances, easements, and structures used in conjunction with such roads, streets, and highways;

(41) ~~(38)~~ Street means ~~shall mean~~ a public way for the purposes of vehicular travel in a city or village and shall include the entire area within the right-of-way;

(42) ~~(39)~~ Structure means ~~shall mean~~ anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location;

(43) ~~(40)~~ Title means ~~shall mean~~ the evidence of a person's right to property or the right itself;

(44) ~~(41)~~ Traveled way means ~~shall mean~~ the portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes;

(45) ~~(42)~~ Unzoned commercial or industrial area for purposes of control of outdoor advertising means ~~shall mean~~ all areas within six hundred sixty feet of the nearest edge of the right-of-way of the interstate and federal-aid primary systems which are not zoned by state or local law, regulation, or ordinance and on which there is located one or more permanent structures devoted to a business or industrial activity or on which a commercial or industrial activity is conducted, whether or not a permanent structure is located thereon, the area between such activity and the highway, and the area along the highway extending outward six hundred feet from and beyond each edge of such activity and, in the case of the primary system, may include the unzoned lands on both sides of such road or highway to the extent of the same dimensions if those lands on the opposite side of the highway are not deemed scenic or having aesthetic value as determined by the department. In determining such an area, measurements shall be made from the furthest or outermost edges of the regularly used area of the commercial or industrial activity, structures, normal points of ingress and egress, parking lots, and storage and processing areas constituting an integral part of such commercial or industrial activity;

(46) ~~(43)~~ Visible, for purposes of section 39-1320, in reference to

advertising signs, displays, or devices, means ~~shall mean~~ the message or advertising content of such sign, display, or device is capable of being seen without visual aid by a person of normal visual acuity. A sign shall be considered visible even though the message or advertising content may be seen but not read;

~~(47)~~ ~~(44)~~ Written instrument means ~~shall mean~~ a deed or any other document that states a contract, agreement, gift, or transfer of property; and

~~(48)~~ ~~(45)~~ Zoned commercial or industrial areas means ~~shall mean~~ those areas within six hundred sixty feet of the nearest edge of the right-of-way of the Highway Beautification Control System defined in section 39-201.01, zoned by state or local zoning authorities for industrial or commercial activities.

Sec. 3. Section 39-1320, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-1320 (1) The department is hereby authorized to acquire, either temporarily or permanently, lands, real or personal property or any interests therein, or any easements deemed to be necessary or desirable for present or future state highway purposes by gift, agreement, purchase, exchange, condemnation, or otherwise. Such lands or real property may be acquired in fee simple or in any lesser estate. It is the intention of the Legislature that all property leased or purchased from the owner shall receive a fair price.

(2) State highway purposes, as referred to in subsection (1) of this section or otherwise in sections 39-1301 to 39-1362 and 39-1393, shall include provision for, but shall not be limited to, the following:

(a) The construction, reconstruction, relocation, improvement, and maintenance of the state highway system and highway approaches. The right-of-way for such highways shall be of such width as is deemed necessary by the department;

(b) Adequate drainage in connection with any highway, cuts, fills, or channel changes and the maintenance thereof;

(c) Controlled-access facilities, including air, light, view, and frontage and service roads to highways;

(d) Weighing stations, shops, storage buildings and yards, and road maintenance or construction sites;

(e) Road material sites, sites for the manufacture of road materials, and access roads to such sites;

(f) The preservation of objects of attraction or scenic value adjacent to, along, or in close proximity to highways and the culture of trees and flora which may increase the scenic beauty of such highways;

(g) Roadside areas or parks adjacent to or near any highway;

(h) The exchange of property for other property to be used for rights-of-way or other purposes set forth in subsection (1) or (2) of this section if the interests of the state will be served and acquisition costs thereby reduced;

(i) The maintenance of an unobstructed view of any portion of a highway so as to promote the safety of the traveling public;

(j) The construction and maintenance of stock trails and cattle passes;

(k) The erection and maintenance of marking and warning signs and traffic signals;

(l) The construction and maintenance of sidewalks and highway illumination;

(m) The control of outdoor advertising which is visible from the nearest edge of the right-of-way of the Highway Beautification Control System as defined in section 39-201.01 to comply with the provisions of 23 U.S.C. 131, as amended;

(n) The relocation of or giving assistance in the relocation of individuals, families, businesses, or farm operations occupying premises acquired for state highway or federal-aid road purposes; and

(o) The establishment and maintenance of wetlands to replace or to mitigate damage to wetlands affected by highway construction, reconstruction, or maintenance. The replacement lands shall be capable of being used to create wetlands comparable to the wetlands area affected. The area of the replacement lands may exceed the wetlands area affected. Lands may be acquired to establish a large or composite wetlands area, sometimes called a wetlands bank, not larger than an area which is one hundred fifty percent of the lands reasonably expected to be necessary for the mitigation of future impact on wetlands brought about by highway construction, reconstruction, or maintenance during the six-year plan or program as required by section 39-2115 or an annual plan or program under section 39-2118. For purposes of this section, wetlands shall have the definition found in 33 C.F.R. 328.3(c).

(3) The procedure to condemn property authorized by subsection (1) of this section or elsewhere in sections 39-1301 to 39-1362 and 39-1393 shall be exercised in the manner set forth in sections 76-704 to 76-724 or as provided by section 39-1323, as the case may be.

Sec. 4. Section 39-1337, Reissue Revised Statutes of Nebraska, is amended to read:

39-1337 ~~(1)~~ The construction, maintenance, protection, and control of the state highway system shall be under the authority and responsibility of the department, except as otherwise provided in sections 39-1339 and 39-1372.

(2) The construction, reconstruction, relocation, improvement, or maintenance of a highway approach damaged or destroyed due to (a) an extreme weather event or (b) faulty engineering shall be under the authority and responsibility of the department. The department may seek reimbursement from any party responsible for causing faulty engineering.

(3) The relative urgency of proposed improvements on the state highway

system and highway approaches shall be determined by a sufficiency rating established by the department, insofar as the use of such a rating is deemed practicable. The sufficiency rating shall include, but not be limited to, the following factors: (a) ~~(1)~~ Surface condition, (b) ~~(2)~~ economic factors, (c) ~~(3)~~ safety, and (d) ~~(4)~~ service.

Sec. 5. Section 60-107, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

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

(3) Travel trailer which includes cabin trailers not more than one hundred two inches in width nor more than forty feet in length from front hitch to rear bumper, except as provided in subdivision (2)(k) of section 60-6,288; and

(4) Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length or when erected on site is three hundred twenty or more square feet and which is built on a permanent frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, except that manufactured home includes any structure that meets all of the requirements of this subdivision other than the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as such act existed on January 1, 2022 ~~2021~~, 42 U.S.C. 5401 et seq.

Sec. 6. Section 60-119.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 7. Section 60-142.11, Reissue Revised Statutes of Nebraska, is amended to read:

60-142.11 The owner of an assembled vehicle may apply for a certificate of title by presenting a certificate of title for one major component part, a ~~notarized~~ bill of sale for all other major component parts replaced, a statement that an inspection has been conducted on the vehicle, and a vehicle identification number as described in section 60-148. The certificate of title shall indicate the year of the vehicle as the year application for title was made and the make of the vehicle as assembled.

Sec. 8. Section 60-144, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

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

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

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

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

(2) If the owner of an all-terrain vehicle, a utility-type vehicle, or a minibike resides in Nebraska, the application shall be filed with the county treasurer of the county in which the owner resides.

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

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

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

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

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

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

Sec. 9. Section 60-149, Reissue Revised Statutes of Nebraska, is amended to read:

60-149 (1)(a) If a certificate of title has previously been issued for a vehicle in this state, the application for a new certificate of title shall be accompanied by the certificate of title duly assigned except as otherwise provided in the Motor Vehicle Certificate of Title Act.

(b) Except for manufactured homes or mobile homes as provided in subsection (2) of this section, if a certificate of title has not previously been issued for the vehicle in this state or if a certificate of title is unavailable, the application shall be accompanied by:

(i) A manufacturer's or importer's certificate except as otherwise provided in subdivision (viii) of this subdivision;

(ii) A duly certified copy of the manufacturer's or importer's certificate;

(iii) An affidavit by the owner affirming ownership in the case of an all-terrain vehicle, a utility-type vehicle, or a minibike;

(iv) A certificate of title from another state;

(v) A court order issued by a court of record, a manufacturer's certificate of origin, or an assigned registration certificate, if the law of the state from which the vehicle was brought into this state does not have a certificate of title law;

(vi) Evidence of ownership as provided for in section 30-24,125, sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections 60-2401 to 60-2411;

(vii) Documentation prescribed in section 60-142.01, 60-142.02, 60-142.04, 60-142.05, 60-142.09, or 60-142.11 or documentation of compliance with section 76-1607;

(viii) A manufacturer's or importer's certificate and an affidavit by the owner affirming ownership in the case of a minitruck; or

(ix) In the case of a motor vehicle, a trailer, an all-terrain vehicle, a utility-type vehicle, or a minibike, an affidavit by the holder of a motor vehicle auction dealer's license as described in subdivision (11) of section 60-1406 affirming that the certificate of title is unavailable and that the vehicle (A) is a salvage vehicle through payment of a total loss settlement, (B) is a salvage vehicle purchased by the auction dealer, or (C) has been donated to an organization operating under section 501(c)(3) of the Internal Revenue Code as defined in section 49-801.01.

(c) If the application for a certificate of title in this state is accompanied by a valid certificate of title issued by another state which meets that state's requirements for transfer of ownership, then the application may be accepted by this state.

(d) If a certificate of title has not previously been issued for the vehicle in this state and the applicant is unable to provide such documentation, the applicant may apply for a bonded certificate of title as prescribed in section 60-167.

(2)(a) If the application for a certificate of title for a manufactured home or a mobile home is being made in accordance with subdivision (4)(b) of



section 60-137 or if the certificate of title for a manufactured home or a mobile home is unavailable, the application shall be accompanied by proof of ownership in the form of:

- (i) A duly assigned manufacturer's or importer's certificate;
- (ii) A certificate of title from another state;
- (iii) A court order issued by a court of record;
- (iv) Evidence of ownership as provided for in section 30-24,125, sections 52-601.01 to 52-605, sections 60-1901 to 60-1911, or sections 60-2401 to 60-2411, or documentation of compliance with section 76-1607; or
- (v) Assessment records for the manufactured home or mobile home from the county assessor and an affidavit by the owner affirming ownership.

(b) If the applicant cannot produce proof of ownership described in subdivision (a) of this subsection, he or she may submit to the department such evidence as he or she may have, and the department may thereupon, if it finds the evidence sufficient, issue the certificate of title or authorize the county treasurer to issue a certificate of title, as the case may be.

(3) For purposes of this section, certificate of title includes a salvage certificate, a salvage branded certificate of title, or any other document of ownership issued by another state or jurisdiction for a salvage vehicle. Only a salvage branded certificate of title shall be issued to any vehicle conveyed upon a salvage certificate, a salvage branded certificate of title, or any other document of ownership issued by another state or jurisdiction for a salvage vehicle. A previously salvage branded certificate of title may be issued if, prior to application, the applicant's vehicle has been repaired and inspected as provided in section 60-146.

(4) The county treasurer shall retain the evidence of title presented by the applicant and on which the certificate of title is issued.

(5)(a) If an affidavit is submitted under subdivision (1)(b)(ix) of this section, the holder of a motor vehicle auction dealer's license shall certify that (i) it has made at least two written attempts and has been unable to obtain the properly endorsed certificate of title to the property noted in the affidavit from the owner and (ii) thirty days have expired after the mailing of a written notice regarding the intended disposition of the property noted in the affidavit by certified mail, return receipt requested, to the last-known address of the owner and to any lien or security interest holder of record of the property noted in the affidavit.

(b) The notice under subdivision (5)(a)(ii) of this section shall contain a description of the property noted in the affidavit and a statement that title to the property noted in the affidavit shall vest in the holder of the motor vehicle auction dealer's license thirty days after the date such notice was mailed.

(c) The mailing of notice and the expiration of thirty days under subdivision (5)(a)(ii) of this section shall extinguish any lien or security interest of a lienholder or security interest holder in the property noted in the affidavit, unless the lienholder or security interest holder has claimed such property within such thirty-day period. The holder of a motor vehicle auction dealer's license shall transfer possession of the property noted in the affidavit to the lienholder or security interest holder claiming such property.

Sec. 10. Section 60-151, Reissue Revised Statutes of Nebraska, is amended to read:

60-151 (1) The certificate of title for a vehicle shall be obtained in the name of the purchaser upon application signed by the purchaser, except that (a) for titles to be held by a married couple, applications may be accepted upon the signature of either spouse as a signature for himself or herself and as agent for his or her spouse and (b) for an applicant providing proof that he or she is a handicapped or disabled person as defined in section 60-331.02, applications may be accepted upon the signature of the applicant's parent, legal guardian, foster parent, or agent.

~~(2) This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date which is on or before January 1, 2021.~~ If the purchaser of a vehicle does not obtain a certificate of title in accordance with subsection (1) of this section within thirty days after the sale of the vehicle, the seller of such vehicle may request the department to update the electronic certificate of title record. The department shall update such record upon receiving evidence of a sale satisfactory to the director.

Sec. 11. Section 60-169, Reissue Revised Statutes of Nebraska, is amended to read:

60-169 (1)(a) Except as otherwise provided in subdivision (c) of this subsection, each owner of a vehicle and each person mentioned as owner in the last certificate of title, when the vehicle is dismantled, destroyed, or changed in such a manner that it loses its character as a vehicle or changed in such a manner that it is not the vehicle described in the certificate of title, shall surrender his or her certificate of title to any county treasurer or to the department. If the certificate of title is surrendered to a county treasurer, he or she shall, with the consent of any holders of any liens noted thereon, enter a cancellation upon the records and shall notify the department of such cancellation. Beginning on the implementation date designated by the director pursuant to subsection (3) of section 60-1508, a wrecker or salvage dealer shall report electronically to the department using the electronic reporting system. If the certificate is surrendered to the department, it shall, with the consent of any holder of any lien noted thereon, enter a cancellation upon its records.

(b) This subdivision applies to all licensed wrecker or salvage dealers and, except as otherwise provided in this subdivision, to each vehicle located on the premises of such dealer. For each vehicle required to be reported under 28 C.F.R. 25.56, as such regulation existed on January 1, ~~2019~~ 2022, the information obtained by the department under this section may be reported to the National Motor Vehicle Title Information System in a format that will satisfy the requirement for reporting under 28 C.F.R. 25.56, as such regulation existed on January 1, ~~2019~~ 2022. Such report shall include:

- (i) The name, address, and contact information for the reporting entity;
- (ii) The vehicle identification number;
- (iii) The date the reporting entity obtained such motor vehicle;
- (iv) The name of the person from whom such motor vehicle was obtained, for use only by a law enforcement or other appropriate government agency;
- (v) A statement of whether the motor vehicle was or will be crushed, disposed of, offered for sale, or used for another purpose; and
- (vi) Whether the motor vehicle is intended for export outside of the United States.

The department may set and collect a fee, not to exceed the cost of reporting to the National Motor Vehicle Title Information System, from wrecker or salvage dealers for electronic reporting to the National Motor Vehicle Title Information System, which shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. This subdivision does not apply to any vehicle reported by a wrecker or salvage dealer to the National Motor Vehicle Title Information System as required under 28 C.F.R. 25.56, as such regulation existed on January 1, ~~2019~~ 2022.

(c)(i) In the case of a mobile home or manufactured home for which a certificate of title has been issued, if such mobile home or manufactured home is affixed to real property in which each owner of the mobile home or manufactured home has any ownership interest, the certificate of title may be surrendered for cancellation to the county treasurer of the county where such mobile home or manufactured home is affixed to real property if at the time of surrender the owner submits to the county treasurer an affidavit of affixture on a form provided by the department that contains all of the following, as applicable:

(A) The names and addresses of all of the owners of record of the mobile home or manufactured home;

(B) A description of the mobile home or manufactured home that includes the name of the manufacturer, the year of manufacture, the model, and the manufacturer's serial number;

(C) The legal description of the real property upon which the mobile home or manufactured home is affixed and the names of all of the owners of record of the real property;

(D) A statement that the mobile home or manufactured home is affixed to the real property;

(E) The written consent of each holder of a lien duly noted on the certificate of title to the release of such lien and the cancellation of the certificate of title;

(F) A copy of the certificate of title surrendered for cancellation; and

(G) The name and address of an owner, a financial institution, or another entity to which notice of cancellation of the certificate of title may be delivered.

(ii) The person submitting an affidavit of affixture pursuant to subdivision (c)(i) of this subsection shall swear or affirm that all statements in the affidavit are true and material and further acknowledge that any false statement in the affidavit may subject the person to penalties relating to perjury under section 28-915.

(2) If a certificate of title of a mobile home or manufactured home is surrendered to the county treasurer, along with the affidavit required by subdivision (1)(c) of this section, he or she shall enter a cancellation upon his or her records, notify the department of such cancellation, forward a duplicate original of the affidavit to the department, and deliver a duplicate original of the executed affidavit under subdivision (1)(c) of this section to the register of deeds for the county in which the real property is located to be filed by the register of deeds. The county treasurer shall be entitled to collect fees from the person submitting the affidavit in accordance with section 33-109 to cover the costs of filing such affidavit. Following the cancellation of a certificate of title for a mobile home or manufactured home, the county treasurer or designated county official shall not issue a certificate of title for such mobile home or manufactured home, except as provided in subsection (5) of this section.

(3) If a mobile home or manufactured home is affixed to real estate before June 1, 2006, a person who is the holder of a lien or security interest in both the mobile home or manufactured home and the real estate to which it is affixed on such date may enforce its liens or security interests by accepting a deed in lieu of foreclosure or in the manner provided by law for enforcing liens on the real estate.

(4) A mobile home or manufactured home for which the certificate of title has been canceled and for which an affidavit of affixture has been duly recorded pursuant to subsection (2) of this section shall be treated as part of the real estate upon which such mobile home or manufactured home is located. Any lien thereon shall be perfected and enforced in the same manner as a lien on real estate. The owner of such mobile home or manufactured home may convey ownership of the mobile home or manufactured home only as a part of the real

estate to which it is affixed.

(5)(a) If each owner of both the mobile home or manufactured home and the real estate described in subdivision (1)(c) of this section intends to detach the mobile home or manufactured home from the real estate, the owner shall do both of the following: (i) Before detaching the mobile home or manufactured home, record an affidavit of detachment in the office of the register of deeds in the county in which the affidavit is recorded under subdivision (1)(c) of this section; and (ii) apply for a certificate of title for the mobile home or manufactured home pursuant to section 60-147.

(b) The affidavit of detachment shall contain all of the following:

(i) The names and addresses of all of the owners of record of the mobile home or manufactured home;

(ii) A description of the mobile home or manufactured home that includes the name of the manufacturer, the year of manufacture, the model, and the manufacturer's serial number;

(iii) The legal description of the real estate from which the mobile home or manufactured home is to be detached and the names of all of the owners of record of the real estate;

(iv) A statement that the mobile home or manufactured home is to be detached from the real property;

(v) A statement that the certificate of title of the mobile home or manufactured home has previously been canceled;

(vi) The name of each holder of a lien of record against the real estate from which the mobile home or manufactured home is to be detached, with the written consent of each holder to the detachment; and

(vii) The name and address of an owner, a financial institution, or another entity to which the certificate of title may be delivered.

(6) An owner of an affixed mobile home or manufactured home for which the certificate of title has previously been canceled pursuant to subsection (2) of this section shall not detach the mobile home or manufactured home from the real estate before a certificate of title for the mobile home or manufactured home is issued by the county treasurer or department. If a certificate of title is issued by the county treasurer or department, the mobile home or manufactured home is no longer considered part of the real property. Any lien thereon shall be perfected pursuant to section 60-164. The owner of such mobile home or manufactured home may convey ownership of the mobile home or manufactured home only by way of a certificate of title.

(7) For purposes of this section:

(a) A mobile home or manufactured home is affixed to real estate if the wheels, towing hitches, and running gear are removed and it is permanently attached to a foundation or other support system; and

(b) Ownership interest means the fee simple interest in real estate or an interest as the lessee under a lease of the real property that has a term that continues for at least twenty years after the recording of the affidavit under subsection (2) of this section.

(8) Upon cancellation of a certificate of title in the manner prescribed by this section, the county treasurer and the department may cancel and destroy all certificates and all memorandum certificates in that chain of title.

Sec. 12. Section 60-302.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-302.01 Access aisle means a space adjacent to a handicapped parking space or passenger loading zone which is constructed and designed in compliance with the federal Americans with Disabilities Act of 1990 and the federal regulations adopted in response to the act, as the act and the regulations existed on January 1, 2022 ~~2021~~.

Sec. 13. Section 60-336.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2022 ~~2021~~, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 14. Section 60-386, Reissue Revised Statutes of Nebraska, is amended to read:

60-386 (1) Each new application shall contain, in addition to other information as may be required by the department, the name and residential and mailing address of the applicant and a description of the motor vehicle or trailer, including the color, the manufacturer, the identification number, the United States Department of Transportation number if required by 49 C.F.R. 390.5 through 390.21, as such regulations existed on January 1, 2022 ~~2021~~, and the weight of the motor vehicle or trailer required by the Motor Vehicle Registration Act. For trailers which are not required to have a certificate of title under section 60-137 and which have no identification number, the assignment of an identification number shall be required and the identification number shall be issued by the county treasurer or department. With the application the applicant shall pay the proper registration fee and shall state whether the motor vehicle is propelled by alternative fuel and, if alternative fuel, the type of fuel. The application shall also contain a notification that

bulk fuel purchasers may be subject to federal excise tax liability. The department shall include such notification in the notices required by section 60-3,186.

(2) In addition to the information required under subsection (1) of this section, the application for registration shall contain (a)(i) the full legal name as defined in section 60-468.01 of each owner or (ii) the name of each owner as such name appears on the owner's motor vehicle operator's license or state identification card and (b)(i) the motor vehicle operator's license number or state identification card number of each owner, if applicable, and one or more of the identification elements as listed in section 60-484 of each owner, if applicable, and (ii) if any owner is a business entity, a nonprofit organization, an estate, a trust, or a church-controlled organization, its tax identification number.

Sec. 15. Section 60-392, Reissue Revised Statutes of Nebraska, is amended to read:

60-392 (1) Except as provided otherwise in this section, registration ~~Registration~~ may be renewed annually in a manner designated by the department and upon payment of the same fee as provided for the original registration. On making an application for renewal, the registration certificate for the preceding registration period or renewal notice or other evidence designated by the department shall be presented with the application. A person may renew an ~~his or her~~ annual registration up to thirty days prior to the date of expiration.

(2) The certificate of registration and license plates issued by the department shall be valid during the registration period for which they are issued, and when validation decals issued pursuant to section 60-3,101 have been affixed to the license plates, the plates shall also be valid for the registration period designated by such validation decals. If a person renews an ~~his or her~~ annual registration up to thirty days prior to the date of expiration, the registration shall be valid for such time period as well.

(3) The registration period for motor vehicles and trailers required to be registered as provided in section 60-362 shall expire on the first day of the month one year from the month of issuance, and renewal shall become due on such day and shall become delinquent on the first day of the following month.

(4) Subsections (1) through (3) of this section do not apply to dealer's license plates, repossession plates, and transporter plates as provided in sections 60-373, 60-375, 60-378, and 60-379, which plates shall be issued for a calendar year.

(5) The registration period for apportioned vehicles as provided in section 60-3,198 shall be renewed monthly, quarterly, or annually at the discretion of the director. Such registration period expires on the last day of the registration period and renewal is delinquent on the first day of the second full month following such expiration date. The department may adopt and promulgate rules and regulations to establish a staggered registration system for apportioned vehicles registered pursuant to section 60-3,198, including the collection of eighteen or fewer months of registration fees expire December 31 of each year and shall become delinquent February 1 of the following year.

Sec. 16. Section 60-3,101, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,101 (1) ~~License Except for license plates issued pursuant to sections 60-3,203 and 60-3,228, license plates shall be issued every six years beginning with the license plates issued in the year 2005.~~

(2) ~~In Except for plates issued pursuant to such sections, in the years in which plates are not issued, in lieu of issuing such license plates, the department shall furnish to every person whose motor vehicle or trailer is registered one or two validation decals, as the case may be. Such , which validation decals shall bear the year for which issued and be so constructed as to permit them to be permanently affixed to the plates.~~

(3) This section shall not apply to license plates issued pursuant to sections 60-3,203 and 60-3,228.

Sec. 17. Section 60-3,102, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,102 (1) ~~Whenever Except as provided in subsection (2) of this section, whenever~~ new license plates, including duplicate or replacement license plates, are issued to any person, a fee per plate shall be charged in addition to all other required fees. The license plate fee shall be determined by the department and shall only cover the cost of the license plate and validation decals but shall not exceed:

(a) Three three dollars and fifty cents through December 31, 2022; and -

(b) Four dollars and twenty-five cents beginning January 1, 2023.

(2) All fees collected pursuant to this section shall be remitted to the State Treasurer for credit to the Highway Trust Fund.

(3) This section shall not apply to (2) Beginning January 1, 2021, no license plate fee under this section shall be charged for license plates issued pursuant to section 60-3,122, 60-3,122.02, 60-3,123, 60-3,124, or 60-3,125.

Sec. 18. Section 60-3,113.04, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,113.04 (1) A handicapped or disabled parking permit shall be of a design, size, configuration, color, and construction and contain such information as specified in the regulations adopted by the United States Department of Transportation in 23 C.F.R. part 1235, UNIFORM SYSTEM FOR PARKING FOR PERSONS WITH DISABILITIES, as such regulations existed on January 1, 2022 ~~2021~~.

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

(3) A duplicate handicapped or disabled parking permit may be provided up to two times during any single permit period if a permit is destroyed, lost, or stolen. Such duplicate permit shall be issued as provided in section 60-3,113.02 or 60-3,113.03, whichever is applicable, except that a new certification by a physician, a physician assistant, or an advanced practice registered nurse need not be provided. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued. If a person has been issued two duplicate permits under this subsection and needs another permit, such person shall reapply for a new permit under section 60-3,113.02 or 60-3,113.03, whichever is applicable.

Sec. 19. Section 60-3,119, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,119 (1) Application for personalized message license plates shall be made to the department. The department shall make available through each county treasurer forms to be used for such applications.

(2) Each initial application shall be accompanied by a fee of forty dollars. The fees shall be remitted to the State Treasurer. ~~The Until January 1, 2021, the State Treasurer shall credit twenty-five percent of the fee to the Highway Trust Fund and seventy-five percent of the fee to the Department of Motor Vehicles Cash Fund. Beginning January 1, 2021, the State Treasurer shall credit forty percent of the fee to the Highway Trust Fund and sixty percent of the fee to the Department of Motor Vehicles Cash Fund.~~

(3) An application for renewal of a license plate previously approved and issued shall be accompanied by a fee of forty dollars. County treasurers collecting fees pursuant to this subsection shall remit them to the State Treasurer. ~~The Until January 1, 2021, the State Treasurer shall credit twenty-five percent of the fee to the Highway Trust Fund and seventy-five percent of the fee to the Department of Motor Vehicles Cash Fund. Beginning January 1, 2021, the State Treasurer shall credit forty percent of the fee to the Highway Trust Fund and sixty percent of the fee to the Department of Motor Vehicles Cash Fund.~~

Sec. 20. Section 60-3,122, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,122 (1) Any person may, in addition to the application required by section 60-385, apply to the department for license plates designed by the department to indicate that he or she is a survivor of the Japanese attack on Pearl Harbor if he or she:

(a) Was a member of the United States Armed Forces on December 7, 1941;

(b) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or offshore at a distance not to exceed three miles;

(c) Was discharged or otherwise separated with a characterization of honorable from the United States Armed Forces; and

(d) Holds a current membership in a Nebraska Chapter of the Pearl Harbor Survivors Association.

(2) Pearl Harbor license plates shall be issued upon the applicant paying the license plate fee as provided in subsection (3) of this section and furnishing proof satisfactory to the department that the applicant fulfills the requirements provided by subsection (1) of this section. Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3) ~~No Until January 1, 2021, the applicant for Pearl Harbor license plates shall pay the license plate fee required under section 60-3,102. Beginning January 1, 2021, no license plate fee shall be required for Pearl Harbor license plates.~~

(4) If the license plates issued pursuant to this section are lost, stolen, or mutilated, the recipient of the plates shall be issued replacement license plates upon request and without charge.

(5) ~~License Beginning January 1, 2021, license plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.~~

(6) ~~This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021. 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.~~

Sec. 21. Section 60-3,122.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,122.02 (1) Any person who is a surviving spouse, whether remarried or not, or an ancestor, including a stepparent, a descendant, including a

stepchild, a foster parent or a person in loco parentis, or a sibling of a person who died while in good standing on active duty in the military service of the United States may apply to the department for Gold Star Family plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle, trailer, or semitrailer, except for a motor vehicle or trailer registered under section 60-3,198. An applicant receiving a Gold Star Family plate for a farm truck with a gross weight of over sixteen tons shall affix the appropriate tonnage decal to the plate. The department shall make forms available for such applications through the county treasurers. In order to be eligible for Gold Star Family plates, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The plates shall be issued upon payment of the license fee described in subsection (2) of this section and verification by the Department of Motor Vehicles of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414.

(2)(a) No additional fee shall be required for consecutively numbered Gold Star Family plates issued under this section and such plates shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.

(b)(i) Each application for initial issuance of personalized message Gold Star Family plates shall be accompanied by a fee of forty dollars. An application for renewal of such plates shall be accompanied by a fee of forty dollars. County treasurers collecting fees for renewals pursuant to this subdivision shall remit them to the State Treasurer. The State Treasurer shall credit twenty-five percent of the 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 Nebraska Veteran Cemetery System Operation Fund.

(ii) No license plate fee under section 60-3,102 shall be required for personalized message Gold Star Family plates issued under this section, other than the renewal fee provided for in subdivision (2)(b)(i) of this section. Such plates shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually and the renewal fee provided for in subdivision (2)(b)(i) of this section is paid.

(3)(a) When the department receives an application for Gold Star Family 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 or trailer is registered and the delivery of the plates and registration certificate shall be made through a secure process and system. ~~If Beginning on an implementation date designated by the director on or before January 1, 2022,~~ if delivery of the plates and registration certificate is made by the department to the applicant, the department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue Gold Star Family 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 or trailer. If Gold Star Family plates are lost, stolen, or mutilated, the licensee shall be issued replacement license plates upon request and without charge.

(b) 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 subdivision. 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.

(4) The owner of a motor vehicle or trailer bearing Gold Star Family plates may apply to the county treasurer to have such plates transferred at no cost to a motor vehicle other than the vehicle for which such plates were originally purchased if such vehicle is owned by the owner of the plates. The owner may have the unused portion of the fee for the plates, if any, credited to the other vehicle which will bear the plates at the rate of eight and one-third percent per month for each full month left in the registration period.

(5) If the cost of manufacturing Gold Star Family plates at any time exceeds the amount charged for license plates pursuant to section 60-3,102, any money to be credited to the Nebraska Veteran Cemetery System Operation Fund shall instead be credited first to the Highway Trust Fund in an amount equal to the difference between the manufacturing costs of Gold Star Family plates and the amount charged pursuant to section 60-3,102 with respect to such plates and the remainder shall be credited to the Nebraska Veteran Cemetery System Operation Fund.

Sec. 22. Section 60-3,122.03, Reissue Revised Statutes of Nebraska, is amended to read:

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

~~(2)(a) Until January 1, 2021, the department shall create designs honoring persons who have served or are serving in the United States Army, United States Army Reserve, United States Navy, United States Navy Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard,~~

~~United States Coast Guard Reserve, United States Air Force, United States Air Force Reserve, or National Guard; and~~

~~(2) The (b) Beginning January 1, 2021, the department shall create designs honoring persons who have served or are serving in the United States Army, United States Army Reserve, United States Navy, United States Navy Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, United States Air Force, United States Air Force Reserve, Air National Guard, or Army National Guard.~~

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

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

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

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

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

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

~~(b) Not use a county designation.~~

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

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

~~Sec. 23. Section 60-3,123, Reissue Revised Statutes of Nebraska, is amended to read:~~

~~60-3,123 (1) Any person who was captured and incarcerated by an enemy of the United States during a period of conflict with such enemy and who was discharged or otherwise separated with a characterization of honorable from or is currently serving in the United States Armed Forces may, in addition to the application required in section 60-385, apply to the department for license plates designed to indicate that he or she is a former prisoner of war.~~

~~(2) In order to be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The license plates shall be issued upon the applicant paying the license plate fee as provided in subsection (3) of this section and verification by the Department of Motor Vehicles of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414. Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.~~

~~(3) No Until January 1, 2021, the applicant for license plates under this section shall pay the license plate fee required under section 60-3,102. Beginning January 1, 2021, no license plate fee shall be required for license plates under this section.~~

~~(4) If the license plates issued under this section are lost, stolen, or mutilated, the recipient of the license plates shall be issued replacement license plates upon request and without charge.~~

~~(5) License Beginning January 1, 2021, license plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.~~

~~(6) This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021. 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.~~

~~Sec. 24. Section 60-3,124, Reissue Revised Statutes of Nebraska, is amended to read:~~

60-3,124 (1) Any person who is a veteran of the United States Armed Forces, who was discharged or otherwise separated with a characterization of honorable or general (under honorable conditions), and who is classified by the United States Department of Veterans Affairs as one hundred percent service-connected disabled may, in addition to the application required in section 60-385, apply to the Department of Motor Vehicles for license plates designed by the department to indicate that the applicant is a disabled veteran. The inscription on the license plates shall be D.A.V. immediately below the license plate number to indicate that the holder of the license plates is a disabled veteran.

(2) In order to be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The plates shall be issued upon the applicant paying the license plate fee as provided in subsection (3) of this section and verification by the Department of Motor Vehicles of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414. Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3) ~~No Until January 1, 2021, the applicant for license plates under this section shall pay the license plate fee required under section 60-3,102. Beginning January 1, 2021, no license plate fee shall be required for license plates under this section.~~

(4) If the license plates issued under this section are lost, stolen, or mutilated, the recipient of the plates shall be issued replacement license plates as provided in section 60-3,157.

(5) ~~License Beginning January 1, 2021, license plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.~~

(6) ~~This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021. 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.~~

Sec. 25. Section 60-3,125, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,125 (1) Any person may, in addition to the application required by section 60-385, apply to the department for license plates designed by the department to indicate that the applicant has received from the federal government an award of a Purple Heart. The inscription of the plates shall be designed so as to include a facsimile of the award and beneath any numerical designation upon the plates pursuant to section 60-370 the words Purple Heart separately on one line and the words Combat Wounded on the line below.

(2) In order to be eligible for license plates under this section, a person shall register with the Department of Veterans' Affairs pursuant to section 80-414. The license plates shall be issued upon payment of the license plate fee as provided in subsection (3) of this section and verification by the Department of Motor Vehicles of an applicant's eligibility using the registry established by the Department of Veterans' Affairs pursuant to section 80-414. Any number of motor vehicles, trailers, or semitrailers owned by the applicant may be so licensed at any one time. Motor vehicles and trailers registered under section 60-3,198 shall not be so licensed.

(3) ~~No Until January 1, 2021, the applicant for license plates under this section shall pay the license plate fee required under section 60-3,102. Beginning January 1, 2021, no license plate fee shall be required for license plates under this section.~~

(4) If license plates issued pursuant to this section are lost, stolen, or mutilated, the recipient of the plates shall be issued replacement license plates upon request and without charge.

(5) ~~License Beginning January 1, 2021, license plates issued under this section shall not require the payment of any additional license plate fees and shall be permanently attached to the vehicle to which the plates are registered as long as the vehicle is properly registered by the applicant annually.~~

(6) ~~This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021. 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.~~

Sec. 26. Section 60-3,126, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,126 (1) Any person who holds an unrevoked and unexpired amateur radio station license issued by the Federal Communications Commission and is the



owner of a motor vehicle, trailer, or semitrailer, except for motor vehicles and trailers registered under section 60-3,198, may, in addition to the application required by section 60-385, apply to the department for license plates upon which shall be inscribed the official amateur radio call letters of such applicant.

(2) Such license plates shall be issued, in lieu of the usual numbers and letters, to such an applicant upon payment of the regular license fee and the payment of an additional fee of five dollars and furnishing proof that the applicant holds such an unrevoked and unexpired amateur radio station license. The additional fee shall be remitted to the State Treasurer for credit to the Highway Trust Fund. Only one such motor vehicle or trailer owned by an applicant shall be so registered at any one time.

(3) An applicant applying for renewal of amateur radio station license plates shall again furnish proof that he or she holds an unrevoked and unexpired amateur radio station license issued by the Federal Communications Commission.

(4) The department shall prescribe the size and design of the license plates and furnish such plates to the persons applying for and entitled to the same upon the payment of the required fee.

~~(5) This subsection applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021.~~ 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.

Sec. 27. Section 60-3,128, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,128 (1) A person may apply to the department for Nebraska Cornhusker Spirit Plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle, trailer, or semitrailer, except for motor vehicles or trailers registered under section 60-3,198. An applicant receiving a spirit plate for a farm truck with a gross weight of over sixteen tons or for a commercial motor vehicle registered for a gross weight of five tons or over shall affix the appropriate tonnage decal to the spirit plate. The department shall make forms available for such applications through the county treasurers. Each application for initial issuance or renewal of spirit plates shall be accompanied by a fee of seventy dollars. Fees collected pursuant to this subsection shall be remitted to the State Treasurer. The State Treasurer shall credit sixty percent of the fees for initial issuance and renewal of spirit plates to the Department of Motor Vehicles Cash Fund and forty percent of the fees to the Highway Trust Fund.

(2)(a) When the department receives an application for spirit 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 or trailer is registered and the delivery of the plates and registration certificate shall be made through a secure process and system. ~~If Beginning on an implementation date designated by the director on or before January 1, 2022,~~ if delivery of the plates and registration certificate is made by the department to the applicant, the department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue spirit plates in lieu of regular license plates when the applicant complies with the other provisions of law for registration of the motor vehicle or trailer. If spirit plates are lost, stolen, or mutilated, the licensee shall be issued replacement license plates pursuant to section 60-3,157.

(b) 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 subdivision. 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.

(3)(a) The owner of a motor vehicle or trailer bearing spirit plates may make application to the county treasurer to have such spirit plates transferred to a motor vehicle or trailer other than the motor vehicle or trailer for which such plates were originally purchased if such motor vehicle or trailer is owned by the owner of the spirit plates.

(b) The owner may have the unused portion of the spirit plate fee credited to the other motor vehicle or trailer which will bear the spirit plate at the rate of eight and one-third percent per month for each full month left in the registration period.

(c) Application for such transfer shall be accompanied by a fee of three dollars. Fees collected pursuant to this subsection shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

Sec. 28. Section 60-3,130.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,130.02 (1) An initial processing fee of ten dollars shall be submitted with an application under section 60-3,130 to defray the costs of issuing the first plate to each collector and to establish a distinct identification number for each collector. A fee of fifty dollars for each vehicle so registered shall also be submitted with the application. When the department receives an application for historical license plates, the department may deliver the plates and registration certificate to the applicant by United States mail. The department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(2) For use of license plates as provided in section 60-3,130.04, a fee of twenty-five dollars shall be submitted with the application in addition to the fees specified in subsection (1) of this section.

(3) The fees shall be remitted to the State Treasurer for credit to the Highway Trust Fund.

Sec. 29. Section 60-3,135.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,135.01 (1) The department shall either modify an existing plate design or design license plates to identify special interest motor vehicles, to be known as special interest motor vehicle license plates. The department, in designing such special interest motor vehicle license plates, shall include the words special interest and limit the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. The department shall choose the design of the plate. The department shall make applications available for this type of plate when it is designed.

(2) One type of special interest motor vehicle license plate shall be alphanumeric plates. The department shall:

(a) Assign a designation up to seven characters; and

(b) Not use a county designation.

(3) One type of special interest motor vehicle license plate shall be personalized message plates. Such plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118.

(4) A person may apply to the department for a special interest motor vehicle license plate in lieu of regular license plates on an application prescribed and provided by the department for any special interest motor vehicle, except that no motor vehicle registered under section 60-3,198, autocycle, motorcycle, or trailer shall be eligible for special interest motor vehicle license plates. The department shall make forms available for such applications through the county treasurers.

(5) The form shall contain a description of the special interest motor vehicle owned and sought to be registered, including the make, body type, model, serial number, and year of manufacture.

(6)(a) In addition to all other fees required to register a motor vehicle, each application for initial issuance or renewal of a special interest motor vehicle license plate shall be accompanied by a special interest motor vehicle license plate fee of fifty dollars. Twenty-five dollars of the special interest motor vehicle license plate fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund, and twenty-five dollars of the special interest motor vehicle license plate fee shall be remitted to the State Treasurer for credit to the Highway Trust Fund.

(b) If a special interest motor vehicle license plate is lost, stolen, or mutilated, the owner shall be issued a replacement license plate pursuant to section 60-3,157.

(7) When the department receives an application for a special interest motor vehicle license plate, the department may deliver the plate and registration certificate to the applicant by United States mail or to the county treasurer of the county in which the special interest motor vehicle is registered and the delivery of the plate and registration certificate shall be made through a secure process and system. ~~If Beginning on an implementation date designated by the director on or before January 1, 2022,~~ if delivery of the plates and registration certificate is made by the department to the applicant, the department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer or the department shall issue the special interest motor vehicle license plate in lieu of regular license plates when the applicant complies with the other provisions of the Motor Vehicle Registration Act for registration of the special interest motor vehicle.

(8) If the cost of manufacturing special interest motor vehicle license plates at any time exceeds the amount charged for license plates pursuant to section 60-3,102, any money to be credited to the Department of Motor Vehicles Cash Fund under this section shall instead be credited first to the Highway Trust Fund in an amount equal to the difference between the manufacturing costs of special interest motor vehicle license plates and the amount charged pursuant to section 60-3,102 with respect to such license plates and the remainder shall be credited to the Department of Motor Vehicles Cash Fund.

(9) The special interest motor vehicle license plate shall be affixed to the rear of the special interest motor vehicle.

(10) A special interest motor vehicle shall not be used for the same purposes and under the same conditions as other motor vehicles of the same type and shall not be used for business or occupation or regularly for transportation to and from work. A special interest motor vehicle may be driven on the public streets and roads only for occasional transportation, public displays, parades, and related pleasure or hobby activities.

(11) It shall be unlawful to own or operate a motor vehicle with special interest motor vehicle license plates in violation of this section. Upon conviction of a violation of any provision of this section, a person shall be guilty of a Class V misdemeanor.

(12) For purposes of this section, special interest motor vehicle means a motor vehicle of any age which is being collected, preserved, restored, or maintained by the owner as a leisure pursuit and not used for general transportation of persons or cargo.

Sec. 30. Section 60-3,193.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,193.01 For purposes of the Motor Vehicle Registration Act, the International Registration Plan is adopted and incorporated by reference as the plan existed on January 1, 2022 ~~2021~~.

Sec. 31. Section 60-3,198, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,198 (1)(a) Any owner engaged in operating a fleet of apportionable vehicles in this state in interjurisdiction commerce may, in lieu of registration of such apportionable vehicles under the general provisions of the Motor Vehicle Registration Act, register and license such fleet for operation in this state by filing a statement and the application required by section 60-3,203 with the Division of Motor Carrier Services of the department. The statement shall be in such form and contain such information as the division requires, declaring the total mileage operated by such vehicles in all jurisdictions and in this state during the preceding year and describing and identifying each such apportionable vehicle to be operated in this state during the ensuing license period year.

(b)(i) Until July 1, 2021, upon receipt of such statement and application, the division shall determine the total fee payment, which shall be equal to the amount of fees due pursuant to section 60-3,203 and the amount obtained by applying the formula provided in section 60-3,204 to a fee of thirty-two dollars per ton based upon gross vehicle weight of the empty weights of a truck or truck-tractor and the empty weights of any trailer or combination thereof with which it is to be operated in combination at any one time plus the weight of the maximum load to be carried thereon at any one time, and shall notify the applicant of the amount of payment required to be made. Mileage operated in noncontracting reciprocity jurisdictions by apportionable vehicles based in Nebraska shall be applied to the portion of the formula for determining the Nebraska injurisdiction fleet distance.

(ii) Beginning July 1, 2021, and until July 1, 2025, upon receipt of such statement and application, the division shall determine the total fee payment, which shall be equal to the amount of fees due pursuant to section 60-3,203 and the amount obtained by applying the formula provided in section 60-3,204 to a fee of thirty-five dollars per ton based upon gross vehicle weight of the empty weights of a truck or truck-tractor and the empty weights of any trailer or combination thereof with which it is to be operated in combination at any one time plus the weight of the maximum load to be carried thereon at any one time, and shall notify the applicant of the amount of payment required to be made. Mileage operated in noncontracting reciprocity jurisdictions by apportionable vehicles based in Nebraska shall be applied to the portion of the formula for determining the Nebraska injurisdiction fleet distance.

(iii) Beginning July 1, 2025, upon receipt of such statement and application, the division shall determine the total fee payment, which shall be equal to the amount of fees due pursuant to section 60-3,203 and the amount obtained by applying the formula provided in section 60-3,204 to a fee of thirty-three dollars and fifty cents per ton based upon gross vehicle weight of the empty weights of a truck or truck-tractor and the empty weights of any trailer or combination thereof with which it is to be operated in combination at any one time plus the weight of the maximum load to be carried thereon at any one time, and shall notify the applicant of the amount of payment required to be made. Mileage operated in noncontracting reciprocity jurisdictions by apportionable vehicles based in Nebraska shall be applied to the portion of the formula for determining the Nebraska injurisdiction fleet distance.

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

(d) Upon completion of such processing and receipt of the appropriate fees, the division shall issue to the applicant a sufficient number of distinctive registration certificates which provide a list of the jurisdictions in which the apportionable vehicle has been apportioned, the weight for which registered, and such other evidence of registration for display on the apportionable vehicle as the division determines appropriate for each of the apportionable vehicles of his or her fleet, identifying it as a part of an interjurisdiction fleet proportionately registered. Such registration certificates may be displayed as a legible paper copy or electronically as authorized by the department. All fees received as provided in this section shall be remitted to the State Treasurer for credit to the Motor Carrier

Services Division Distributive Fund.

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

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

(g) When a nonresident fleet owner has registered his or her apportionable vehicles, his or her apportionable vehicles shall be considered as fully registered for both interjurisdiction and intrajurisdiction commerce when the jurisdiction of base registration for such fleet accords the same consideration for fleets with a base registration in Nebraska. Each apportionable vehicle of a fleet registered by a resident of Nebraska shall be considered as fully registered for both interjurisdiction and intrajurisdiction commerce.

(2) Mileage proportions for interjurisdiction fleets not operated in this state during the preceding year shall be determined by the division upon the application of the applicant on forms to be supplied by the division which shall show the operations of the preceding year in other jurisdictions and estimated operations in Nebraska or, if no operations were conducted the previous year, a full statement of the proposed method of operation.

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

(4) If the division claims that a greater amount of fee is due under this section than was paid, the division shall notify the owner of the additional amount claimed to be due. The owner may accept such claim and pay the amount due, or he or she may dispute the claim and submit to the division any information which he or she may have in support of his or her position. If the dispute cannot otherwise be resolved within the division, the owner may petition for an appeal of the matter. The director shall appoint a hearing officer who shall hear the dispute and issue a written decision. Any appeal shall be in accordance with the Administrative Procedure Act. Upon expiration of the time for perfecting an appeal if no appeal is taken or upon final judicial determination if an appeal is taken, the division shall deny the owner the right to further registration for a fleet license until the amount finally determined to be due, together with any costs assessed against the owner, has been paid.

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

(6)(a) In the event of the transfer of ownership of any registered apportionable vehicle, (b) in the case of loss of possession because of fire, natural disaster, theft, or wrecking, junking, or dismantling of any registered apportionable vehicle, (c) when a salvage branded certificate of title is issued for any registered apportionable vehicle, (d) whenever a type or class of registered apportioned vehicle is subsequently declared by legislative act or court decision to be illegal or ineligible to be operated or towed on the public roads and no longer subject to registration fees and taxes, (e) upon trade-in or surrender of a registered apportionable vehicle under a lease, or (f) in case of a change in the situs of a registered apportionable vehicle to a location outside of this state, its registration shall expire, except that if the registered owner or lessee applies to the division after such transfer or loss of possession and accompanies the application with a fee of one dollar and fifty cents, he or she may have any remaining credit of vehicle fees and taxes from the previously registered apportionable vehicle applied toward payment of any vehicle fees and taxes due and owing on another registered apportionable vehicle. If such registered apportionable vehicle has a greater gross vehicle weight than that of the previously registered apportionable vehicle, the registered owner or lessee of the registered apportionable vehicle shall additionally pay only the registration fee for the increased gross vehicle weight for the remaining months of the registration period year based on the factors determined by the division in the original fleet application.

(7) Whenever a Nebraska-based fleet owner files an application with the

division to delete a registered apportionable vehicle from a fleet of registered apportionable vehicles (a) because of a transfer of ownership of the registered apportionable vehicle, (b) because of loss of possession due to fire, natural disaster, theft, or wrecking, junking, or dismantling of the registered apportionable vehicle, (c) because a salvage branded certificate of title is issued for the registered apportionable vehicle, (d) because a type or class of registered apportioned vehicle is subsequently declared by legislative act or court decision to be illegal or ineligible to be operated or towed on the public roads and no longer subject to registration fees and taxes, (e) because of a trade-in or surrender of the registered apportionable vehicle under a lease, or (f) because of a change in the situs of the registered apportionable vehicle to a location outside of this state, the registered owner may, by returning the registration certificate or certificates and such other evidence of registration used by the division or, if such certificate or certificates or such other evidence of registration is unavailable, then by making an affidavit to the division of such transfer or loss, receive a refund of that portion of the unused registration fee based upon the number of unexpired months remaining in the registration period year from the date of transfer or loss. No refund shall be allowed for any fees paid under section 60-3,203. When such apportionable vehicle is transferred or lost within the same month as acquired, no refund shall be allowed for such month. Such refund may be in the form of a credit against any registration fees that have been incurred or are, at the time of the refund, being incurred by the registered apportionable vehicle owner. The Nebraska-based fleet owner shall make a claim for a refund under this subsection within the registration period or shall be deemed to have forfeited his or her right to the refund.

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

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

(10) Any person may, in lieu of registration under subsections (1) through (8) of this section or for other jurisdictions as approved by the director, purchase a trip permit for any nonresident truck, truck-tractor, bus, or truck or truck-tractor combination. A trip permit shall be issued before any person required to obtain a trip permit enters this state with such vehicle. The trip permit shall be issued by the director through Internet sales from the department's website. The trip permit shall be valid for a period of seventy-two hours. The fee for the trip permit shall be twenty-five dollars for each truck, truck-tractor, bus, or truck or truck-tractor combination. The fee collected by the director shall be remitted to the State Treasurer for credit to the Highway Cash Fund.

Sec. 32. Section 60-3,203, Reissue Revised Statutes of Nebraska, is amended to read:

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

(b) The department may deliver the plates and registration certificate to the applicant by United States mail. The department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant.

(c) The department shall remit fees collected pursuant to this subsection to the State Treasurer for credit to the Motor Carrier Division Cash Fund.

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

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

(4) The renewal fee for each permanent plate shall be two dollars and shall be assessed and collected in each license period year after the period year in which the permanent license plates are initially issued at the time all other renewal fees are collected pursuant to section 60-3,198 unless a truck, truck-tractor, or trailer has been deleted from the fleet registration.

(5)(a) If a permanent license plate is lost or destroyed, the owner shall submit an affidavit to that effect to the division prior to any deletion of the truck, truck-tractor, or trailer from the fleet registration. If the truck, truck-tractor, or trailer is not deleted from the fleet registration, a replacement permanent license plate may be issued upon payment of a fee of three dollars for each truck or truck-tractor and six dollars per trailer.

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

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

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

(8) All fees collected pursuant to this section other than those collected pursuant to subdivisions (1)(b) and (c) of this section shall be remitted to the State Treasurer for credit to the Highway Cash Fund.

Sec. 33. Section 60-3,221, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,221 (1) Except as otherwise provided in the Motor Vehicle Registration Act:

(a) A cabin trailer shall only be towed by a properly registered:

- (i) Passenger car;
- (ii) Commercial motor vehicle or apportionable vehicle;
- (iii) Farm truck;
- (iv) Local truck;
- (v) Minitruck;
- (vi) Recreational vehicle; ~~or~~
- (vii) Bus; or
- (viii) Former military vehicle;

(b) A utility trailer shall only be towed by:

- (i) A properly registered passenger car;
- (ii) A properly registered commercial motor vehicle or apportionable vehicle;
- (iii) A properly registered farm truck;
- (iv) A properly registered local truck;
- (v) A properly registered minitruck;
- (vi) A properly registered recreational vehicle;
- (vii) A properly registered motor vehicle which is engaged in soil and water conservation pursuant to section 60-3,149;
- (viii) A properly registered well-boring apparatus;
- (ix) A dealer-plated vehicle;
- (x) A personal-use dealer-plated vehicle;
- (xi) A properly registered bus; ~~or~~
- (xii) A properly registered public power district motor vehicle or, beginning January 1, 2023, a properly registered metropolitan utilities district motor vehicle; or
- (xiii) A properly registered former military vehicle;

(c) A farm trailer shall only be towed by a properly registered:

- (i) Passenger car;
- (ii) Commercial motor vehicle;
- (iii) Farm truck; ~~or~~
- (iv) Minitruck; or
- (v) Former military vehicle;

(d) A commercial trailer shall only be towed by:

- (i) A properly registered motor vehicle which is engaged in soil and water conservation pursuant to section 60-3,149;
- (ii) A properly registered local truck;
- (iii) A properly registered well-boring apparatus;
- (iv) A properly registered commercial motor vehicle or apportionable vehicle;
- (v) A dealer-plated vehicle;
- (vi) A personal-use dealer-plated vehicle;
- (vii) A properly registered bus;
- (viii) A properly registered farm truck; or
- (ix) A properly registered public power district motor vehicle or, beginning January 1, 2023, a properly registered metropolitan utilities district motor vehicle;

(e) A fertilizer trailer shall only be towed by a properly registered:

- (i) Passenger car;
- (ii) Commercial motor vehicle or apportionable vehicle;
- (iii) Farm truck; or
- (iv) Local truck;

(f) A pole and cable reel trailer shall only be towed by a properly registered:

- (i) Commercial motor vehicle or apportionable vehicle;

(ii) Local truck; or  
(iii) Public power district motor vehicle or, beginning January 1, 2023, metropolitan utilities district motor vehicle;  
(g) A dealer-plated trailer shall only be towed by:  
(i) A dealer-plated vehicle;  
(ii) A properly registered passenger car;  
(iii) A properly registered commercial motor vehicle or apportionable vehicle;  
(iv) A properly registered farm truck;  
(v) A properly registered minitruck; ~~or~~  
(vi) A personal-use dealer-plated vehicle; or  
(vii) A properly registered former military vehicle;  
(h) Trailers registered pursuant to section 60-3,198 as part of an apportioned fleet shall only be towed by:  
(i) A properly registered motor vehicle which is engaged in soil and water conservation pursuant to section 60-3,149;  
(ii) A properly registered local truck;  
(iii) A properly registered well-boring apparatus;  
(iv) A properly registered commercial motor vehicle or apportionable vehicle;  
(v) A dealer-plated vehicle;  
(vi) A personal-use dealer-plated vehicle;  
(vii) A properly registered bus; or  
(viii) A properly registered farm truck; and  
(i) A trailer registered as a historical vehicle pursuant to sections 60-3,130 to 60-3,134 shall only be towed by:  
(i) A motor vehicle properly registered as a historical vehicle pursuant to sections 60-3,130 to 60-3,134;  
(ii) A properly registered passenger car;  
(iii) A properly registered commercial motor vehicle or apportionable vehicle; or  
(iv) A properly registered local truck.  
(2) Nothing in this section shall be construed to waive compliance with the Nebraska Rules of the Road or Chapter 75.  
(3) Nothing in this section shall be construed to prohibit any motor vehicle or trailer from displaying dealer license plates or In Transit stickers authorized by section 60-376.

Sec. 34. Section 60-3,226, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

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

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

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

Sec. 35. Section 60-3,232, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,232 (1) The department shall design license plates to be known as Choose Life License Plates. The department shall create designs reflecting support for the protection of Nebraska's children. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2018.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,233.

(2) One type of Choose Life License Plates shall be alphanumeric plates. The department shall:

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

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

(4) The department shall cease to issue Choose Life License Plates beginning with the next license plate issuance cycle after the license plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if the total number of registered vehicles that obtained such plates is less than five

hundred per year within any prior consecutive two-year period.

Sec. 36. Section 60-3,233, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,233 (1) A person may apply to the department for Choose Life License Plates in lieu of regular license plates on an application prescribed and provided by the department for any motor vehicle or trailer, except for a motor vehicle or trailer registered under section 60-3,198. An applicant receiving a Choose Life License Plate for a farm truck with a gross weight of over sixteen tons or a commercial truck or truck-tractor with a gross weight of five tons or over shall affix the appropriate tonnage decal to the plate. The department shall make forms available for such applications through the county treasurers. The license plates shall be issued upon payment of the license fee described in subsection (2) of this section.

(2)(a) In addition to all other fees required for registration under the Motor Vehicle Registration Act, each application for initial issuance of alphanumeric Choose Life License Plates shall be accompanied by a fee of five dollars. An application for renewal of such plates shall be accompanied by a fee of five dollars. County treasurers collecting fees pursuant to this subdivision shall remit them to the State Treasurer. The State Treasurer shall credit five dollars of the fee to the Health and Human Services Cash Fund to supplement federal funds available to the Department of Health and Human Services for the Temporary Assistance for Needy Families program, 42 U.S.C. 601, et seq.

(b) In addition to all other fees required for registration under the Motor Vehicle Registration Act, each application for initial issuance or renewal of personalized message Choose Life License Plates shall be accompanied by a fee of forty dollars. County treasurers collecting fees pursuant to this subdivision shall remit them to the State Treasurer. The State Treasurer shall credit twenty-five percent of the 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 Health and Human Services Cash Fund to supplement federal funds available to the Department of Health and Human Services for the Temporary Assistance for Needy Families program.

(3)(a) When the department receives an application for Choose Life License Plates, the department shall 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 or trailer is registered and the delivery of the plates and registration certificate shall be made through a secure process and system. The department may charge a postage and handling fee in an amount not more than necessary to recover the cost of postage and handling for the specific items mailed to the registrant. The department shall remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. The county treasurer shall issue Choose Life License 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 or trailer. If Choose Life License Plates are lost, stolen, or mutilated, the licensee shall be issued replacement license plates upon request pursuant to section 60-3,157.

(b) ~~This subdivision applies beginning on an implementation date designated by the director. The director shall designate an implementation date that is on or before January 1, 2021.~~ 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 subdivision. 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.

(4) The owner of a motor vehicle or trailer bearing Choose Life License Plates may apply to the county treasurer to have such plates transferred to a motor vehicle other than the vehicle for which such plates were originally purchased if such vehicle 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 vehicle which will bear the plates at the rate of eight and one-third percent per month for each full month left in the registration period. Application for such transfer shall be accompanied by a fee of three dollars. Fees collected pursuant to this subsection shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(5) If the cost of manufacturing Choose Life License Plates at any time exceeds the amount charged for license plates pursuant to section 60-3,102, any money to be credited to the Health and Human Services Cash Fund to supplement federal funds available to the Department of Health and Human Services for the Temporary Assistance for Needy Families program shall instead be credited first to the Highway Trust Fund in an amount equal to the difference between the manufacturing costs of Choose Life License Plates and the amount charged pursuant to section 60-3,102 with respect to such plates and the remainder shall be credited to the Health and Human Services Cash Fund to supplement federal funds available to the Department of Health and Human Services for the Temporary Assistance for Needy Families program.

Sec. 37. Section 60-3,237, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,237 (1) The department shall design license plates to be known as Wildlife Conservation Plates. The department shall create no more than three designs reflecting support for the conservation of Nebraska wildlife, including



sandhill cranes, bighorn sheep, and ornate box turtles. Each design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate by January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,238.

(2) One type of Wildlife Conservation Plates shall be alphanumeric plates. The department shall:

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

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

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

Sec. 38. Section 60-3,241, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,241 (1) The department shall design license plates to be known as Sammy's Superheroes license plates for childhood cancer awareness. The design shall include a blue handprint over a yellow ribbon and the words "childhood cancer awareness". The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,242.

(2) One type of Sammy's Superheroes license plates for childhood cancer awareness shall be alphanumeric plates. The department shall:

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

(3) One type of Sammy's Superheroes license plates for childhood cancer awareness shall be personalized message plates. Such plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used.

(4) The department shall cease to issue Sammy's Superheroes license plates for childhood cancer awareness beginning with the next license plate issuance cycle after the license plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if the total number of registered vehicles that obtained such plates is less than five hundred per year within any prior consecutive two-year period.

Sec. 39. Section 60-3,243, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,243 (1) The department shall design license plates to be known as Support Our Troops Plates. The department shall create a design reflecting support for troops from all branches of the armed forces. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate by January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,244.

(2) One type of Support Our Troops Plates shall be alphanumeric plates. The department shall:

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

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

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

Sec. 40. Section 60-3,245, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,245 (1) The department shall design license plates to be known as Donate Life Plates. The design shall support organ and tissue donation, registration as a donor on the Donor Registry of Nebraska, and the federally designated organ procurement organization for Nebraska. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,246.

(2) One type of Donate Life Plates shall be alphanumeric plates. The department shall:

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

(b) Not use a county designation.

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

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

Sec. 41. Section 60-3,247, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,247 (1) The department shall design license plates to be known as Down Syndrome Awareness Plates. The design shall include the words "Down syndrome awareness" inside a heart-shaped yellow and blue ribbon. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,248.

(2) One type of Down Syndrome Awareness Plates shall be alphanumeric plates. The department shall:

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

(b) Not use a county designation.

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

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

Sec. 42. Section 60-3,249, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,249 (1) The department shall design license plates to be known as Pets for Vets Plates. The design shall support veterans and companion or therapy pet animals. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,250.

(2) One type of Pets for Vets Plates shall be alphanumeric plates. The department shall:

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

(b) Not use a county designation.

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

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

Sec. 43. Section 60-3,251, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,251 (1) The department shall design license plates to be known as Support the Arts Plates. The design shall be selected in consultation with the Nebraska Arts Council and shall support the arts in Nebraska. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,252.

(2) One type of Support the Arts Plates shall be alphanumeric plates. The department shall:

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

(b) Not use a county designation.

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

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

Sec. 44. Section 60-3,253, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,253 (1) The department shall design license plates to be known as The Good Life Is Outside Plates. The design shall reflect the importance of safe walking and biking in Nebraska and the value of our recreational trails. The design shall be selected on the basis of limiting the manufacturing cost of each plate to an amount less than or equal to the amount charged for license plates pursuant to section 60-3,102. ~~The department shall make applications available for this type of plate beginning January 1, 2021.~~ The department may adopt and promulgate rules and regulations to carry out this section and section 60-3,254.

(2) One type of The Good Life Is Outside Plates shall be alphanumeric plates. The department shall:

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

(3) One type of The Good Life Is Outside Plates shall be personalized message plates. Such plates shall be issued subject to the same conditions specified for personalized message license plates in section 60-3,118, except that a maximum of five characters may be used.

(4) The department shall cease to issue The Good Life Is Outside Plates beginning with the next license plate issuance cycle after the license plate issuance cycle that begins in 2023 pursuant to section 60-3,101 if the total number of registered vehicles that obtained such plates is less than five hundred per year within any prior consecutive two-year period.

Sec. 45. Section 60-462, Reissue Revised Statutes of Nebraska, is amended to read:

60-462 Sections 60-462 to 60-4,189 and section 48 of this act shall be known and may be cited as the Motor Vehicle Operator's License Act.

Sec. 46. Section 60-462.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-462.01 For purposes of the Motor Vehicle Operator's License Act, the following federal regulations are adopted as Nebraska law as they existed on January 1, 2022 ~~2021~~:

The parts, subparts, and sections of Title 49 of the Code of Federal Regulations, as referenced in the Motor Vehicle Operator's License Act.

Sec. 47. Section 60-463, Reissue Revised Statutes of Nebraska, is amended to read:

60-463 For purposes of the Motor Vehicle Operator's License Act, the definitions found in sections 60-463.01 to 60-478 and section 48 of this act shall be used.

Sec. 48. Mobile operator's or driver's license means an operator's or driver's license electronically stored on or accessed via an electronic device.

Sec. 49. Section 60-479.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-479.01 (1) All persons handling source documents or engaged in the issuance of new, renewed, or reissued operators' licenses or state identification cards shall have periodic fraudulent document recognition training.

(2) All persons and agents of the department involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or who have the ability to affect information on such licenses or cards shall be subject to a criminal history record information check, including a check of prior employment references, and a lawful status check as required by 6 C.F.R. part 37, as such part existed on January 1, 2022 ~~2021~~. Such persons and agents shall provide fingerprints which shall be submitted to the Federal Bureau of Investigation. The bureau shall use its records for the criminal history record information check.

(3) Upon receipt of a request pursuant to subsection (2) of this section, the Nebraska State Patrol shall undertake a search for criminal history record information relating to such applicant, including transmittal of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal history record information check. The criminal history record information check shall include information concerning the applicant from federal repositories of such information and repositories of such information in other states, if authorized by federal law. The Nebraska State Patrol shall issue a report to the employing public agency that shall include the criminal history record information concerning the applicant. The cost of any background check shall be borne by the employer of the person or agent.

(4) Any person convicted of any disqualifying offense as provided in 6 C.F.R. part 37, as such part existed on January 1, 2022 ~~2021~~, shall not be involved in the recording of verified application information or verified operator's license and state identification card information, involved in the manufacture or production of licenses or cards, or involved in any capacity in which such person would have the ability to affect information on such licenses or cards. Any employee or prospective employee of the department shall be provided notice that he or she will undergo such criminal history record information check prior to employment or prior to any involvement with the issuance of operators' licenses or state identification cards.

Sec. 50. Section 60-481, Reissue Revised Statutes of Nebraska, is amended to read:

60-481 (1) The director pursuant to law shall publish on the website of the department a synopsis or summary of the statutory driving rules of this state. Such summary shall contain , together with such cautionary and advisory comments as determined by the director, including a description of how to

legally operate a motor vehicle in order to avoid arrest.

~~(2) The director may provide to him or her seem fit, and shall deliver a copy of the such synopsis or summary described in subsection (1) of this section without charge upon request by a member of the public with each operator's license. Such rules shall contain a summary of the state's laws for operating a motor vehicle to avoid arrest.~~

Sec. 51. Section 60-490, Reissue Revised Statutes of Nebraska, is amended to read:

60-490 (1) Operators' licenses issued to persons required to use bioptic or telescopic lenses as provided in section 60-4,118 shall expire ~~annually on the licensee's birthday for all such licenses issued prior to January 1, 2007,~~ and on the licensee's birthday in the second year after issuance, unless specifically restricted to a shorter renewal period as determined under section 60-4,118, ~~for all such licenses issued on or after January 1, 2007.~~

(2) Except for state identification cards issued to persons less than twenty-one years of age, all state identification cards expire on the cardholder's birthday in the fifth year after issuance. A state identification card issued to a person who is less than twenty-one years of age expires on his or her twenty-first birthday or on his or her birthday in the fifth year after issuance, whichever comes first.

(3) Except as otherwise provided in subsection (1) of this section and section 60-4,147.05 and except for operators' licenses issued to persons less than twenty-one years of age, operators' licenses issued pursuant to the Motor Vehicle Operator's License Act expire on the licensee's birthday in the fifth year after issuance. An operator's license issued to a person less than twenty-one years of age expires on his or her twenty-first birthday. Except as otherwise provided in section 60-4,147.05, the Department of Motor Vehicles shall mail out a renewal notice for each operator's license at least thirty days before the expiration of the operator's license.

(4)(a) The expiration date shall be stated on each operator's license or state identification card.

(b) Except as otherwise provided in section 60-4,147.05, licenses and state identification cards issued to persons who are twenty-one years of age or older which expire under this section may be renewed within a ninety-day period before the expiration date. Any person who is twenty-one years of age or older and who is the holder of a valid operator's license or state identification card may renew his or her license or card prior to the ninety-day period before the expiration date on such license or card if such applicant furnishes proof that he or she will be absent from the state during the ninety-day period prior to such expiration date.

(c) A person who is twenty years of age may apply for an operator's license or a state identification card within sixty days prior to his or her twenty-first birthday. The operator's license or state identification card may be issued within ten days prior to such birthday.

(d) A person who is under twenty years of age and who holds a state identification card may apply for renewal within a ninety-day period prior to the expiration date.

Sec. 52. Section 60-4,111.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,111.01 (1) The Department of Motor Vehicles, the courts, or law enforcement agencies may store or compile information acquired from an operator's license or a state identification card for their statutorily authorized purposes.

(2) Except as otherwise provided in subsection (3) or (4) of this section, no person having use of or access to machine-readable information encoded on an operator's license or a state identification card shall compile, store, preserve, trade, sell, or share such information. Any person who trades, sells, or shares such information shall be guilty of a Class IV felony. Any person who compiles, stores, or preserves such information except as authorized in subsection (3) or (4) of this section shall be guilty of a Class IV felony.

(3)(a) For purposes of compliance with and enforcement of restrictions on the purchase of alcohol, lottery tickets, and tobacco products, a retailer who sells any of such items pursuant to a license issued or a contract under the applicable statutory provision may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The retailer may store only the following information obtained from the license or card: Age and license or card identification number. The retailer shall post a sign at the point of sale of any of such items stating that the license or card will be scanned and that the age and identification number will be stored. The stored information may only be used by a law enforcement agency for purposes of enforcement of the restrictions on the purchase of alcohol, lottery tickets, and tobacco products and may not be shared with any other person or entity.

(b) For purposes of compliance with the provisions of sections 28-458 to 28-462, a seller who sells methamphetamine precursors pursuant to such sections may scan machine-readable information encoded on an operator's license or a state identification card presented for the purpose of such a sale. The seller may store only the following information obtained from the license or card: Name, age, address, type of identification presented by the customer, the governmental entity that issued the identification, and the number on the identification. The seller shall post a sign at the point of sale stating that the license or card will be scanned and stating what information will be stored. The stored information may only be used by law enforcement agencies,

regulatory agencies, and the exchange for purposes of enforcement of the restrictions on the sale or purchase of methamphetamine precursors pursuant to sections 28-458 to 28-462 and may not be shared with any other person or entity. For purposes of this subsection, the terms exchange, methamphetamine precursor, and seller have the same meanings as in section 28-458.

(c) The retailer or seller shall utilize software that stores only the information allowed by this subsection. A programmer for computer software designed to store such information shall certify to the retailer that the software stores only the information allowed by this subsection. Intentional or grossly negligent programming by the programmer which allows for the storage of more than the age and identification number or wrongfully certifying the software shall be a Class IV felony.

(d) A retailer or seller who knowingly stores more information than authorized under this subsection from the operator's license or state identification card shall be guilty of a Class IV felony.

(e) Information scanned, compiled, stored, or preserved pursuant to subdivision (a) of this subsection may not be retained longer than eighteen months unless required by state or federal law.

(4) In order to approve a negotiable instrument, an electronic funds transfer, or a similar method of payment, a person having use of or access to machine-readable information encoded on an operator's license or a state identification card may:

(a) Scan, compile, store, or preserve such information in order to provide the information to a check services company subject to and in compliance with the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., as such act existed on January 1, 2022 ~~2021~~, for the purpose of effecting, administering, or enforcing a transaction requested by the holder of the license or card or preventing fraud or other criminal activity; or

(b) Scan and store such information only as necessary to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability or to resolve a dispute or inquiry by the holder of the license or card.

(5) Except as provided in subdivision (4)(a) of this section, information scanned, compiled, stored, or preserved pursuant to this section may not be traded or sold to or shared with a third party; used for any marketing or sales purpose by any person, including the retailer who obtained the information; or, unless pursuant to a court order, reported to or shared with any third party. A person who violates this subsection shall be guilty of a Class IV felony.

Sec. 53. Section 60-4,115, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,115 (1) Fees for operators' licenses and state identification cards shall be collected by department personnel or the county treasurer and distributed according to the table in subsection (2) of this section, except for the ignition interlock permit and associated fees as outlined in subsection (4) of this section and the 24/7 sobriety program permit and associated fees as outlined in subsection (5) of this section. County officials shall remit the county portion of the fees collected to the county treasurer for placement in the county general fund. All other fees collected shall be remitted to the State Treasurer for credit to the appropriate fund.

(2) The fees provided in this subsection in the following dollar amounts apply for operators' licenses and state identification cards.

Document	Total Fee	Department		
		County	of Motor	State
		General Fund	Vehicles Cash Fund	General Fund
State identification card:				
Valid for 1 year or less	5.00	2.75	1.25	1.00
Valid for more than 1 year but not more than 2 years	10.00	2.75	4.00	3.25
Valid for more than 2 years but not more than 3 years	14.00	2.75	5.25	6.00
Valid for more than 3 years but not more than 4 years	19.00	2.75	8.00	8.25
Valid for more than 4 years for person under 21	24.00	2.75	10.25	11.00
<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>

LB750 2022				LB750 2022
<del>Valid for 5 years</del>	<del>24.00</del>	<del>3.50</del>	<del>10.25</del>	<del>10.25</del>
Replacement	11.00	2.75	6.00	2.25
Class O or M operator's license:				
Valid for 1 year or less	5.00	2.75	1.25	1.00
Valid for more than 1 year but not more than 2 years	10.00	2.75	4.00	3.25
Valid for more than 2 years but not more than 3 years	14.00	2.75	5.25	6.00
Valid for more than 3 years but not more than 4 years	19.00	2.75	8.00	8.25
<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>13.25</u>	<u>7.25</u>
<del>Valid for 5 years</del>	<del>24.00</del>	<del>3.50</del>	<del>10.25</del>	<del>10.25</del>
Bioptic or telescopic lens restriction:				
Valid for 1 year or less	5.00	0	5.00	0
Valid for more than 1 year but not more than 2 years	10.00	2.75	4.00	3.25
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
Provisional operator's permit:				
Original	15.00	2.75	12.25	0
Bioptic or telescopic lens restriction:				
Valid for 1 year or less	5.00	0	5.00	0
Valid for more than 1 year but not more than 2 years	15.00	2.75	12.25	0
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
LPD-learner's permit:				
Original	8.00	.25	5.00	2.75
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
LPE-learner's permit:				
Original	8.00	.25	5.00	2.75
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class,				

LB750 2022				LB750 2022
endorsement, or restriction	5.00	0	5.00	0
School permit:				
Original	8.00	.25	5.00	2.75
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
Farm permit:				
Original or renewal	5.00	.25	0	4.75
Replacement	5.00	.25	0	4.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
Driving permits:				
Employment	45.00	0	5.00	40.00
Medical hardship	45.00	0	5.00	40.00
Replacement	10.00	.25	5.00	4.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00	0
Commercial driver's license:				
Valid for 1 year or less	11.00	1.75	5.00	4.25
Valid for more than 1 year but not more than 2 years	22.00	1.75	5.00	15.25
Valid for more than 2 years but not more than 3 years	33.00	1.75	5.00	26.25
Valid for more than 3 years but not more than 4 years	44.00	1.75	5.00	37.25
Valid for 5 years	55.00	1.75	5.00	48.25
Bioptic or telescopic lens restriction:				
Valid for one year or less	11.00	1.75	5.00	4.25
Valid for more than 1 year but not more than 2 years	22.00	1.75	5.00	15.25
Replacement	11.00	2.75	6.00	2.25
Add, change, or remove class, endorsement, or restriction	10.00	1.75	5.00	3.25
CLP-commercial learner's permit:				
Original or renewal	10.00	.25	5.00	4.75
Replacement	10.00	.25	5.00	4.75
Add, change, or remove class, endorsement, or restriction	10.00	.25	5.00	4.75

Seasonal permit:

Original or renewal	10.00	.25	5.00	4.75
Replacement	10.00	.25	5.00	4.75
Add, change, or remove class, endorsement, or restriction	10.00	.25	5.00	4.75

(3) If the department issues an operator's license or a state identification card and collects the fees, the department shall remit the county portion of the fees to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(4)(a) The fee for an ignition interlock permit shall be forty-five dollars. Five dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Forty dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Ignition Interlock Fund.

(b) The fee for a replacement ignition interlock permit shall be eleven dollars. Two dollars and seventy-five cents of the fee shall be remitted to the county treasurer for credit to the county general fund. Six dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Two dollars and twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the General Fund.

(c) The fee for adding, changing, or removing a class, endorsement, or restriction on an ignition interlock permit shall be five dollars. The fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(5)(a) The fee for a 24/7 sobriety program permit shall be forty-five dollars. Twenty-five dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Fifteen dollars of the fee shall be remitted to the State Treasurer for credit to the General Fund. Five dollars of the fee shall be remitted to the county treasurer ~~State Treasurer~~ for credit to the county general fund ~~of the participant's county of residence~~.

(b) The fee for a replacement 24/7 sobriety program permit shall be eleven dollars. Two dollars and seventy-five cents of the fee shall be remitted to the county treasurer for credit to the county general fund ~~of the participant's county of residence~~. Six dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Two dollars and twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the General Fund.

(c) The fee for adding, changing, or removing a class, endorsement, or restriction on a 24/7 sobriety program permit shall be five dollars. The fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(6) The department and its agents may collect an identity security surcharge to cover the cost of security and technology practices used to protect the identity of applicants for and holders of operators' licenses and state identification cards and to reduce identity theft, fraud, and forgery and counterfeiting of such licenses and cards to the maximum extent possible. The surcharge shall be in addition to all other required fees for operators' licenses and state identification cards. The amount of the surcharge shall be determined by the department. The surcharge shall not exceed eight dollars. The surcharge shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

Sec. 54. Section 60-4,122, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,122 (1) Except as otherwise provided in subsections (2), (3), and (8) of this section, no original or renewal operator's license shall be issued to any person until such person has demonstrated his or her ability to operate a motor vehicle safely as provided in section 60-4,114.

(2) Except as otherwise provided in this section and section 60-4,127, any person who renews his or her Class O or Class M license shall demonstrate his or her ability to drive and maneuver a motor vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only at the discretion of department personnel, except that a person required to use bioptic or telescopic lenses shall be required to demonstrate his or her ability to drive and maneuver a motor vehicle safely each time he or she renews his or her license.

(3) Any person who renews his or her Class O or Class M license prior to or within one year after its expiration may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state as provided in subdivision (3)(c) of section 60-4,114 if his or her driving record abstract maintained in the computerized records of the department shows that such person's license is not impounded, suspended, revoked, or canceled.

(4) Except for operators' licenses issued to persons required to use bioptic or telescopic lenses, any person who renews his or her operator's license which has been valid for fifteen months or less shall not be required to take any examination required under section 60-4,114.

(5) Any person who renews a state identification card shall appear before department personnel and present his or her current state identification card



or shall follow the procedure for electronic renewal in subsection (9) of this section. Proof of identification shall be required as prescribed in sections 60-484 and 60-4,181 and the information and documentation required by section 60-484.04.

~~(6)(a) If a (6) A nonresident who applies for an initial operator's license in this state presents a physical or mobile and who holds a valid operator's license from the individual's another state which is his or her state of residence, the department may choose not to require such individual may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she surrenders to the department his or her valid out-of-state operator's license.~~

~~(b) A physical operator's license described in subdivision (a) of this subsection shall be surrendered to the department.~~

~~(c) Upon issuing an initial operator's license described in subdivision (a) of this subsection, the department shall notify the state that issued the valid operator's license described in subdivision (a) of this subsection to invalidate such license.~~

(7) An applicant for an original operator's license may not be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she has been issued a Nebraska LPD-learner's permit that is valid or has been expired for no more than one year. The written examination shall not be waived if the original operator's license being applied for contains a class or endorsement which is different from the class or endorsement of the Nebraska LPD-learner's permit.

(8)(a) A qualified licensee as determined by the department who is twenty-one years of age or older, whose license expires prior to his or her seventy-second birthday, and who has a digital image and digital signature preserved in the digital system may renew his or her Class O or Class M license twice by electronic means in a manner prescribed by the department using the preserved digital image and digital signature without taking any examination required under section 60-4,114 if such renewal is prior to or within one year after the expiration of the license, if his or her driving record abstract maintained in the records of the department shows that such person's license is not impounded, suspended, revoked, or canceled, and if his or her driving record indicates that he or she is otherwise eligible. Every licensee, including a licensee who is out of the state at the time of renewal, must apply for renewal in person at least once every sixteen years and have a new digital image and digital signature captured.

(b) In order to allow for an orderly progression through the various types of operators' licenses issued to persons under twenty-one years of age, a qualified holder of an operator's license who is under twenty-one years of age and who has a digital image and digital signature preserved in the digital system may apply for an operator's license by electronic means in a manner prescribed by the department using the preserved digital image and digital signature if the applicant has passed any required examinations prior to application, if his or her driving record abstract maintained in the records of the department shows that such person's operator's license is not impounded, suspended, revoked, or canceled, and if his or her driving record indicates that he or she is otherwise eligible.

(9) Any person who is twenty-one years of age or older and who has been issued a state identification card with a digital image and digital signature may electronically renew his or her state identification card by electronic means in a manner prescribed by the department using the preserved digital image and digital signature. Every person renewing a state identification card under this subsection, including a person who is out of the state at the time of renewal, must apply for renewal in person at least once every sixteen years and have a new digital image and digital signature captured.

(10) In addition to services available at driver license offices, the department may develop requirements for using electronic means for online issuance of operators' licenses and state identification cards to qualified holders as determined by the department.

Sec. 55. Section 60-4,124, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,124 (1) A person who is younger than sixteen years and three months of age but is older than fourteen years and two months of age may be issued a school permit if such person either resides outside a city of the metropolitan, primary, or first class or attends a school which is outside a city of the metropolitan, primary, or first class and if such person has held an LPE-learner's permit for two months. A school permit shall not be issued until such person has demonstrated that he or she is capable of successfully operating a motor vehicle, moped, or motorcycle and has in his or her possession an issuance certificate authorizing the county treasurer to issue a school permit. In order to obtain an issuance certificate, the applicant shall present (a) proof of successful completion of a department-approved driver safety course which includes behind-the-wheel driving specifically emphasizing (i) the effects of the consumption of alcohol on a person operating a motor vehicle, (ii) occupant protection systems, (iii) risk assessment, and (iv) railroad crossing safety and (b)(i) proof of successful completion of a written examination and driving test administered by a driver safety course instructor or (ii) a certificate in a form prescribed by the department, signed by a parent, guardian, or licensed driver at least twenty-one years of age, verifying that the applicant has completed fifty hours of lawful motor vehicle operation, under conditions that reflect department-approved driver safety

course curriculum, with a parent, guardian, or adult at least twenty-one years of age, who has a current Nebraska operator's license or who is licensed in another state. The department may waive the written examination if the applicant has been issued an LPE-learner's permit or LPD-learner's permit and if such permit is valid or has expired no more than one year prior to application. The written examination shall not be waived if the permit being applied for contains a class or endorsement which is different from the class or endorsement of the LPE-learner's permit.

(2) A person holding a school permit may operate a motor vehicle, moped, or motorcycle or an autocycle:

(a) To and from where he or she attends school, or property used by the school he or she attends for purposes of school events or functions, over the most direct and accessible route by the nearest highway from his or her place of residence to transport such person or any family member who resides with such person to attend duly scheduled courses of instruction and extracurricular or school-related activities at the school he or she attends or on property used by the school he or she attends; or

(b) Under the personal supervision of a licensed operator. Such licensed operator shall be at least twenty-one years of age and licensed by this state or another state and shall (i) for all motor vehicles other than autocycles, motorcycles, or mopeds, actually occupy the seat beside the permitholder, (ii) in the case of an autocycle, actually occupy the seat beside or behind the permitholder, or (iii) in the case of a motorcycle, other than an autocycle, or a moped, if the permitholder is within visual contact of and under the supervision of, in the case of a motorcycle, a licensed motorcycle operator or, in the case of a moped, a licensed motor vehicle operator.

(3) The holder of a school permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state. Enforcement of this subsection shall be accomplished only as a secondary action when the holder of the school permit has been cited or charged with a violation of some other law.

(4) A person who is younger than sixteen years of age but is over fourteen years of age may be issued an LPE-learner's permit, which permit shall be valid for a period of six ~~three~~ months. An LPE-learner's permit shall not be issued until such person successfully completes a written examination prescribed by the department and demonstrates that he or she has sufficient powers of eyesight to safely operate a motor vehicle, moped, or motorcycle or an autocycle.

(5)(a) While holding the LPE-learner's permit, the person may operate a motor vehicle on the highways of this state if (i) for all motor vehicles other than autocycles, motorcycles, or mopeds, he or she has seated next to him or her a person who is a licensed operator, (ii) in the case of an autocycle, he or she has seated next to or behind him or her a person who is a licensed operator, or (iii) in the case of a motorcycle, other than an autocycle, or a moped, he or she is within visual contact of and is under the supervision of a person who, in the case of a motorcycle, is a licensed motorcycle operator or, in the case of a moped, is a licensed motor vehicle operator. Such licensed motor vehicle or motorcycle operator shall be at least twenty-one years of age and licensed by this state or another state.

(b) The holder of an LPE-learner's permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state. Enforcement of this subdivision shall be accomplished only as a secondary action when the holder of the LPE-learner's permit has been cited or charged with a violation of some other law.

(6) Department personnel or the county treasurer shall collect the fee and surcharge prescribed in section 60-4,115 from each successful applicant for a school or LPE-learner's permit. All school permits shall be subject to impoundment or revocation under the terms of section 60-496. Any person who violates the terms of a school permit shall be guilty of an infraction and shall not be eligible for another school, farm, LPD-learner's, or LPE-learner's permit until he or she has attained the age of sixteen years.

(7) Any person who holds a permit issued under this section and has violated subdivision (3)(b) or (c) of section 28-306, subdivision (3)(b) or (c) of section 28-394, or section 28-1254, 60-6,196, 60-6,197, 60-6,197.06, or 60-6,198 shall not be eligible for an ignition interlock permit.

Sec. 56. Section 60-4,130.03, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,130.03 (1) Any person less than twenty-one years of age who holds an operator's license or a provisional operator's permit and who has accumulated, within any twelve-month period, a total of six or more points on his or her driving record pursuant to section 60-4,182 shall be notified by the Department of Motor Vehicles of that fact and ordered to attend and successfully complete a driver improvement course consisting of at least four ~~eight~~ hours of department-approved instruction. Notice shall be sent by regular United States mail to the last-known address as shown in the records of the department. If such person fails to complete the driver improvement course within three months after the date of notification, he or she shall have his or her operator's license suspended by the department.

(2) The director shall issue an order summarily suspending an operator's license until the licensee turns twenty-one years of age. Such order shall be sent by regular United States mail to the last-known address as shown in the records of the department. Such person shall not have his or her operator's license reinstated until he or she (a) has successfully completed the driver

improvement course or has attained the age of twenty-one years and (b) has complied with section 60-4,100.01.

Sec. 57. Section 60-4,130.04, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,130.04 Commercial driver safety course instructors shall possess competence as outlined in rules and regulations adopted and promulgated by the Department of Motor Vehicles. Instructors who teach the department-approved driver safety course in a public school or institution and possess competence as outlined in a driver's education endorsement shall be eligible to sign a form prescribed by the department or electronically submit test results to the department showing successful completion of the driver safety course. Each public school or institution offering a department-approved driver safety course shall be required to obtain a certificate and pay the fee pursuant to section 60-4,130.05. ~~The Nebraska Safety Center shall offer a department-approved driver safety course at least once each year in any county where no approved course is offered.~~

Sec. 58. Section 60-4,132, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,132 The purposes of sections 60-462.01, 60-4,133, and 60-4,137 to 60-4,172 are to implement the requirements mandated by the federal Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31100 et seq., the federal Motor Carrier Safety Improvement Act of 1999, Public Law 106-159, 49 U.S.C. 101 et seq., section 1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, and federal regulations as such acts and regulations existed on January 1, 2022 ~~2021~~, and to reduce or prevent commercial motor vehicle accidents, fatalities, and injuries by: (1) Permitting drivers to hold only one operator's license; (2) disqualifying drivers for specified offenses and serious traffic violations; and (3) strengthening licensing and testing standards.

Sec. 59. Section 60-4,134, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,134 In conformance with section 7208 of the federal Fixing America's Surface Transportation Act and 49 C.F.R. 383.3(i), as such section and regulation existed on January 1, 2022 ~~2021~~, no hazardous materials endorsement authorizing the holder of a Class A commercial driver's license to operate a commercial motor vehicle transporting diesel fuel shall be required if such driver is (1) operating within the state and acting within the scope of his or her employment as an employee of a custom harvester operation, an agrichemical business, a farm retail outlet and supplier, or a livestock feeder and (2) operating a service vehicle that is (a) transporting diesel in a quantity of one thousand gallons or less and (b) clearly marked with a flammable or combustible placard, as appropriate.

Sec. 60. Section 60-4,138, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,138 (1) Commercial drivers' licenses and restricted commercial drivers' licenses shall be issued by the department in compliance with 49 C.F.R. parts 380, 383, 384, and 391, shall be classified as provided in subsection (2) of this section, and shall bear such endorsements and restrictions as are provided in subsections (3) and (4) of this section.

(2) Commercial motor vehicle classifications for purposes of commercial drivers' licenses shall be as follows:

(a) Class A Combination Vehicle – Any combination of motor vehicles and towed vehicles with a gross vehicle weight rating of more than twenty-six thousand pounds if the gross vehicle weight rating of the vehicles being towed are in excess of ten thousand pounds;

(b) Class B Heavy Straight Vehicle – Any single commercial motor vehicle with a gross vehicle weight rating of twenty-six thousand one pounds or more or any such commercial motor vehicle towing a vehicle with a gross vehicle weight rating not exceeding ten thousand pounds; and

(c) Class C Small Vehicle – Any single commercial motor vehicle with a gross vehicle weight rating of less than twenty-six thousand one pounds or any such commercial motor vehicle towing a vehicle with a gross vehicle weight rating not exceeding ten thousand pounds comprising:

(i) Motor vehicles designed to transport sixteen or more passengers, including the driver; and

(ii) Motor vehicles used in the transportation of hazardous materials and required to be placarded pursuant to section 75-364.

(3) The endorsements to a commercial driver's license shall be as follows:

(a) T – Double/triple trailers;

(b) P – Passenger;

(c) N – Tank vehicle;

(d) H – Hazardous materials;

(e) X – Combination tank vehicle and hazardous materials; and

(f) S – School bus.

(4) The restrictions to a commercial driver's license shall be as follows:

(a) E – No manual transmission equipped commercial motor vehicle;

(b) K – Operation of a commercial motor vehicle only in intrastate commerce;

(c) L – Operation of only a commercial motor vehicle which is not equipped with air brakes;

(d) M – Operation of a commercial motor vehicle which is not a Class A passenger vehicle;

(e) N – Operation of a commercial motor vehicle which is not a Class A or Class B passenger vehicle;

(f) O – No tractor-trailer commercial motor vehicle;

(g) V – Operation of a commercial motor vehicle for drivers with medical variance documentation. The documentation shall be required to be carried on the driver's person while operating a commercial motor vehicle; and

(h) Z – No full air brake equipped commercial motor vehicle.

Sec. 61. Section 60-4,139.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,139.01 ~~An Beginning September 30, 2005,~~ an applicant for a school bus endorsement shall satisfy the following three requirements:

(1) Pass the knowledge and skills test for obtaining a passenger vehicle endorsement;

(2) Have knowledge covering at least the following three topics:

(a) Loading and unloading children, including the safe operation of stop signal devices, external mirror systems, flashing lights, and other warning and passenger safety devices required for school buses by state or federal law or regulation;

(b) Emergency exits and procedures for safely evacuating passengers in an emergency; and

(c) State and federal laws and regulations related to safely traversing highway-rail grade crossings; and

(3) Take a driving skills test in a school bus of the same vehicle group as the school bus the applicant will drive.

Sec. 62. Section 60-4,147.02, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,147.02 No endorsement authorizing the driver to operate a commercial motor vehicle transporting hazardous materials shall be issued, renewed, or transferred by the Department of Motor Vehicles unless the endorsement is issued, renewed, or transferred in conformance with the requirements of section 1012 of the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, USA PATRIOT Act, 49 U.S.C. 5103a, including all amendments and federal regulations adopted pursuant thereto as of January 1, ~~2022~~ 2021, for the issuance of licenses to operate commercial motor vehicles transporting hazardous materials.

Sec. 63. Section 60-4,149.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,149.01 (1) A commercial driver's license examiner shall not require the commercial driver's license knowledge examination, except the hazardous material portion of the examination and any knowledge examinations not previously taken for that class of commercial motor vehicle or endorsement, if the applicant renews his or her commercial driver's license prior to its expiration or within one year after its expiration and if the applicant's driving record abstract maintained in the department's computerized records shows that his or her commercial driver's license is not suspended, revoked, canceled, or disqualified.

~~(2)(a) If a (2)–~~A nonresident who applies for a commercial driver's license in this state presents a physical or mobile holds a valid commercial driver's license from another state, the department may choose not to require such individual shall not be required to take the commercial driver's license knowledge examination.

~~(b) Subdivision (a) of this subsection shall not apply to , except the hazardous material portion of the examination and any knowledge examinations not previously taken for that class of commercial motor vehicle or endorsement, if the nonresident commercial driver's license holder surrenders his or her valid out-of-state commercial driver's license to licensing staff.~~

(c) A physical commercial driver's license described in subdivision (a) of this subsection shall be surrendered to the department.

(d) Upon issuing a commercial driver's license described in subdivision (a) of this subsection, the department shall notify the state that issued the valid commercial driver's license described in subdivision (a) of this subsection to invalidate such license.

Sec. 64. Section 60-4,168, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,168 (1) Except as provided in subsections (2) and (3) of this section, a person shall be disqualified from operating a commercial motor vehicle for one year upon his or her first conviction, after April 1, 1992, in this or any other state for:

(a) Operating a commercial motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance or, beginning September 30, 2005, operating any motor vehicle in violation of section 60-6,196 or 60-6,197 or under the influence of a controlled substance;

(b) Operating a commercial motor vehicle in violation of section 60-4,163 or 60-4,164;

(c) Leaving the scene of an accident involving a commercial motor vehicle operated by the person or, beginning September 30, 2005, leaving the scene of an accident involving any motor vehicle operated by the person;

(d) Using a commercial motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section or, beginning September 30, 2005, using any motor vehicle in the commission of a felony other than a felony described in subdivision (3)(b) of this section;

(e) Beginning September 30, 2005, operating a commercial motor vehicle after his or her commercial driver's license has been suspended, revoked, or

canceled or the driver is disqualified from operating a commercial motor vehicle; or

(f) Beginning September 30, 2005, causing a fatality through the negligent or criminal operation of a commercial motor vehicle.

(2) Except as provided in subsection (3) of this section, if any of the offenses described in subsection (1) of this section occurred while a person was transporting hazardous material in a commercial motor vehicle which required placarding pursuant to section 75-364, the person shall, upon conviction or administrative determination, be disqualified from operating a commercial motor vehicle for three years.

(3) A person shall be disqualified from operating a commercial motor vehicle for life if, after April 1, 1992, he or she:

(a) Is convicted of or administratively determined to have committed a second or subsequent violation of any of the offenses described in subsection (1) of this section or any combination of those offenses arising from two or more separate incidents;

(b) Beginning September 30, 2005, used a commercial motor vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance; or

(c) Used a commercial motor vehicle in the commission of a felony involving an act or practice of severe forms of trafficking in persons, as defined and described in 22 U.S.C. 7102(11), as such section existed on January 1, 2022 ~~2021~~.

(4)(a) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a commercial motor vehicle.

(b) A person is disqualified from operating a commercial motor vehicle for a period of not less than sixty days if he or she is convicted in this or any other state of two serious traffic violations, or not less than one hundred twenty days if he or she is convicted in this or any other state of three serious traffic violations, arising from separate incidents occurring within a three-year period while operating a motor vehicle other than a commercial motor vehicle if the convictions have resulted in the revocation, cancellation, or suspension of the person's operator's license or driving privileges.

(5)(a) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state, or local law or regulation pertaining to one of the following six offenses at a highway-rail grade crossing shall be disqualified for the period of time specified in subdivision (5)(b) of this section:

(i) For drivers who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(ii) For drivers who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(iii) For drivers who are always required to stop, failing to stop before driving onto the crossing;

(iv) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping;

(v) For all drivers, failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(vi) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

(b)(i) A person shall be disqualified for not less than sixty days if the person is convicted of a first violation described in this subsection.

(ii) A person shall be disqualified for not less than one hundred twenty days if, during any three-year period, the person is convicted of a second violation described in this subsection in separate incidents.

(iii) A person shall be disqualified for not less than one year if, during any three-year period, the person is convicted of a third or subsequent violation described in this subsection in separate incidents.

(6) A person shall be disqualified from operating a commercial motor vehicle for at least one year if, on or after July 8, 2015, the person has been convicted of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license.

(7) If the department receives credible information that a CLP-commercial learner's permit holder or a commercial driver's license holder is suspected, but has not been convicted, on or after July 8, 2015, of fraud related to the issuance of his or her CLP-commercial learner's permit or commercial driver's license, the department must require the driver to retake the skills and knowledge tests. Within thirty days after receiving notification from the department that retesting is necessary, the affected CLP-commercial learner's permit holder or commercial driver's license holder must make an appointment or otherwise schedule to take the next available test. If the CLP-commercial learner's permit holder or commercial driver's license holder fails to make an appointment within thirty days, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the driver fails either the knowledge or skills test or does not take the test, the department must disqualify his or her CLP-commercial learner's permit or commercial driver's license. If the holder of a CLP-commercial learner's permit or commercial driver's license has had his or her CLP-commercial learner's permit or commercial driver's license disqualified, he or she must reapply for a CLP-

commercial learner's permit or commercial driver's license under department procedures applicable to all applicants for a CLP-commercial learner's permit or commercial driver's license.

(8) For purposes of this section, controlled substance has the same meaning as in section 28-401.

(9) For purposes of this section, conviction means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law, in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court costs, or a violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(10) For purposes of this section, serious traffic violation means:

(a) Speeding at or in excess of fifteen miles per hour over the legally posted speed limit;

(b) Willful reckless driving as described in section 60-6,214 or reckless driving as described in section 60-6,213;

(c) Improper lane change as described in section 60-6,139;

(d) Following the vehicle ahead too closely as described in section 60-6,140;

(e) A violation of any law or ordinance related to motor vehicle traffic control, other than parking violations or overweight or vehicle defect violations, arising in connection with an accident or collision resulting in death to any person;

(f) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license;

(g) Beginning September 30, 2005, operating a commercial motor vehicle without a commercial driver's license in the operator's possession;

(h) Beginning September 30, 2005, operating a commercial motor vehicle without the proper class of commercial driver's license and any endorsements, if required, for the specific vehicle group being operated or for the passengers or type of cargo being transported on the vehicle;

(i) Beginning October 27, 2013, texting while driving as described in section 60-6,179.02; and

(j) Using a handheld mobile telephone as described in section 60-6,179.02.

(11) Each period of disqualification imposed under this section shall be served consecutively and separately.

Sec. 65. Section 60-4,174, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,174 ~~(1)~~—The director shall adopt and promulgate such rules and regulations for the administration and enforcement of sections 60-4,173 to 60-4,179 as are necessary to protect the public. The director or his or her authorized representative shall examine applicants for Driver Training School and Instructor's Licenses, license successful applicants, and inspect school facilities and equipment. The director shall administer and enforce such sections and may call upon the Commissioner of Education for assistance in developing and formulating appropriate rules and regulations.

~~(2) Rules and regulations which have been adopted and promulgated pursuant to this section prior to July 18, 2008, shall remain in effect and be applicable to all driver training schools and instructors until such time as new rules and regulations are adopted and promulgated.~~

Sec. 66. Section 60-4,183, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,183 Whenever it comes to the attention of the director that any person has, as disclosed by the records of the director, accumulated a total of twelve or more points within any period of two years, as set out in section 60-4,182, the director shall (1) summarily revoke the operator's license of such person and (2) require such person to attend and successfully complete a driver improvement driver's education and training course consisting of at least four hours of instruction approved by the Department of Motor Vehicles.

Such instruction shall be successfully completed before the operator's license may be reinstated. Each person who attends such instruction shall pay the cost of such course.

Such revocation shall be for a period of six months from the date of the signing of the order of revocation or six months from the date of the release of such person from the jail or a Department of Correctional Services adult correctional facility, whichever is the later, unless a longer period of revocation was directed by the terms of the abstract of the judgment of conviction transmitted to the director by the trial court.

Any motor vehicle except a commercial motor vehicle may be operated under an employment driving permit as provided by section 60-4,129 or a medical hardship driving permit as provided by section 60-4,130.01.

Sec. 67. Section 60-4,188, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,188 Any person who has fewer than twelve points assessed against his or her driving record under section 60-4,182 may voluntarily enroll in a driver improvement driver's education and training course approved by the Department of Motor Vehicles. Upon notification of successful completion of such a course by the conducting organization, the department shall reduce by two the number of points assessed against such person's driving record within the previous two years. This section shall only apply to persons who have successfully completed such driver improvement driver's education and training course prior to

committing any traffic offense for which a conviction and point assessment against their driving record would otherwise result in a total of twelve or more points assessed against their record. No person required to enroll in a driver improvement driver's education and training course pursuant to section 60-4,130, 60-4,130.03, or 60-4,183 shall be eligible for a reduction in points assessed against his or her driving record upon the successful completion of such course. If a person has only one point assessed against his or her record within the previous two years, upon notification of successful completion of such a course by the conducting organization, the department shall reduce one point from such person's driving record. Such reduction shall be allowed only once within a five-year period. Notification of completion of an approved driver improvement driver's education and training course shall be sent to the department, upon successful completion thereof, by the conducting organization. Such course shall consist of at least four hours of instruction and shall follow such other guidelines as are established by the department.

Sec. 68. Section 60-501, Reissue Revised Statutes of Nebraska, is amended to read:

60-501 For purposes of the Motor Vehicle Safety Responsibility Act, unless the context otherwise requires:

- (1) Department means Department of Motor Vehicles;
- (2) Former military vehicle means a motor vehicle that was manufactured for use in any country's military forces and is maintained to accurately represent its military design and markings, regardless of the vehicle's size or weight, but is no longer used, or never was used, by a military force;
- (3) Golf car vehicle means a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, and is designed and manufactured for operation on a golf course for sporting and recreational purposes;
- (4) Judgment means any judgment which shall have become final by the expiration of the time within which an appeal might have been perfected without being appealed, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, (a) upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle for damages, including damages for care and loss of services, because of bodily injury to or death of any person or for damages because of injury to or destruction of property, including the loss of use thereof, or (b) upon a cause of action on an agreement of settlement for such damages;
- (5) License means any license issued to any person under the laws of this state pertaining to operation of a motor vehicle within this state;
- (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (ii) whose gross vehicle weight rating is less than three thousand pounds, and (iii) that complies with 49 C.F.R. part 571, as such part existed on January 1, 2022 ~~2021~~, or (b) three-wheeled motor vehicle (i) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (ii) whose gross vehicle weight rating is less than three thousand pounds, and (iii) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle;
- (7) Minitruck means a foreign-manufactured import vehicle or domestic-manufactured vehicle which (a) is powered by an internal combustion engine with a piston or rotor displacement of one thousand five hundred cubic centimeters or less, (b) is sixty-seven inches or less in width, (c) has a dry weight of four thousand two hundred pounds or less, (d) travels on four or more tires, (e) has a top speed of approximately fifty-five miles per hour, (f) is equipped with a bed or compartment for hauling, (g) has an enclosed passenger cab, (h) is equipped with headlights, taillights, turnsignals, windshield wipers, a rearview mirror, and an occupant protection system, and (i) has a four-speed, five-speed, or automatic transmission;
- (8) Motor vehicle means any self-propelled vehicle which is designed for use upon a highway, including trailers designed for use with such vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a former military vehicle. Motor vehicle does not include (a) mopeds as defined in section 60-637, (b) traction engines, (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers, (h) every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails, (i) electric personal assistive mobility devices as defined in section 60-618.02, (j) off-road designed vehicles, including, but not limited to, golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles and utility-type vehicles as defined in section 60-6,355, minibikes as defined in section 60-636, and snowmobiles as defined in section 60-663, and (k) bicycles as defined in section 60-611;
- (9) Nonresident means every person who is not a resident of this state;
- (10) Nonresident's operating privilege means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him or her of a motor vehicle or the use of a motor vehicle owned by him or her in this state;
- (11) Operator means every person who is in actual physical control of a motor vehicle;
- (12) Owner means a person who holds the legal title of a motor vehicle, or in the event (a) a motor vehicle is the subject of an agreement for the

conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or (b) a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of the act;

(13) Person means every natural person, firm, partnership, limited liability company, association, or corporation;

(14) Proof of financial responsibility means evidence of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance, or use of a motor vehicle, (a) in the amount of twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, (b) subject to such limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and (c) in the amount of twenty-five thousand dollars because of injury to or destruction of property of others in any one accident;

(15) Registration means registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles;

(16) State means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada; and

(17) The forfeiture of bail, not vacated, or of collateral deposited to secure an appearance for trial shall be regarded as equivalent to conviction of the offense charged.

Sec. 69. Section 60-628.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle (a) whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) that complies with 49 C.F.R. part 571, as such part existed on January 1, ~~2022~~ 2021, or (2) three-wheeled motor vehicle (a) whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface, (b) whose gross vehicle weight rating is less than three thousand pounds, and (c) which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Sec. 70. Section 60-699, Reissue Revised Statutes of Nebraska, is amended to read:

60-699 (1) The operator of any vehicle involved in an accident resulting in injuries or death to any person or damage to the property of any one person, including such operator, to an apparent extent that equals or exceeds one thousand five hundred dollars shall within ten days forward a report of such accident to the Department of Transportation. Such report shall not be required if the accident is investigated by a peace officer. If the operator is physically incapable of making the report, the owner of the motor vehicle involved in the accident shall, within ten days from the time he or she learns of the accident, report the matter in writing to the Department of Transportation. The Department of Transportation or Department of Motor Vehicles may require operators involved in accidents to file supplemental reports of accidents upon forms furnished by it whenever the original report is insufficient in the opinion of either department. The operator or the owner of the motor vehicle shall make such other and additional reports relating to the accident as either department requires. Such records shall be retained for the period of time specified by the State Records Administrator pursuant to the Records Management Act.

(2) The report of accident required by this section shall be in two parts. Part I shall be in such form as the Department of Transportation may prescribe and shall disclose full information concerning the accident. Part II shall be in such form as the Department of Motor Vehicles may prescribe and shall disclose sufficient information to disclose whether or not the financial responsibility requirements of the Motor Vehicle Safety Responsibility Act are met through the carrying of liability insurance.

(3) Upon receipt of a report of accident, the Department of Transportation shall determine the reportability and classification of the accident and enter all information into a computerized database. Upon completion, the Department of Transportation shall electronically send Part II of the report to the Department of Motor Vehicles for purposes of section 60-506.01.

(4) Such reports shall be without prejudice. Except as provided in section 84-712.05, a report regarding an accident made by a peace officer, made to or filed with a peace officer in the peace officer's office or department, or filed with or made by or to any other law enforcement agency of the state shall be open to public inspection, but an accident report filed by the operator or owner of a motor vehicle pursuant to this section shall not be open to public inspection. Date of birth information, excluding the year of birth, and operator's license number information of an operator or owner included in any report required under this section shall be confidential and shall not be a public record under section 84-712.01. Year of birth or age information of an operator or owner included in any report required under this section shall not be confidential and shall be a public record under section 84-712.01. Nothing in this section prohibits a peace officer or a law enforcement agency from disclosing the age of an operator or owner included in any report required under this section. The fact that a report by an operator or owner has been so made shall be admissible in evidence solely to prove compliance with this



section, but no such report or any part of or statement contained in the report shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents nor shall the report be referred to in any way or be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages.

(5) The failure by any person to report an accident as provided in this section or to correctly give the information required in connection with the report shall be a Class V misdemeanor.

Sec. 71. Section 60-6,265, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,265 For purposes of sections 60-6,266 to 60-6,273:

(1) Occupant protection system means a system utilizing a lap belt, a shoulder belt, or any combination of belts installed in a motor vehicle which (a) restrains drivers and passengers and (b) conforms to Federal Motor Vehicle Safety Standards, 49 C.F.R. 571.207, 571.208, 571.209, and 571.210, as such standards existed on January 1, ~~2022~~ 2021, or, as a minimum standard, to the federal motor vehicle safety standards for passenger restraint systems applicable for the motor vehicle's model year; and

(2) Three-point safety belt system means a system utilizing a combination of a lap belt and a shoulder belt installed in a motor vehicle which restrains drivers and passengers.

Sec. 72. Section 60-1515, Reissue Revised Statutes of Nebraska, is amended to read:

60-1515 (1) The Legislature hereby finds and declares that a statewide system for the collection, storage, and transfer of data on vehicle titles and registration and the cooperation of state and local government in implementing such a system is essential to the efficient operation of state and local government in vehicle titling and registration. The Legislature hereby finds and declares that the electronic issuance of operators' licenses and state identification cards using a digital system as described in section 60-484.01 and the cooperation of state and local government in implementing such a system is essential to the efficient operation of state and local government in issuing operators' licenses and state identification cards.

(2) It is therefor the intent of the Legislature that the Department of Motor Vehicles shall use a portion of the fees appropriated by the Legislature to the Department of Motor Vehicles Cash Fund as follows:

(a) To pay for the cost of issuing motor vehicle titles and registrations on a system designated by the department. The costs shall include, but not be limited to, software and software maintenance, programming, processing charges, and equipment including such terminals, printers, or other devices as deemed necessary by the department after consultation with the county to support the issuance of motor vehicle titles and registrations. The costs shall not include the cost of county personnel or physical facilities provided by the counties;

(b) To fund the centralization of renewal notices for motor vehicle registration and to furnish to the counties the certificate of registration forms specified in section 60-390. The certificate of registration form shall be prescribed by the department;

(c) To pay for the costs of an operator's license system as specified in sections 60-484.01 and 60-4,119 and designated by the department. The costs shall be limited to such terminals, printers, software, programming, and other equipment or devices as deemed necessary by the department to support the issuance of such licenses and state identification cards in the counties and by the department; and

(d) To pay for the motor vehicle insurance database created under section 60-3,136.

(3) The department shall utilize three dollars of each fee allocated to the Department of Motor Vehicles Cash Fund from state identification cards valid for five years and Class O or M operators' licenses valid for five years to open and operate an additional operators' licensing service center.

Sec. 73. Section 60-2705, Reissue Revised Statutes of Nebraska, is amended to read:

60-2705 The Director of Motor Vehicles shall adopt standards for an informal dispute settlement procedure which substantially comply with the provisions of 16 C.F.R. part 703, as such part existed on January 1, ~~2022~~ 2021.

If a manufacturer has established or participates in a dispute settlement procedure certified by the Director of Motor Vehicles within the guidelines of such standards, the provisions of section 60-2703 concerning refunds or replacement shall not apply to any consumer who has not first resorted to such a procedure.

Sec. 74. Section 60-2909.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-2909.01 The department and any officer, employee, agent, or contractor of the department having custody of a motor vehicle record shall, upon the verification of identity and purpose of a requester, disclose and make available the requested motor vehicle record, including the sensitive personal information in the record, other than the social security number, for the following purposes:

(1) For use by any federal, state, or local governmental agency, including any court or law enforcement agency, in carrying out the agency's functions or by a private person or entity acting on behalf of a governmental agency in carrying out the agency's functions;

(2) For use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court or governmental

agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court, an administrative agency, or a self-regulatory body;

(3) For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, anti-fraud activities, rating, or underwriting;

(4) For use by an employer or the employer's agent or insurer to obtain or verify information relating to a holder of a commercial driver's license or CLP-commercial learner's permit that is required under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et seq., as such act existed on January 1, 2022 ~~2021~~, or pursuant to sections 60-4,132 and 60-4,141; and

(5) For use by employers of a holder of a commercial driver's license or CLP-commercial learner's permit and by the Commercial Driver License Information System as provided in section 60-4,144.02 and 49 C.F.R. 383.73, as such regulation existed on January 1, 2022 ~~2021~~.

Sec. 75. Section 66-1401, Reissue Revised Statutes of Nebraska, is amended to read:

66-1401 Sections 66-1401 to 66-1427 and section 77 of this act shall be known and may be cited as the International Fuel Tax Agreement Act.

Sec. 76. Section 66-1421, Reissue Revised Statutes of Nebraska, is amended to read:

66-1421 (1)(a) No penalty shall be imposed upon any person who voluntarily reports an underpayment of tax by filing an amended return if the original return is filed on time.

(b) Except as provided in subsection (3) of this section, interest shall not be waived on any additional tax due as reported on any amended return, and such interest shall be computed from the date such tax was due.

(2) The department may in its discretion waive all or any portion of the penalties incurred upon sufficient showing by the taxpayer that the failure to file or pay is not due to negligence, intentional disregard of the law, rules, or regulations, intentional evasion of the tax, or fraud committed with intent to evade the tax or that such penalties should otherwise be waived.

(3) The department may in its discretion waive any and all interest incurred upon sufficient showing by the taxpayer that such interest should be waived.

~~(4) All penalties collected by the department under this section shall be remitted to the State Treasurer for credit to the Highway Trust Fund.~~

Sec. 77. All taxes, interest, and penalties collected pursuant to the International Fuel Tax Agreement Act shall be remitted to the State Treasurer for credit to the Highway Trust Fund, except as otherwise provided under the act or an agreement entered into pursuant to the act.

Sec. 78. Section 75-126, Reissue Revised Statutes of Nebraska, is amended to read:

75-126 (1) Except as otherwise provided in this section, no common carrier shall:

(a) Charge, demand, collect, or receive from any person a greater or lesser compensation for any services rendered than it charges, demands, collects, or receives from any other person for doing a like or contemporaneous service unless required under section 86-465;

(b) Make or give any undue or unreasonable preference or advantage to any particular person;

(c) Subject any type of traffic to any undue or unreasonable prejudice, delay, or disadvantage in any respect whatsoever;

(d) Charge or receive any greater compensation in the aggregate for the transportation of a like kind of property or passengers for a shorter than for a longer distance over the same line or route, except as the commission may prescribe in special cases to prevent manifest injuries, except that no manifest injustice shall be imposed upon any person at intermediate points. This section shall not prevent the commission from making group or emergency rates;

(e) Demand, charge, or collect, by any device whatsoever, a lesser or greater compensation for any service rendered than that filed with or prescribed by the commission; or

(f) Change any rate, schedule, or classification in any manner whatsoever before application has been made to the commission and permission granted for that purpose, except as otherwise provided in section 86-155.

(2) This section shall not prohibit any common carrier from, and a common carrier shall not be subject to any fine, penalty, or forfeiture for, performing services free or at reduced rates to:

(a) The United States, the State of Nebraska, or any governmental subdivision thereof;

(b) The employees, both present and retired, of such common carrier;

(c) Any person when the object is to provide relief in case of any disaster;

(d) Any person who transports property for charitable purposes;

(e) Ministers and others giving their entire time to religious or charitable work; ~~or~~

(f) Any person who is legally blind or visually handicapped; ~~or~~

(g) Any person who is sixty-five years of age or older.

Sec. 79. Section 75-363, Revised Statutes Supplement, 2021, is amended to read:

75-363 (1) The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, as modified in this section, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of January 1, 2022 ~~2021~~, are adopted as Nebraska law.

(2) Except as otherwise provided in this section, the regulations shall be applicable to:

(a) All motor carriers, drivers, and vehicles to which the federal regulations apply; and

(b) All motor carriers transporting persons or property in intrastate commerce to include:

(i) All vehicles of such motor carriers with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight over ten thousand pounds;

(ii) All vehicles of such motor carriers designed or used to transport more than eight passengers, including the driver, for compensation, or designed or used to transport more than fifteen passengers, including the driver, and not used to transport passengers for compensation;

(iii) All vehicles of such motor carriers transporting hazardous materials required to be placarded pursuant to section 75-364; and

(iv) All drivers of such motor carriers if the drivers are operating a commercial motor vehicle as defined in section 60-465 which requires a commercial driver's license.

(3) The Legislature hereby adopts, as modified in this section, the following parts of Title 49 of the Code of Federal Regulations:

(a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

(b) Part 385 - SAFETY FITNESS PROCEDURES;

(c) Part 386 - RULES OF PRACTICE FOR FMCSA PROCEEDINGS;

(d) Part 387 - MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS;

(e) Part 390 - FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL;

(f) Part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS;

(g) Part 392 - DRIVING OF COMMERCIAL MOTOR VEHICLES;

(h) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION;

(i) Part 395 - HOURS OF SERVICE OF DRIVERS;

(j) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE;

(k) Part 397 - TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES; and

(l) Part 398 - TRANSPORTATION OF MIGRANT WORKERS.

(4) The provisions of subpart E - Physical Qualifications And Examinations of 49 C.F.R. part 391 - QUALIFICATIONS OF DRIVERS AND LONGER COMBINATION VEHICLE (LCV) DRIVER INSTRUCTORS shall not apply to any driver subject to this section who: (a) Operates a commercial motor vehicle exclusively in intrastate commerce; and (b) holds, or has held, a commercial driver's license issued by this state prior to July 30, 1996.

(5) The regulations adopted in subsection (3) of this section shall not apply to farm trucks registered pursuant to section 60-3,146 with a gross weight of sixteen tons or less. The following parts and sections of 49 C.F.R. chapter III shall not apply to drivers of farm trucks registered pursuant to section 60-3,146 and operated solely in intrastate commerce:

(a) All of part 391;

(b) Section 395.8 of part 395; and

(c) Section 396.11 of part 396.

(6) The following parts and subparts of 49 C.F.R. chapter III shall not apply to the operation of covered farm vehicles:

(a) Part 382 - CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING;

(b) Part 391, subpart E - Physical Qualifications and Examinations;

(c) Part 395 - HOURS OF SERVICE OF DRIVERS; and

(d) Part 396 - INSPECTION, REPAIR, AND MAINTENANCE.

(7) Part 393 - PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION and Part 396 - INSPECTION, REPAIR, AND MAINTENANCE shall not apply to fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity of three thousand five hundred gallons or less.

(8) For purposes of this section, intrastate motor carriers shall not include any motor carrier or driver excepted from 49 C.F.R. chapter III by section 390.3(f) of part 390.

(9)(a) Part 395 - HOURS OF SERVICE OF DRIVERS shall apply to motor carriers and drivers who engage in intrastate commerce as defined in section 75-362, except that no motor carrier who engages in intrastate commerce shall permit or require any driver used by it to drive nor shall any driver drive:

(i) More than twelve hours following ten consecutive hours off duty; or

(ii) For any period after having been on duty sixteen hours following ten consecutive hours off duty.

(b) No motor carrier who engages in intrastate commerce shall permit or require a driver of a commercial motor vehicle, regardless of the number of motor carriers using the driver's services, to drive, nor shall any driver of a commercial motor vehicle drive, for any period after:

(i) Having been on duty seventy hours in any seven consecutive days if the employing motor carrier does not operate every day of the week; or

(ii) Having been on duty eighty hours in any period of eight consecutive days if the employing motor carrier operates motor vehicles every day of the week.

(10) Part 395 - HOURS OF SERVICE OF DRIVERS, as adopted in subsections (3) and (9) of this section, shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes during planting and harvesting season when:

(a) The transportation of such agricultural commodities is from the source of the commodities to a location within a one-hundred-fifty-air-mile radius of the source of the commodities;

(b) The transportation of such farm supplies is from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used which is within a one-hundred-fifty-air-mile radius of the wholesale or retail distribution point; or

(c) The transportation of such farm supplies is from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies which is within a one-hundred-fifty-air-mile radius of the wholesale distribution point.

(11) 49 C.F.R. 390.21 - Marking of self-propelled CMVs and intermodal equipment shall not apply to farm trucks and farm truck-tractors registered pursuant to section 60-3,146 and operated solely in intrastate commerce.

(12) 49 C.F.R. 392.9a - Operating authority shall not apply to Nebraska motor carriers operating commercial motor vehicles solely in intrastate commerce.

(13) No motor carrier shall permit or require a driver of a commercial motor vehicle to violate, and no driver of a commercial motor vehicle shall violate, any out-of-service order.

Sec. 80. Section 75-364, Revised Statutes Supplement, 2021, is amended to read:

75-364 The parts, subparts, and sections of Title 49 of the Code of Federal Regulations listed below, or any other parts, subparts, and sections referred to by such parts, subparts, and sections, in existence and effective as of January 1, 2022 ~~2021~~, are adopted as part of Nebraska law and shall be applicable to all motor carriers whether engaged in interstate or intrastate commerce, drivers of such motor carriers, and vehicles of such motor carriers:

(1) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart F - Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers;

(2) Part 107 - HAZARDOUS MATERIALS PROGRAM PROCEDURES, subpart G - Registration of Persons Who Offer or Transport Hazardous Materials;

(3) Part 171 - GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS;

(4) Part 172 - HAZARDOUS MATERIALS TABLE, SPECIAL PROVISIONS, HAZARDOUS MATERIALS COMMUNICATIONS, EMERGENCY RESPONSE INFORMATION, TRAINING REQUIREMENTS, AND SECURITY PLANS;

(5) Part 173 - SHIPPERS - GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS;

(6) Part 177 - CARRIAGE BY PUBLIC HIGHWAY;

(7) Part 178 - SPECIFICATIONS FOR PACKAGINGS; and

(8) Part 180 - CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS.

Sec. 81. Section 75-366, Revised Statutes Supplement, 2021, is amended to read:

75-366 For the purpose of enforcing Chapter 75, article 3, any officer of the Nebraska State Patrol may, upon demand, inspect the accounts, records, and equipment of any motor carrier or shipper. Any officer of the Nebraska State Patrol shall have the authority to enforce the federal motor carrier safety regulations, as such regulations existed on January 1, 2022 ~~2021~~, and federal hazardous materials regulations, as such regulations existed on January 1, 2022 ~~2021~~, and is authorized to enter upon, inspect, and examine any and all lands, buildings, and equipment of any motor carrier, any shipper, and any other person subject to the federal Interstate Commerce Act, the federal Department of Transportation Act, and other related federal laws and to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of a motor carrier, a shipper, and any other person subject to Chapter 75, article 3, for the purposes of enforcing Chapter 75, article 3. To promote uniformity of enforcement, the carrier enforcement division of the Nebraska State Patrol shall cooperate and consult with the Public Service Commission and the Division of Motor Carrier Services.

Sec. 82. Section 75-369.03, Revised Statutes Cumulative Supplement, 2020, is amended to read:

75-369.03 (1) The Superintendent of Law Enforcement and Public Safety may issue an order imposing a civil penalty against a motor carrier transporting persons or property in interstate commerce for a violation of sections 75-392 to 75-3,100 or against a motor carrier transporting persons or property in intrastate commerce for a violation or violations of section 75-363 or 75-364 based upon an inspection conducted pursuant to section 75-366 in an amount which shall not exceed eight hundred forty-eight dollars for any single violation in any proceeding or series of related proceedings against any person or motor carrier as defined in 49 C.F.R. 390.5 as adopted in section 75-363.

(2) The superintendent shall issue an order imposing a civil penalty in an amount not to exceed sixteen thousand nine hundred forty-one ~~four hundred fifty-three~~ dollars against a motor carrier transporting persons or property in interstate commerce for a violation of subdivision (2)(e) of section 60-4,162 based upon a conviction of such a violation.

(3) The superintendent shall issue an order imposing a civil penalty against a driver operating a commercial motor vehicle, as defined in section 60-465, that requires a commercial driver's license or CLP-commercial learner's

permit, in violation of an out-of-service order. The civil penalty shall be in an amount not less than three thousand two hundred sixty-eight ~~one hundred seventy-four~~ dollars for a first violation and not less than six thousand five hundred thirty-six ~~three hundred forty-eight~~ dollars for a second or subsequent violation.

(4) The superintendent shall issue an order imposing a civil penalty against a motor carrier who knowingly allows, requires, permits, or authorizes the operation of a commercial motor vehicle, as defined in section 60-465, that requires a commercial driver's license or CLP-commercial learner's permit, in violation of an out-of-service order. The civil penalty shall be not less than five thousand nine hundred two ~~seven hundred thirty-two~~ dollars but not more than thirty-two thousand six hundred seventy-nine ~~thirty-one thousand seven hundred thirty-seven~~ dollars per violation.

(5) Upon the discovery of any violation by a motor carrier transporting persons or property in interstate commerce of section 75-307, 75-363, or 75-364 or sections 75-392 to 75-3,100 based upon an inspection conducted pursuant to section 75-366, the superintendent shall immediately refer such violation to the appropriate federal agency for disposition, and upon the discovery of any violation by a motor carrier transporting persons or property in intrastate commerce of section 75-307 based upon such inspection, the superintendent shall refer such violation to the Public Service Commission for disposition.

Sec. 83. Section 75-392, Revised Statutes Supplement, 2021, is amended to read:

75-392 For purposes of sections 75-392 to 75-3,100:

(1) Director means the Director of Motor Vehicles;

(2) Division means the Division of Motor Carrier Services of the Department of Motor Vehicles; and

(3) Unified carrier registration plan and agreement means the plan and agreement established and authorized pursuant to 49 U.S.C. 14504a, as such section existed on January 1, 2022 ~~2021~~.

Sec. 84. Section 75-393, Revised Statutes Supplement, 2021, is amended to read:

75-393 The director may participate in the unified carrier registration plan and agreement pursuant to the Unified Carrier Registration Act of 2005, 49 U.S.C. 13908, as the act existed on January 1, 2022 ~~2021~~, and may file on behalf of this state the plan required by such plan and agreement for enforcement of the act in this state.

Sec. 85. Sections 53, 72, and 86 of this act become operative on July 1, 2022. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 87 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 86. Original sections 60-4,115 and 60-1515, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 87. Original sections 39-1337, 60-107, 60-119.01, 60-142.11, 60-144, 60-149, 60-151, 60-169, 60-302.01, 60-336.01, 60-386, 60-392, 60-3,101, 60-3,102, 60-3,113.04, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,128, 60-3,130.02, 60-3,135.01, 60-3,193.01, 60-3,198, 60-3,203, 60-3,221, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, 60-3,251, 60-3,253, 60-462, 60-462.01, 60-463, 60-479.01, 60-481, 60-490, 60-4,111.01, 60-4,122, 60-4,124, 60-4,130.03, 60-4,130.04, 60-4,132, 60-4,134, 60-4,138, 60-4,139.01, 60-4,147.02, 60-4,149.01, 60-4,168, 60-4,174, 60-4,183, 60-4,188, 60-501, 60-628.01, 60-699, 60-6,265, 60-2705, 60-2909.01, 66-1401, 66-1421, and 75-126, Reissue Revised Statutes of Nebraska, sections 30-2715.01, 39-1302, 39-1320, and 75-369.03, Revised Statutes Cumulative Supplement, 2020, and sections 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2021, are repealed.

Sec. 88. Since an emergency exists, this act takes effect when passed and approved according to law.

## Maytum, Mike

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**From:** Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>  
**Sent:** Friday, August 5, 2022 7:43 AM  
**To:** Maytum, Mike  
**Cc:** Jennifer Bell; Dugger, Jeremy  
**Subject:** FMCSA Approval Of NSP's Final Title VI Program Compliance Plan For FY 2023

Good Morning, Lieutenant. Great! Thank you. I have reviewed NSP's final Title VI Program Compliance Plan for FY 2023 and find all elements identified in the FY 2023 FMCSA Title VI Program Compliance Plan Checklist. This e-mail serves as the Plan approval document. Therefore, NSP's final Title VI Program Compliance Plan for FY 2023 is hereby approved.

If you will forward to me a copy of the final Policy 03-27 (Anti-Discrimination and Harassment Policy) and SOP 41-2, 24-01 CMV Inspection Guidelines for my record, I will be appreciative. I did not find these documents in my record for FY 2022. Thanks, Lieutenant.

Lester

Lester Finkle  
FMCSA National Title VI Program Manager

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**From:** Maytum, Mike <Mike.Maytum@nebraska.gov>  
**Sent:** Friday, August 5, 2022 7:57 AM  
**To:** Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>  
**Cc:** Bell, Jennifer (FMCSA) <jennifer.bell@dot.gov>; Dugger, Jeremy (FMCSA) <jeremy.dugger@dot.gov>  
**Subject:** Title VI Nebraska

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Sir,  
Please find our 2022 Title VI Compliance document attached for your review and approval related to submission of our 2023 CVSP.

Respectfully,

**Mike Maytum**  
Lieutenant | Carrier Enforcement Division

**Nebraska State Patrol**  
P.O. Box 94907  
Lincoln, Nebraska 68509  
4600 Innovation Drive  
Lincoln, Nebraska 68521

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