



NEBRASKA

Commercial Vehicle Safety Plan

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

**Fiscal Years 2023 - 2025
Annual Update FY 2025**

Date of Approval: March 02, 2026

FINAL CVSP



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

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

The Federal Motor Carrier Safety Administration (FMCSA) 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 crashes and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved crashes, 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 FMCSA by the due date each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. The State must submit a multi-year 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 2025)
- Part 5: Certifications and Documents (FY 2025)

All of the five eCVSP parts listed above contain subsections. Each subsection category will provide you with detailed explanation and instruction on what to do to complete 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 either a 3-year plan or an Annual Update. 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 2025:

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 if any updates are needed for the upcoming fiscal year by answering the "Yes/No" question provided in each Section of Parts 1-3.

- If **"Yes"** is selected, the information provided for Year 1 will be editable and State users can make any necessary changes to their project plan. Answer carefully as there is only one opportunity to select "Yes" before the question is locked.
- If **"No"** is selected, the information in this section will not be editable and the user should move forward to the next section.
- Trend Analysis information that supports your current activities is not editable in Year 2 or 3 of an Annual Update plan.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2024 plans. States must carefully review and update this information to reflect FY 2025 activities prior to submission to FMCSA. The financial information and certifications will be updated each fiscal year.

- Any information added should detail major programmatic changes.
- Add any updates to the narrative areas and indicate changes by preceding it with the heading **"FY 2025 Update"**. Below the heading, include descriptions of the changes to your program, including how any tables were modified.
- The Trend Analysis areas in each section can only be edited in Year 1 of a three-year plan. Trend Analysis data cannot be edited 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

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

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

Instructions:

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

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

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.

FY2025 Update: Nebraska Fatal crash rate for CMVs stands at .275 per 100 million miles travelled. This is up slightly from the genesis period of this document, and stands at an average of 59.2 fatalities per year. An increase in miles travelled offsets the rate increase, but actual fatalities has risen over the 3 year period. Nebraska continues to seek a reduction in fatalities in both statistical measures.

Part 1 Section 3 - MCSAP Structure Explanation

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

- ☒ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

Instructions:

Answer the questions about your CVSP initiatives and briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant. For questions answered "Yes", describe your State's initiatives and indicate if more details are provided in other CVSP sections. Please do not include activities or expenses associated with any other FMCSA grant program.

Yes	No	CVSP Initiative Questions
☒	☐	Is the National Roadway Safety Strategy (NRSS) being used as a resource in developing the CVSP?
☒	☐	Are initiatives involving rural roads included in the CVSP?
☐	☒	Are activities regarding Migrant Worker Transportation in Rural Areas included in the CVSP?
☒	☐	Are initiatives regarding human trafficking/smuggling included in the CVSP?
☒	☐	Are activities regarding drug interdiction included in the CVSP?
☒	☐	Are initiatives regarding work zone safety included in the CVSP?
☒	☐	Is your State submitting an annual Training Plan to the National Training Center (NTC)?

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 85 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 oversees 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 crash counties which are determined by the Nebraska Department of Roads Accident Records Data Base.

Part 1 Section 4 - MCSAP Structure

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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 activity area.

- **Driver and Vehicle Inspections** includes the number of personnel conducting inspection activities.
- **Traffic enforcement activities** includes the number personnel conducting CMV and Non-CMV traffic enforcement activities.
- **Investigations** includes the number of personnel conducting Investigations, Compliance Reviews, and New Entrant Safety Audits.
- **Public Education and Awareness** includes the number of personnel conducting public education and awareness on CMV topics.
- **Data Collection and Reporting** includes the number of personnel responsible for collecting, processing, analyzing and reporting State data including inspections and crashes, uploading data via SafetyNet and SAFER, and monitoring the quality of data timeliness, accuracy, and completeness.

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
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	280
Traffic Enforcement Activities	280
Investigations*	8
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
National Program Elements	Enter # personnel below
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.

*For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures from the **Analysis & Information Online** (A&I Online) website, <https://ai.fmcsa.dot.gov/Grants>. Portal credentials are required to access this website.*

- **MCSAP Performance Dashboard** – *States can use this information to inform CVSPs and other activities with the goal of reducing crashes, injuries, and fatalities involving CMVs.*

It provides a snapshot of MCSAP performance in four areas: Crash Overview, National Program Element goals, Enforcement Measures, and Funding Utilization.

- **Activity Dashboard** – *This dashboard assists States in monitoring MCSAP activities identified in CVSPs and in preparing MCSAP quarterly reports. The reports are viewable by fiscal year and quarter. The most recent five fiscal years are available.*

Reports are available in three areas: Crash Reduction, Out-of-Service (OOS) report, and National Program Elements (which includes reports on Roadside Inspections, Investigations, State Safety DQ, Safety Audits, Border Enforcement, and Traffic Enforcement).

- *States can utilize other data reports available on A&I Online located in the Crash Statistics, Enforcement Programs, and Data Quality modules.*
- *States can also use internal State data sources.*

It is important to always reference data source information used in developing problem statements, baseline information, objectives, and performance goals within the CVSP.

Part 2 Section 2 - CMV Crash Reduction

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

FMCSA's primary mission is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing CMV-related crashes.

Performance data plays an important role in ensuring MCSAP-funded work across the country is actively and effectively promoting positive CMV safety outcomes. States can use the MCSAP Performance Dashboard to develop CVSPs, and to inform and inspire strategic conversations with FMCSA in the pursuit of our shared safety mission. Crash metrics are included in the Crash Overview section and represent the performance measures most commonly identified by the States.

States can use this data to identify State trends in key crash measures, and compare your State with nationwide and regional data.

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 **Number of 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 **eCVSP Goal column**, enter the goal from the corresponding CVSP for the measurement period.
 - In the **Actual 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.

FY2025 Update: Nebraska has a total of 93 counties, with an over representation of CMV crashes in identified high crash counties (HCCs). For the calendar years 2019-2023, the top 10 HCCs represented 57.3% or an average of 643 CMV crashes per year. If the group is extended out to the top 16 High Crash Counties, they represent 68% of all crashes. 11 of these 16 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, Deuel, Keith, Hamilton, Adams, Cass and Cheyenne counties due to their over-representation of CMV crashes.

Updated statistics for Passenger Vehicle Fatal crashes:

2019 - 2
2020 - 0
2021 - 0
2022 - 2
2023 - 1

Fatal Crashes Involving HM spillage, other than fuel:

2019 - 2
2020 - 4
2021 - 1
2022 - 2
2023 - 2

Non-Motorist/Pedestrian fatalities with CMV involvement:

2019 - 4

2020 - 4

2021 - 2

2022 - 3

2023 - 2

Nebraska: Crash Statistics, Nebraska Department of Transportation 2019-2023.

Enter the data source and capture date:

Nebraska: Crash Statistics, Nebraska Department of Transportation 2019-2023. Nebraska's Performance Based Strategic Traffic Safety Plan 2024 - 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 would be shown as 4 percent. If the crash reduction goal is 15 crashes per year, then each annual goal would be shown as 15.

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

FY 2025 Update: Nebraska's 5 year average for fatalities per 100 Million VMT is currently at .275. Nationally, in 2021, 5,904 large trucks and buses were involved in fatal crashes, a 18-percent increase from 2020. From 2020 to 2021, large truck and bus fatalities per 100 million vehicle miles traveled by all motor vehicles increased from 0.176 to 0.191, 7 percent below the 21st-century peak of 0.205 in 2000. At .275, Nebraska's 2023 results were slightly increased from the previous year, and Nebraska seeks to further reduce fatalities to rate not above the 5 year average. Nebraska originally set a goal of reducing the number of fatal crashes by 2 per year for the 3 year plan. For 2019-2023, the average number of fatality crashes stands at 47, which is a slight improvement, but short of the goal. The state will seek to maintain a goal of reducing crashes by 2 per year. 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 1.12 fatality per 100 million VMT by calendar end 2025, inclusive of CMV crashes. The current CMV rate is below the stated goal of 1.12 fatality/100M VMT in the State Highway Safety plan and contributes to lowering the overall rate each year. FMCSA sets a goal of reducing serious crashes by 15%. The state will endeavor to focus on reducing overall crash numbers involving CMVs through proactive enforcement. Additional miles driven potentially increase the overall probability of crashes, as does winter weather, which are unmanageable factors in crashes. The state has a goal of reducing fatal crashes by 2 per year, which represents a 4% decrease per year. The state sees extending that goal to all CMV crashes as realistic goal for FY2025.

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.

FY2025 Update:

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. The top 10 High Crash Counties for 2025 are Douglas, Lancaster, Sarpy, Hall, York, Lincoln, Buffalo, Dawson, Seward, and Dodge.

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 US DOT, 46% of fatalities occur on rural roadways. In Nebraska, nearly twice as many miles are traveled on rural roadways as on urban roadways, and rural roadways account for approximately 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 and areas in the state that represent heightened crash risk. 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 work zones and high crash corridors using all available resources. The state has two large scale construction initiatives in High Crash Counties on Interstate 80 over the course of the next 2 years, and will be prime focus areas for enforcement.

The state plans to enhance enforcement efforts using technology-driven tools to identify cell phone use and seat belt compliance in CMVs as funding is available.

The state recognizes the role that CMVs weighing 10,001-14,000lbs play in crashes. The state does not currently have an established mechanism to monitor this particular class of vehicle in crashes, but will seek ways to better understand the factors involved in crashes involving this class of vehicle.

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. The top 10 counties are Douglas, Lancaster, Sarpy, Hall, York, Lincoln, Buffalo, Dawson, Seward, and Dodge. 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. The state has seen a slight decrease in fatality crashes in work zones in the most recent multi-year average, down from 3 to 2 crashes per year. MCSAP Lieutenant will utilize selective reporting to ensure progress toward this lowering this is made, which will be reported quarterly. The state is planning 2 large construction projects on Interstate 80 over the next 2-3 years, which may have an impact on averages. Directed patrols will be planned as work progresses.

Part 2 Section 3 - Roadside Inspections

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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 the Trend Analysis table, 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
Total	30780	28653	28418	25290	30294

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., SafeSpect) used by the State.

FY24 Update: The state has successfully migrated all commercial vehicle inspections conducted in the state to TraCS.

FY2025 Update: The state is successfully utilizing TraCS for all inspections and crash reports. Reporting on activity has improved as a result of reduced reliance on Safetynet and limitations present in that database.

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 24,301 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 17,901 inspections will be completed by personnel assigned to the Carrier Enforcement Division and are 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, North Platte Eastbound and Nebraska City scale sites, funded by HP/ITD grants. 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 and along Nebraska Highway 2, which is a feeder route to I-29 in Iowa for traffic traveling to and from the southern United States. 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. 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 also be brought on line at Waverly Eastbound and North Platte Westbound in late 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. The state plans refresher training to sworn staff on human trafficking, including newly identified labor trafficking concerns in commercial vehicle operations.

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.

In an effort to identify 85+% of DACH-prohibited drivers, inspectors are required to check all drivers for compliance. The state also is on schedule for DACH2 in November of 2024, which should lead to an even higher compliance rate in identifying prohibited drivers.

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 2025, 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 2025 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	3500	850	0	4350	17.90%
Level 2: Walk-Around	1250	0	0	1250	5.14%
Level 3: Driver-Only	18500	0	0	18500	76.13%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	200	200	0.82%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Sub-Total Lead Agency	23250	851	200	24301	

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 2025 - 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	%
Sub-Total Subrecipients	0	0	0	0	

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 2025:	

Summary

Projected Goals for FY 2025 - Roadside Inspections Summary

Projected Goals for FY 2025 Summary for All Agencies					
MCSAP Lead Agency: NEBRASKA STATE PATROL					
# certified personnel: 80					
Subrecipient Agencies: TBD					
# certified personnel: 0					
Number of Non-Funded Agencies:					
# certified personnel:					
# projected inspections:					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	3500	850	0	4350	17.90%
Level 2: Walk-Around	1250	0	0	1250	5.14%
Level 3: Driver-Only	18500	0	0	18500	76.13%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	200	200	0.82%
Level 6: Radioactive Materials	0	1	0	1	0.00%
Total MCSAP Lead Agency & Subrecipients	23250	851	200	24301	

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.

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. FY2025 Update: Inspection goals have been lowered to levels that are seen as achievable based on current staffing. The state will continue to endeavor to attain 2014/2015 average levels to be eligible for non-CMV enforcement reimbursement, but sees that as a reach goal under current conditions. The state has expanded overtime funding within the confines of the current budget and plans to utilize overtime funding on traffic enforcement prioritized efforts. The state will set a goal of an increase in traffic enforcement based inspections by 10% above the previous 3 year average. For 2021-2023, the average is 6023 traffic enforcement inspections per year.

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

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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
Total Investigations	5	0	0	0	0
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
Total Investigations	72	38	61	77	90
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
Total Investigations	0	66	0	66	0	66
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 92 assigned carriers, with 1 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.

FY2025 Update: Current approved staffing is three full-time investigators, but the division currently has 2 vacancies. 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. Based on current staffing, the division's goal is to conduct 22 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. The goal is set in such a way as to allow state investigators to assist, as appropriate, with investigations being conducted by FMCSA counterparts where state resources may be beneficial in timely resolutions. Assistance on these cases can take as much, or even more, time than an intrastate review. In that light, setting a goal can be difficult, due to the vastly different times investigations can take. Activity is monitored by the Investigative Sergeant to assure productivity meets expectations based on the complexity of each investigation.

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.

Each Investigator will conduct 22 investigations per year. 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, with sufficient activity to achieve a total of 22 for the year. 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 20-30% increase in this metric over historical performance. Investigators serve as the public face of the division for phone call questions, and being down 2 investigators creates additional demand for time during the day to respond to public inquiries. The state will endeavor to meet a 10% increase over last year, as a goal.

Part 2 Section 5 - Traffic Enforcement

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

Traffic enforcement means documented enforcement activities by 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.

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 high crash counties that will focus on moving violations in 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 allow the agency to meet or exceed the goal of 6400. The goal is based on historical activity and staffing capability.

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.

			Performance Goals		
Yes	No	Traffic Enforcement Activities	FY 2023	FY 2024	FY 2025
☒	☐	CMV with Inspection	6400	6400	6700
☐	☒	CMV Non-Inspection			
☐	☒	Non-CMV	0	0	0
☒	☐	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	60	60	60

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 monitors 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 (26) being conducted based on emergent trends throughout the state.

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.

FY2025: Traffic Enforcement Activities Goals and objectives have been updated to reflect elimination of non-CMV enforcement from MCSAP eligibility

The state currently averages 6076 traffic enforcement inspections per year, for the 3 year period of 2021-2023. The state will set a goal of achieving 6700 traffic enforcement inspections in FY2025 which is a 10.2% increase over the 3 year average, through selective enforcement and overtime projects dedicated specifically to Traffic Enforcement concerns.

Part 2 Section 6 - Safety Technology

Please verify your State's safety technology compliance levels with the ITD and PRISM programs, responsible agencies, and narrative overview. Do changes need to be made on this page for the upcoming fiscal year? Note: Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

This section covers two of FMCSA's safety technology programs:

- Innovative Technology Deployment (ITD)
- Performance and Registration Information Systems Management (PRISM)

Please complete the information below to indicate your State's participation level in each program, along with specific information about how MCSAP Operations and Maintenance (O&M) funding is used to support each of these safety technology programs. All O&M expenses for both ITD and PRISM must be included and described both in this section and in the appropriate section of Part 4, Financial Information.

Innovative Technology Deployment (ITD)

The ITD program is a key component of the FMCSA's drive to improve commercial motor vehicle safety. The ITD program empowers States to apply cutting-edge technology to share data more effectively and improve roadway safety.

With the enhanced funding provided to each State as part of the Infrastructure Investment and Jobs Act (IIJA), certain technologies may be funded by MCSAP if certain criteria outlined below are met.

The technology:

- Is widely available not requiring any product development
- Can be fully deployed and operational within the period of performance
- Has a direct impact on CMV safety based on verified performance data
- Is outlined in a State's approved ITD Program Plan/Top Level Design (PP/TLD) if required

If there is a need for any technology development as part of a MCSAP project, and if the time to fully implement the technology exceeds the MCSAP period of performance, then the HP-ITD grant would be the appropriate source for federal funding. All ITD technology projects proposed will be reviewed by the ITD Program Office for eligibility determination.

ITD O&M is defined as costs associated with deployment projects that maintain and repair real property, or a system, based on its current status and abilities. O&M costs may also include memberships, fees, dues, program travel, and other related program costs that maintain or support deployment activities, as defined previously in the MCSAP Comprehensive Policy (MCP) section 5.2.

Performance and Registration Information Systems Management (PRISM)

FMCSA's PRISM program is a partnership with State CMV registration offices and law enforcement that improves highway safety by identifying and immobilizing commercial motor carriers that are prohibited from operating due to a Federal Out-of-Service (OOS) order. PRISM is a key component to FMCSA's mission to reduce the number of CMV crashes, injuries and fatalities in a rapidly expanding interstate motor carrier population. PRISM provides States a safety mechanism to identify and immobilize motor carriers with serious safety deficiencies and hold them accountable through registration and law enforcement sanctions. States may fund new PRISM system development, deployment, as well as Operations and Maintenance. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

PRISM O&M are costs associated with projects that improve CMV safety, maintain and/or advance PRISM levels. O&M costs may also include memberships, fees, dues, program travel, and other related program costs that maintain or support PRISM deployment activities. All PRISM technology projects proposed will be reviewed by the PRISM Program Manager for eligibility determination.

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, specific details must be included both in this section and in your Part 4 Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core ITD Compliant	Yes
PRISM	Enhanced Participation	No

Available data sources:

- The [Innovative Technology Deployment \(ITD\) website](#) is a centralized repository for information that States should utilize to plan and implement effective ITD programs. ITD users can log in to query information from SAFER and other FMCSA systems, as well as access resources including recordings of previous webinars, conference materials, and web infrastructure technical specifications.
- The [PRISM Data and Safety Hub \(DASH\)](#) is an online workspace where State partners can log in to access reports, submit data, get materials to help implement PRISM and obtain information on the Level Up initiative.

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 ITD and PRISM 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 ITD and PRISM programs. Include a description of O&M costs for ITD and PRISM.

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 ITD and PRISM 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

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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: 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 activities the State plans to conduct, including but not limited to passenger transportation, work zone safety, hazardous materials transportation, human trafficking/smuggling, and share the road safety initiatives. Include the number of personnel that will be participating in these efforts and any Public Education and Outreach activities that are not specifically listed in the Projected Goals table.

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 traveling 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.

FY2025 Update: The State will offer staff and resources to enhance cooperative events with FMCSA-NE. Currently, it is anticipated that this will contribute 2 additional events to our state sponsored outreach plan in 2025.

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
☒	☐	Carrier Safety Talks	64	64	64
☒	☐	CMV Safety Belt Education and Outreach	0		
☒	☐	State Trucking Association Meetings	14	14	14
☒	☐	State-Sponsored Outreach Events	2	2	4
☒	☐	Local Educational Safety Events	8	8	8
☒	☐	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.
7. Partner with FMCSA-NE in 2 outreach and training events, based on needs identified.

Progress toward these goals will be reported in quarterly PPRs.

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

Please review your State's SSDQ compliance levels and Narrative Overview and identify if changes are needed for the upcoming fiscal year. Do changes need to be made on this page for the upcoming fiscal year? Note: Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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). All O&M expenses for SSDQ must be included and described both in this section and in the appropriate section of the Financial Information in Part 4.

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

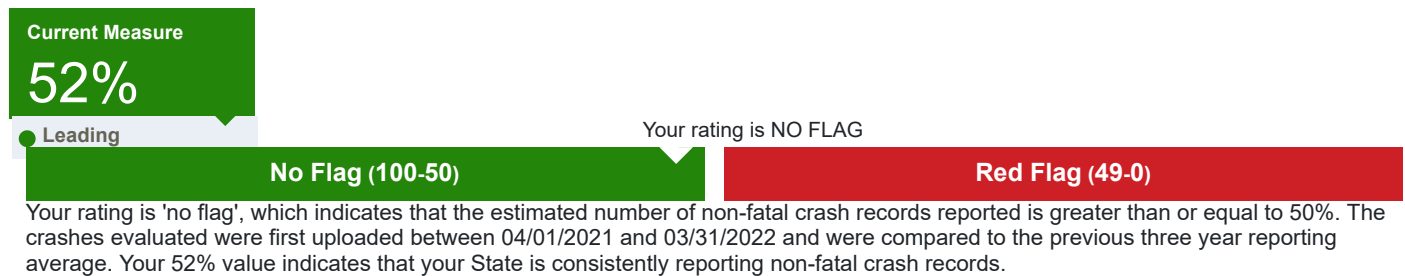
Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

A&I Online, July 30, 2022.

Narrative Overview for FY 2023 - 2025

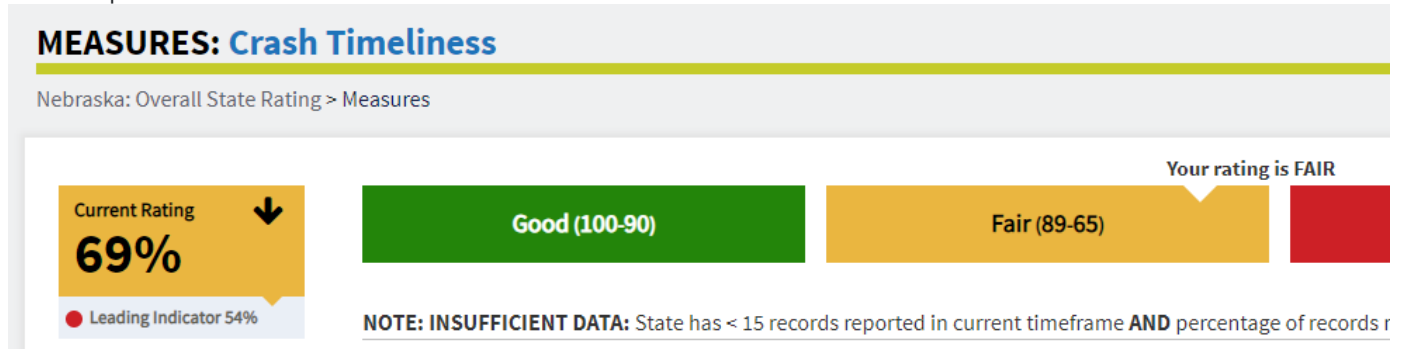
Problem Statement Narrative: Describe any issues encountered for all SSDQ measures not rated as "Good/Green" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.).

Per the SSDQ Report:



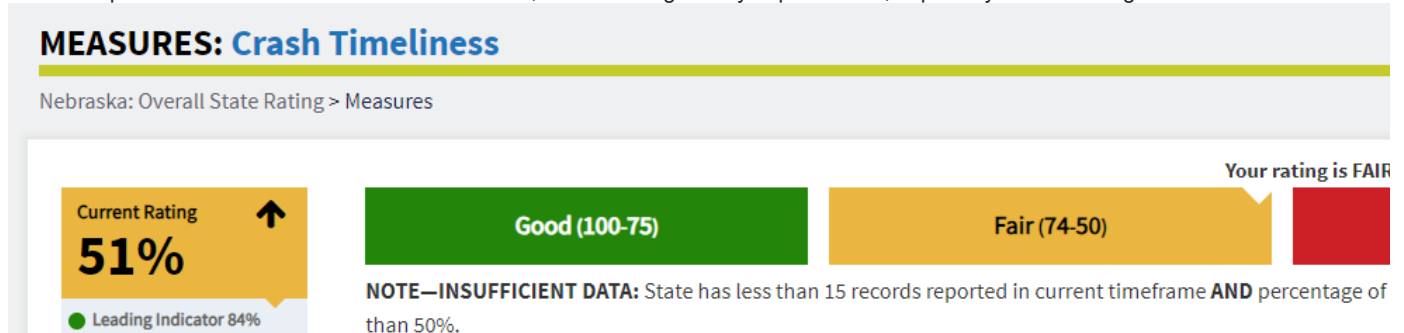
Crash Timeliness is currently rated at "Fair" due to a known, and ongoing issue with crash records being delayed out of the state's largest metro area due to the use of paper reports than must be converted to electronic files. Late records have adversely affected this rating, and efforts to correct the 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.

FY2024 Update:



The Crash Timeliness Measure continues to suffer from the documented concern noted above. A CAP has been instituted to track progress toward getting this measure back into the "Good" rating. The goal noted in the CAP is November of 2023.

FY2025 Update: Crash Timeliness has bottomed out, and is seeing steady improvement, especially in the leading indicator.



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. Include a description of all O&M costs for SSDQ.

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

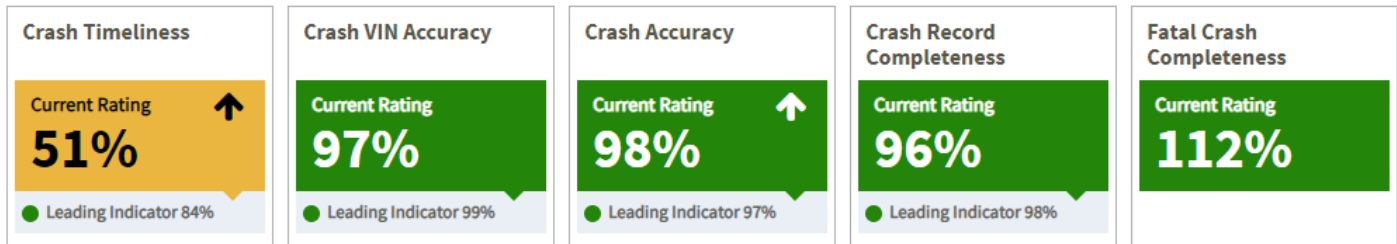
FY 2024 Update: The Crash Timeliness indicator is being addressed by the CAP that was instituted during the Program Review.

FY2025 Update: Crash Timeliness continues to improve, and is reported bi-weekly as part of the ongoing CAP. Other measures are stable at this time.

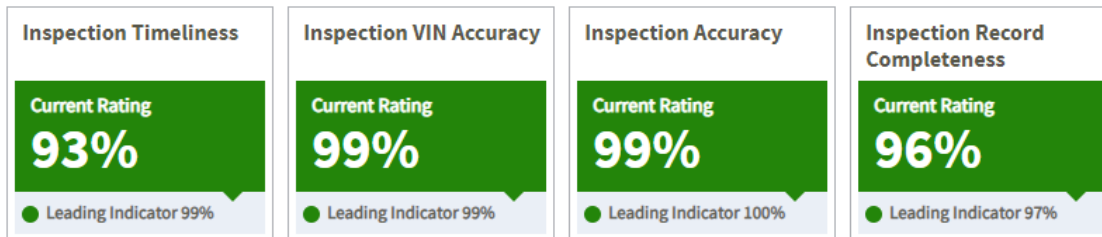
SSDQ Measures

Click on each measure to dig deeper.

CRASH MEASURES



INSPECTION MEASURES



Program Activities FY 2023 - 2025: Describe how your State provides resources to conduct DataQs operations within your State, and how elevated/appeals requests are handled.

The DataQ Process

1. A requestor enters an RDR in the DataQ system for review.
2. Reviews of inspection reports will be considered for inspections conducted within 3 years of the RDR date. Reviews of crash data will be considered within 5 years of the RDR date. These timelines are established to be consistent with FMCSA requirements. If these timelines are at any time found to be inconsistent with official FMCSA timelines, the agency will defer to the FMCSA timeline, as they are the owner of the program.
3. A reviewer is notified of a pending RDR and logs into the DataQ system to begin the review process.
4. The reviewer will utilize resources available, including but not limited to inspection notes, video review, interview of officers, queries of available databases containing information pertinent to the review, and other tools as needed to develop a factual basis for evaluation of the RDR.
5. The review should take place within 10 days of the RDR being filed, with a response being made in the DataQ system, closing the request. All communications about an RDR shall be accomplished in the DataQ system, and should never be done via telephone, email, text, or other communication system.
6. A user who receives the response from the reviewer has the option to request a second review if not satisfied with the finding. The user should be directed to forward a request specifically citing regulations or procedures supporting their RDR for the State to reconsider the dispute.
7. If the request includes additional information for review, the evidence should be reviewed by the initial reviewer which may impact the initial decision. The reviewer should consider all evidence submitted and enter a decision in the DataQ system. All additional reviews should be accomplished within 10 days of the request being made.
8. If the user does not include additional information for review, or the user has filed a subsequent request for review with new information, the request should be escalated to the MCSAP Lieutenant for review and a final decision, which is entered into the DataQ system. An escalated review should be accomplished within 15 days of the request being made.
9. In the event that the user is still dissatisfied with the finding, a final request for review may be requested. This request will be handled by a review council. A review council should review the request and render a decision within 20 days of the request being made. The requestor shall be informed that this final request will be evaluated by the review council, and that the finding of the council is final and non-negotiable. The user will also be informed that no new evidence will be accepted by the review council. A current version of the DataQ Analyst Guide shall be made available to review council members to assure steps taken are congruent with guidance provided in the document and FMCSA's official position, if applicable.
10. Actions taken by the review council will be recorded in a meeting minutes style by an unbiased party in attendance at the meeting. This individual is typically a civilian member of the Carrier Enforcement Division support staff. Minutes of the meeting are to be made available to the user who submitted the RDR at the conclusion of the meeting. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be disseminated unless authorized as part of a FOIA request to the agency.
11. The user has the option to attend the meeting in person or by tele-conference at their own expense and potential inconvenience. The user may offer perspective during the discussion but may not submit new evidence.

12. The final decision of the review committee will be made in a closed session including only the review committee members, with voting decisions being anonymous. Any law enforcement-sensitive evidence will be considered during the closed session. A final decision on the RDR is made by simple majority vote of the review committee members.

13. The final decision of the review committee will be entered into the DataQ system, with a closed status upon completion. An email will be sent to the Nebraska FMCSA Division Administrator by the MCSAP Lieutenant, with information about the final decision for their records.

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. The DataQ process is detailed above.

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..

FY2024 Update: Nebraska participated in a National Program Review in FY2023, where the issue of Crash Record Timeliness was identified as a Finding in the review. A Corrective Action Plan has been put in place to assure the state is monitoring and reporting activity toward eliminating this data concern. Regular monitoring and bi-weekly reporting will occur until the metric is at an acceptable rating, with the goal date of November 2023.

FY2025 Update: The state actively monitors Data Quality, and communicates regularly related to concerns. Notably, this has meant the Crash Timeliness metric. Other Crash Data metrics have had impact as the state has cleaned up old records, but Data Quality measures are stable, with leading indicators showing continued consistent performance in the identified categories.

Part 2 Section 9 - New Entrant Safety Audits

Please review the agency responsible for conducting New Entrant activities and the description of your State's strategies, activities and monitoring. Do changes need to be made on this page for the upcoming fiscal year? Note: Before selecting "yes," make sure there are changes to be made as once selected, this answer cannot be changed.

- ☒ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

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
☒	☐	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.
☐	☒	Does your State conduct Group safety audits at non principal place of business locations?
☐	☒	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
Total Audits	614	582	590	504	332

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: Nebraska State Patrol

Please complete the information below by entering data from the NEWS Dashboard regarding Safety Audits in your State. Data Source: [New Entrant website \(NEWS\)](#)

Date information retrieved from NEWS Dashboard to complete eCVSP	08/09/2024
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	644
Current Number of Past Dues	44

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	30	0
# of Safety Audits (Offsite)	700	0	700	0	530	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	740	0	740	0	560	0
# of Non-Audit Resolutions	160	0	160	0	160	0

Strategies: Describe the strategies that will be utilized to meet the program objective above. Describe how the State will reduce past due Safety Audits. 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.

FY 2025 Update: Nebraska is currently authorizing 4 investigators to complete Safety Audits, with one position vacant due to retirement. Overdues and overall pool numbers are generally on the decline.

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 to conduct approximately 560 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 Administrative Specialist 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 Administrative Specialist 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**Part 3 Section 1 - Overview**

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 national emphasis areas and priorities outlined in the MCSAP Planning Memorandum that do not fit well within any section in Part 2 – Crash Reduction.

States may include any State-specific objectives. For example, create an objective to provide refresher training to MCSAP funded personnel on detecting human trafficking and human smuggling in Section 5.

Specific goals and activities must be projected for the three fiscal year period (FYs 2023 - 2025).

Part 3 Section 2 - Enforcement of Federal OOS Orders during Roadside Activities

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

Instructions:

FMCSA has established an Out-of-Service (OOS) catch rate of at least 85 percent for carriers operating while under a Federal **Imminent Hazard (IH) and unsatisfactory/unfit (UNSAT/UNFIT) OOS** order. If your catch rate is below 85 percent, States must develop performance goals and activities to meet the FMCSA threshold of at least 85 percent.

The OOS Catch Rate report is located on the [A&I Online website](#) in the Grants module. Select the OOS report from the Activity Dashboard to view your catch rate. Portal credentials are required to access this website.

Your State's FY 2023 Federal IH and UNSAT/UNFIT OOS Catch Rate percentage: No Data Available

Data Source: Last completed fiscal year, FMCSA Motor Carrier Management Information System (MCMIS) and the Safety and Fitness Electronic Records (SAFER) as of 04/26/2024

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 3 - Passenger Carrier Enforcement

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

Instructions:

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high-risk carriers. 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 4 - State Specific Objectives – Past

No updates are required for this section.

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 5 - State Specific Objectives – Future

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

- ☐ Yes, the information in this section must be updated. I understand that I must include the heading "Update for FY 2025" before adding my changes in the narrative section and then click "Save" to save the changes.
- ☐ No, the information in this section remains valid for the upcoming fiscal year and no updates are necessary. If no is selected, this section will not be open for editing.

Instructions:

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include human trafficking/smuggling initiatives, work zone safety details, 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.

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 commercial motor vehicles.. Local jurisdictions are not authorized by state statute to conduct inspections, but can take enforcement as needed on commercial 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 enforcement.

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.

State Objective #2

Enter the title of your State-Identified Objective.

Traffic Enforcement

Narrative Overview for FY 2023 - 2025**Problem Statement Narrative: Describe problem identified by performance data including baseline data.**

Driver behavior continues to be the driving force in commercial vehicle crashes. Commercial vehicle driver behavior is a contributor in more than 30% of CMV involved crashes. Drivers with a history of moving traffic violations were 88% increased likelihood of being involved in a crash (Commercial Driver Safety Risk Factors 2020)

Projected Goals for FY 2023 - 2025:**Enter performance goal.**

The state recognizes FMCSA's goal of increasing Traffic Enforcement inspections by 10%. The state sets a goal of 6700 traffic enforcement inspections, which represents a 10.2% increase over the previous 3 year period.

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

Enforcement selectives will be conducted in conjunction with other stated goals in construction zones, high crash corridors and MAPS events. The goal of 6700 will be tracked separately, but enforcement initiatives will be encapsulated in stated goals elsewhere in the Plan.

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.

Results toward the goal of 6700 traffic enforcement inspections will be reported quarterly in the PPR, and in quarterly updates with supervisors.

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 justify 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 2025 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.
- A State's planned Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- A Territory's 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	\$5,161,507.00	\$271,658.00	\$5,433,165.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$814,975.00
MOE Baseline:	\$24,416.75

Part 4 Section 2 - Personnel

Personnel costs are salaries for employees working directly on a project. Only salaries for employees of the lead MCSAP agency should be applied to personnel costs. Salaries for employees of subrecipients should be placed in Contractual and Subaward.

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 prior approval (15% of MCSAP Award Amount):	\$814,975.00
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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
MCSAP Lieutenant	1	100.0000	\$143,250.00	\$143,250.00	\$136,087.50	\$7,162.50	\$0.00
CR/SA Sergeant	1	100.0000	\$127,379.00	\$127,379.00	\$121,010.05	\$6,368.95	\$0.00
CR/SA Investigator	7	100.0000	\$114,077.00	\$798,539.00	\$758,612.05	\$39,926.95	\$0.00
Field Sergeant	11	25.0000	\$106,884.00	\$293,931.00	\$279,234.45	\$14,696.55	\$0.00
MCSAP Staff Sergeant	1	100.0000	\$106,884.00	\$106,884.00	\$101,539.80	\$5,344.20	\$0.00
CVE Trooper	7	75.0000	\$89,919.00	\$472,074.75	\$448,471.01	\$23,603.74	\$0.00
CE Troopers	39	30.0000	\$89,919.00	\$1,052,052.30	\$999,449.69	\$52,602.61	\$0.00
IT Business Systems Analyst	1	100.0000	\$74,191.00	\$74,191.00	\$70,481.45	\$3,709.55	\$0.00
Accountant I	2	25.0000	\$53,845.00	\$26,922.50	\$25,576.38	\$1,346.12	\$0.00
Office Specialist	2	75.0000	\$36,000.00	\$54,000.00	\$51,300.00	\$2,700.00	\$0.00
Administrative Specialist	1	100.0000	\$44,089.00	\$44,089.00	\$41,884.55	\$2,204.45	\$0.00
MCSAP Research Analyst	1	100.0000	\$45,000.00	\$45,000.00	\$42,750.00	\$2,250.00	\$0.00
Administrative Program Officer	1	50.0000	\$61,187.00	\$30,593.50	\$29,063.83	\$1,529.67	\$0.00
Pilot	2	100.0000	\$4,000.00	\$8,000.00	\$7,600.00	\$400.00	\$0.00
Traffic Division Trooper	200	100.0000	\$640.00	\$128,000.00	\$121,600.00	\$6,400.00	\$0.00
Subtotal: Salary				\$3,404,906.05	\$3,234,660.76	\$170,245.29	\$0.00
Overtime Project Costs							
HM Overtime	40	100.0000	\$3,400.00	\$136,000.00	\$129,200.00	\$6,800.00	\$0.00
Incidental Overtime	80	100.0000	\$510.00	\$40,800.00	\$38,760.00	\$2,040.00	\$0.00
Planned Overtime	40	100.0000	\$6,800.00	\$272,000.00	\$258,400.00	\$13,600.00	\$0.00
Subtotal: Overtime				\$448,800.00	\$426,360.00	\$22,440.00	\$0.00
TOTAL: Personnel				\$3,853,706.05	\$3,661,020.76	\$192,685.29	\$0.00
Accounting Method:	Cash						

Enter a detailed explanation of how personnel costs, including all overtime 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. All activity is coded based on allowable expenses.

The CR/SA Sergeant is dedicated 100 percent to oversight and compliance within this division. All activity will be coded on time sheets for actual reimbursement.

Three MCSAP CR Investigators are dedicated one hundred (100) percent to Compliance Reviews (40 hours per week each), as listed on the line item budget. Four 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. Some staff are cross-trained, and may work on CRs or SAs in spite of being a New Entrant Investigator or Compliance Review Investigator. Due to continued inventory concerns in the Safety Audit program, all staff except one Compliance Review Investigator are dedicated to Safety Audits to expedite elimination of overdues and manage carriers in que.

Field sergeants provide first line supervision to troopers, and routinely answer questions and provide support to troopers conducting MCSAP enforcement by checking for time sheet 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 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 time sheets for actual reimbursement.

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 in their roles at State Troopers, to efforts are estimated at 75% of their on-duty time. All activity will be coded on time sheets for review and reimbursement based on allocability.

The state's estimate at this time is a PARS rate of approximately 30% based on recent monthly calculations in 2023. All activity will be coded on time sheets for actual reimbursement, and PARS will be adjusted based on these ongoing reviews. 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.

The one (1) IT Business Systems Analyst/Coordinator is 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 time sheets for actual reimbursement.

2 Accountant I staff members code approximately 25% of their time to managing grant fiscal needs, including payroll, payments of expenses, reporting and monitoring of grant activity.

Office Specialists (2) are responsible for daily management of inspection upload/download, verification of inspection data, certification management and DataQ inputs. They also return of validated inspection reports from carriers, provides clerical support for communications and helps manage incoming phone calls. These staff also provide support to the CR/SA program by managing files, completing calls, preparing and mailing correspondence and supporting administrative needs of the CR/SA Sergeant.

Administration Assistant is dedicated to report generation, validation of time sheet 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.

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.

Administrative Programs Officer- This position provides supervision to office staff. Responsible for report generation as required, oversight of timekeepers, training and coordination of civilian support staff.

Pilot time is based on 100 hours of flight time for 2 pilots at \$40/hour in support of flight missions for MCSAP traffic enforcement efforts.

Traffic Division Troopers is 200 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, and represents an average of \$40/hr. Actual costs will be conveyed in reimbursement requests based on actual time coded on time sheets for inspections and associated enforcement activity.

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 \$85 wage x 80 hours annually= \$272,000 (Grant 0256). The number of officers represents an estimate of officers in the agency who may choose to utilize overtime when offered throughout the year.

Hazardous Materials Inspections – 40 officers x \$85 wage x 40 hours annually = \$136,000 (Grant 1397) The 40 officers represents the approximate number of HM inspection certified officers within the division conducting grant eligible activity.

Incidental Overtime - 80 officers x \$85 x 6 hours annually = \$40,800 (Grant 9308). 80 officers represents officers both inside and outside of the division that might encounter the need to extend their workday due to grant eligible activity, such as towing vehicles, jailing drivers, etc.

Total Overtime expenditure is **\$448,800.**

Planned (0256) Overtime is only available to qualified Troopers and Sergeants who are current on their required number of inspections. Overtime shall also be made available to Investigators who are current on individual quarterly goals. 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. Planned overtime shall be used by investigators to eliminate overdue and prioritized new entrant carriers and to manage unexpected volume increases in the new entrant pool. Planned overtime is prioritized by the state for use to conduct inspections, traffic enforcement, safety audits and investigations. Hours are estimated based on previous participation rates in these categories.

Hazardous Materials (1397) overtime 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.

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
MCSAP Lieutenant	40.0000	100.0000	\$143,250.00	\$57,300.00	\$54,435.00	\$2,865.00	\$0.00
CR/SA Sergeant	40.0000	100.0000	\$127,379.00	\$50,951.60	\$48,404.02	\$2,547.58	\$0.00
CR/SA Investigator	40.0000	100.0000	\$798,539.00	\$319,415.60	\$303,444.82	\$15,970.78	\$0.00
Field Sergeants	40.0000	25.0000	\$1,175,724.00	\$117,572.40	\$111,693.78	\$5,878.62	\$0.00
MCSAP Staff Sergeant	40.0000	100.0000	\$106,884.00	\$42,753.60	\$40,615.92	\$2,137.68	\$0.00
CVE Trooper	40.0000	75.0000	\$629,433.00	\$188,829.90	\$179,388.41	\$9,441.49	\$0.00
CE Troopers	40.0000	30.0000	\$3,506,841.00	\$420,820.92	\$399,779.87	\$21,041.05	\$0.00
IT Business Systems Analyst	40.0000	100.0000	\$74,191.00	\$29,676.40	\$28,192.58	\$1,483.82	\$0.00
Accountant I	40.0000	25.0000	\$107,690.00	\$10,769.00	\$10,230.55	\$538.45	\$0.00
Office Specialist	40.0000	75.0000	\$72,000.00	\$21,600.00	\$20,520.00	\$1,080.00	\$0.00
Administrative Specialist	40.0000	100.0000	\$44,089.00	\$17,635.60	\$16,753.82	\$881.78	\$0.00
MCSAP Research Analyst	40.0000	100.0000	\$45,000.00	\$18,000.00	\$17,100.00	\$900.00	\$0.00
Administrative Program Officer	40.0000	50.0000	\$61,187.00	\$12,237.40	\$11,625.53	\$611.87	\$0.00
Pilot	40.0000	100.0000	\$8,000.00	\$3,200.00	\$3,040.00	\$160.00	\$0.00
Traffic Division Troopers	40.0000	0.0000	\$128,000.00	\$0.00	\$0.00	\$0.00	\$51,200.00
TOTAL: Fringe Benefits				\$1,310,762.42	\$1,245,224.30	\$65,538.12	\$51,200.00

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 of \$100 (as provided by §81-2002), 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.

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 §200.475](#).

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
HM In Service	10	2	100.0000	\$3,200.00	\$3,040.00	\$160.00	\$0.00
Investigator Training	1	5	100.0000	\$2,000.00	\$1,900.00	\$100.00	\$0.00
NAS Part A Training	2	5	100.0000	\$700.00	\$665.00	\$35.00	\$0.00
NAS Part B Training	3	5	100.0000	\$5,100.00	\$4,845.00	\$255.00	\$0.00
CVSA Fall Conference	5	5	100.0000	\$12,500.00	\$11,875.00	\$625.00	\$0.00
Post Crash Course	4	5	100.0000	\$3,200.00	\$3,040.00	\$160.00	\$0.00
MCSAP Preplanning Conference	3	5	100.0000	\$6,000.00	\$5,700.00	\$300.00	\$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	2	6	100.0000	\$6,000.00	\$5,700.00	\$300.00	\$0.00
CVSA Spring Conference	5	5	100.0000	\$15,000.00	\$14,250.00	\$750.00	\$0.00
Routine Travel	135	1	100.0000	\$20,925.00	\$19,878.75	\$1,046.25	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP, Advanced Roadside)	10	5	100.0000	\$8,000.00	\$7,600.00	\$400.00	\$0.00
Nebraska Inspector's Championship	12	3	100.0000	\$8,160.00	\$7,752.00	\$408.00	\$0.00
CVSA Instructor In-Service	5	3	100.0000	\$10,000.00	\$9,500.00	\$500.00	\$0.00
FMCSA/CVSA Data Quality Conference	2	3	100.0000	\$4,000.00	\$3,800.00	\$200.00	\$0.00
IPTM Training	2	5	100.0000	\$4,000.00	\$3,800.00	\$200.00	\$0.00
NTC Instructor Training	2	5	100.0000	\$3,400.00	\$3,230.00	\$170.00	\$0.00
TOTAL: Travel				\$115,185.00	\$109,425.75	\$5,759.25	\$0.00

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.

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.

HM in-service:

HM in-service is conducted annually for all HM qualified sworn staff. The annual in-service training provides updates on HM enforcement and inspections. 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

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 1 investigator 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 \$2000.

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.

CVSA Fall Conference:

Costs represent necessary travel for 5 NSP Personnel to attend the Commercial Vehicle Safety Alliance (CVSA) fall conference. 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. The expenses are estimated based on conference fees of \$700, hotels at \$1300, per diem at \$350, and incidentals at \$150 per person. In FY2025, the CVSA Fall Conference will be in Denver, CO, so no airfare will be necessary for attendees.

Post Crash

Costs represent travel and training costs associated with 4 NSP officers attending at the annual Post Crash Inspector Training that require lodging. Cost is estimated at, \$500 hotel, \$250 per diem, and \$50 incidental expenses $(4 * (500 + 250 + 50))$. Depending on available instructors and needs of students, the actual number of involved personnel may vary from this estimate.

MCSAP Pre-planning Conference:

Costs represent necessary travel for NSP Personnel attend the FMCSA Pre-planning conference. The MCSAP Lieutenant, MCSAP Sergeant, and one additional representative 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.

MCSAP in-service

Training is conducted annually for all sworn Carrier Enforcement staff. 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 .

North American Inspector Championships (NAIC):

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.

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. 2 qualified 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.

CVSA Spring Conference:

Costs represent necessary travel for 5 NSP personnel to attend the Commercial Vehicle Safety Alliance (CVSA) spring conference. The MCSAP Lieutenant, and 4 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 \$1300, per diem at \$350, and incidentals at \$150 per person.

Routine travel for Selective Enforcement / Public Relations / Special Projects/Monitoring of Inspections and in-state training: 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, training, and other industry meetings within the state. These expenses are inclusive of per Diem and lodging. The total is based on approximately 135 overnight travel days at \$155 per day which includes hotels at \$110/night, meals at \$40 per day and \$5 for incidental expenses.

Haz Mat Training (Basic, Bulk/Non-Bulk, OBP, Advanced Roadside)

Costs represent the necessary travel for Carrier Enforcement Troopers to attend the Hazardous Material Basic Training, Hazardous Material Cargo Tank Training, Other Bulk Packaging, and Advanced Roadside Hazardous Materials training needed for certification or refresher training. The number of staff to attend the training is based on refresher training, retirement, transfers, and resignations from the CE Division. Expenses are estimated at \$500 hotel, and \$300 for per diem and incidentals. Training is generally in-state to satisfy instructor requirements, but may be out of state if circumstances necessitate.

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.

CVSA Instructor Inservice

A line item is included for 5 staff members to attend CVSA's Instructor In-service, conducted in conjunction with the FMCSA/CVSA Data Quality conference. These staff members are certified instructors or provide oversight to the state's training program for CVSA certifications. 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. In cases of Nebraska-based training utilizing CVSA authorized courses and trainers, the Nebraska State Patrol Carrier Enforcement Division will post all training opportunities with CVSA on a voluntary basis.

FMCSA/CVSA Data Quality Conference will be attended by 2 staff members who are integral to data quality management for the state's MCSAP program. 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.

IPTM Crash Reconstruction Training

A line item is being included for out of state training for IPTM Crash Reconstruction training. Up to 2 qualified officers may be selected to attend IPTM Commercial Vehicle Reconstruction Training if a course is identified during the fiscal year. 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.

NTC Instructor Training is included for 2 instructors to attend the NTC Instructor Development Course at a time and location to be determined. The cost includes \$500 for airfare and ground transportation, \$900 for hotel, and \$300 for per diem expenses per person.

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 equipment threshold amount. To refer to Capital assets, Computing devices, General purpose equipment, Information technology systems, Special purpose equipment, and Supplies see [2 CFR § 200.1](#) Definitions.

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 how many of each item, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP activities.

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
Printer	2	\$1,500.00	100	\$3,000.00	\$2,850.00	\$150.00	\$0.00
Replacement MDC	1	\$1,500.00	100	\$1,500.00	\$1,425.00	\$75.00	\$0.00
TOTAL: Equipment				\$4,500.00	\$4,275.00	\$225.00	\$0.00
Equipment threshold is \$1,500							

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

Printers are utilized by staff to prepare printed documents as a result of inspection or enforcement activity. They are replaced as needed, determined by useful life considerations including age and parts availability. Cost per replacement is estimated at \$1500 per unit for purchase and installation. Mobile Data Computers (MDCs) are utilized by officers to conduct inspections, prepare crash reports, and prepare enforcement documents. A line item for one MDC is included in the event a unit is damaged or destroyed beyond repair, and must be replaced, at an estimated cost of \$1500.

Part 4 Section 6 - Supplies

Supplies means all tangible property other than that described in Equipment in [2 CFR §200.1](#) Definitions. 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.

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
Office supplies	1 Each	\$5,000.00	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
CDR Software	2 Each	\$1,250.00	100.0000	\$2,500.00	\$2,375.00	\$125.00	\$0.00
IT systems and machines	1 Each	\$5,000.00	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
Uniforms and Protective gear	1 Each	\$5,000.00	100.0000	\$5,000.00	\$4,750.00	\$250.00	\$0.00
Regulation books	1 each	\$7,000.00	100.0000	\$7,000.00	\$6,650.00	\$350.00	\$0.00
MCSAP Enforcement Tools and Equipment	1 each	\$7,016.33	100.0000	\$7,016.33	\$6,665.52	\$350.81	\$0.00
TOTAL: Supplies				\$31,516.33	\$29,940.52	\$1,575.81	\$0.00

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

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.

IT systems and machines is inclusive of computers, printers, toner cartridges, peripherals, 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. Cost per printer cartridge is approximately \$200 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.

Uniforms and Protective gear are MCSAP vest carriers, BDU uniforms, belts, and associated equipment. 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.

MCSAP enforcement and inspection tools 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.

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 120 FMCSR full sized inspection books, 200 glove-box sized inspection books. 40 Haz Mat regulation books, as well as 100 CVSA OOS books are purchased annually.

Office supplies include items needed to reasonably operate office space utilized by MCSAP funded employees, which may include pens, paper, wall calendars, desks, chairs, computer or monitor stands, office machines, or other items needed to operate and produce work products in an office environment.

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 §200.1 Definitions](#)). All contracts issued under a Federal award must comply with the procurement standards described in [2 CFR §200.317](#), [2 CFR §200.318](#), and [Appendix II to Part 200](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.331](#) 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 §200.1 Definitions](#) and [2 CFR §200.331](#)).

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 §200.1 Definitions](#)).

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 non-proprietary identifier that replaced 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	\$10,000.00	\$9,500.00	\$500.00	\$0.00
Description of Services: CMV Enforcement - Local							
CMV HVEDR Analyst Class	123456	Contract	100.0000	\$16,000.00	\$15,200.00	\$800.00	\$0.00
Description of Services: Commercial Vehicle Crash Reconstruction Training							
TOTAL: Contractual and Subaward				\$62,000.00	\$58,900.00	\$3,100.00	\$0.00

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, and non-commercial vehicles committing moving violations near commercial vehicles in their jurisdictions, supporting the state's Traffic Enforcement plans and goals.

CMV HVEDR Class is a Analyst level class that will be provided for all advanced post crash officers in the division. The cost is for the class to be held in Nebraska for up to 25 students Lodging and meals for qualified officers would be a separate cost, and would be captured in the routine travel line item in the Travel budget. With approximately a dozen qualified officers, and the expense to bring the training to Nebraska being break even at approximately 6 attendees, the cost is mitigated by the benefit of training all staff at one time, in one location.

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 §200.1](#) Definitions) 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. For more information, please see [2 CFR § 200.414](#) Indirect (F&A) costs.

- **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
Room Rent - Training/Outreach	3 Each	\$300.00	100.0000	\$900.00	\$855.00	\$45.00	\$0.00
CVSA Decals	800 sheet	\$5.00	100.0000	\$4,000.00	\$3,800.00	\$200.00	\$0.00
Cell Phone Lines	72 annual	\$472.00	30.0000	\$10,195.20	\$9,685.44	\$509.76	\$0.00
CVSA Annual Membership	1 membersip	\$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
Aircraft time	100 Hour	\$200.00	100.0000	\$20,000.00	\$19,000.00	\$1,000.00	\$0.00
TOTAL: Other Costs				\$55,495.20	\$52,720.44	\$2,774.76	\$0.00

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

A budget line item is included for room rental for training and outreach. 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 planned events. The state has set a goal of at least 2 cooperative training and outreach events with FMCSA-NE, and has included the anticipated room needs as part of this budget line item.

Cell phone lines:Cost represent cell phone lines used by division staff, based on PARS prorated costs. Staff number is estimated based on vacancies and optimistic backfills for the division in the next year. At the time of preparation, our staffing is at 66 staff who have issued phones.

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.

Aircraft time is costs associated for the operation of fixed wing aircraft for 100 horus 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.

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	\$5,161,507.00	\$271,658.00	\$5,433,165.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$814,975.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
MCSAP Lieutenant	\$136,087.50	\$7,162.50	\$143,250.00	\$0.00
CR/SA Sergeant	\$121,010.05	\$6,368.95	\$127,379.00	\$0.00
CR/SA Investigator	\$758,612.05	\$39,926.95	\$798,539.00	\$0.00
Field Sergeant	\$279,234.45	\$14,696.55	\$293,931.00	\$0.00
MCSAP Staff Sergeant	\$101,539.80	\$5,344.20	\$106,884.00	\$0.00
CVE Trooper	\$448,471.01	\$23,603.74	\$472,074.75	\$0.00
CE Troopers	\$999,449.69	\$52,602.61	\$1,052,052.30	\$0.00
IT Business Systems Analyst	\$70,481.45	\$3,709.55	\$74,191.00	\$0.00
Accountant I	\$25,576.38	\$1,346.12	\$26,922.50	\$0.00
Office Specialist	\$51,300.00	\$2,700.00	\$54,000.00	\$0.00
Administrative Specialist	\$41,884.55	\$2,204.45	\$44,089.00	\$0.00
MCSAP Research Analyst	\$42,750.00	\$2,250.00	\$45,000.00	\$0.00
Administrative Program Officer	\$29,063.83	\$1,529.67	\$30,593.50	\$0.00
Pilot	\$7,600.00	\$400.00	\$8,000.00	\$0.00
Traffic Division Trooper	\$121,600.00	\$6,400.00	\$128,000.00	\$0.00
Salary Subtotal	\$3,234,660.76	\$170,245.29	\$3,404,906.05	\$0.00
HM Overtime	\$129,200.00	\$6,800.00	\$136,000.00	\$0.00
Incidental Overtime	\$38,760.00	\$2,040.00	\$40,800.00	\$0.00
Planned Overtime	\$258,400.00	\$13,600.00	\$272,000.00	\$0.00
Overtime subtotal	\$426,360.00	\$22,440.00	\$448,800.00	\$0.00
Personnel total	\$3,661,020.76	\$192,685.29	\$3,853,706.05	\$0.00

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
MCSAP Lieutenant	\$54,435.00	\$2,865.00	\$57,300.00	\$0.00
CR/SA Sergeant	\$48,404.02	\$2,547.58	\$50,951.60	\$0.00
CR/SA Investigator	\$303,444.82	\$15,970.78	\$319,415.60	\$0.00
Field Sergeants	\$111,693.78	\$5,878.62	\$117,572.40	\$0.00
MCSAP Staff Sergeant	\$40,615.92	\$2,137.68	\$42,753.60	\$0.00
CVE Trooper	\$179,388.41	\$9,441.49	\$188,829.90	\$0.00
CE Troopers	\$399,779.87	\$21,041.05	\$420,820.92	\$0.00
IT Business Systems Analyst	\$28,192.58	\$1,483.82	\$29,676.40	\$0.00
Accountant I	\$10,230.55	\$538.45	\$10,769.00	\$0.00
Office Specialist	\$20,520.00	\$1,080.00	\$21,600.00	\$0.00
Administrative Specialist	\$16,753.82	\$881.78	\$17,635.60	\$0.00
MCSAP Research Analyst	\$17,100.00	\$900.00	\$18,000.00	\$0.00
Administrative Program Officer	\$11,625.53	\$611.87	\$12,237.40	\$0.00
Pilot	\$3,040.00	\$160.00	\$3,200.00	\$0.00
Traffic Division Troopers	\$0.00	\$0.00	\$0.00	\$51,200.00
Fringe Benefits total	\$1,245,224.30	\$65,538.12	\$1,310,762.42	\$51,200.00

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
HM In Service	\$3,040.00	\$160.00	\$3,200.00	\$0.00
Investigator Training	\$1,900.00	\$100.00	\$2,000.00	\$0.00
NAS Part A Training	\$665.00	\$35.00	\$700.00	\$0.00
NAS Part B Training	\$4,845.00	\$255.00	\$5,100.00	\$0.00
CVSA Fall Conference	\$11,875.00	\$625.00	\$12,500.00	\$0.00
Post Crash Course	\$3,040.00	\$160.00	\$3,200.00	\$0.00
MCSAP Preplanning Conference	\$5,700.00	\$300.00	\$6,000.00	\$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	\$5,700.00	\$300.00	\$6,000.00	\$0.00
CVSA Spring Conference	\$14,250.00	\$750.00	\$15,000.00	\$0.00
Routine Travel	\$19,878.75	\$1,046.25	\$20,925.00	\$0.00
Haz Mat Training (Basic, Bulk/Non-Bulk, OBP, Advanced Roadside	\$7,600.00	\$400.00	\$8,000.00	\$0.00
Nebraska Inspector's Championship	\$7,752.00	\$408.00	\$8,160.00	\$0.00
CVSA Instructor In-Service	\$9,500.00	\$500.00	\$10,000.00	\$0.00
FMCSA/CVSA Data Quality Conference	\$3,800.00	\$200.00	\$4,000.00	\$0.00
IPTM Training	\$3,800.00	\$200.00	\$4,000.00	\$0.00
NTC Instructor Training	\$3,230.00	\$170.00	\$3,400.00	\$0.00
Travel total	\$109,425.75	\$5,759.25	\$115,185.00	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Printer	\$2,850.00	\$150.00	\$3,000.00	\$0.00
Replacement MDC	\$1,425.00	\$75.00	\$1,500.00	\$0.00
Equipment total	\$4,275.00	\$225.00	\$4,500.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Office supplies	\$4,750.00	\$250.00	\$5,000.00	\$0.00
CDR Software	\$2,375.00	\$125.00	\$2,500.00	\$0.00
IT systems and machines	\$4,750.00	\$250.00	\$5,000.00	\$0.00
Uniforms and Protective gear	\$4,750.00	\$250.00	\$5,000.00	\$0.00
Regulation books	\$6,650.00	\$350.00	\$7,000.00	\$0.00
MCSAP Enforcement Tools and Equipment	\$6,665.52	\$350.81	\$7,016.33	\$0.00
Supplies total	\$29,940.52	\$1,575.81	\$31,516.33	\$0.00

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	\$9,500.00	\$500.00	\$10,000.00	\$0.00
CMV HVEDR Analyst Class	\$15,200.00	\$800.00	\$16,000.00	\$0.00
Contractual and Subaward total	\$58,900.00	\$3,100.00	\$62,000.00	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Room Rent - Training/Outreach	\$855.00	\$45.00	\$900.00	\$0.00
CVSA Decals	\$3,800.00	\$200.00	\$4,000.00	\$0.00
Cell Phone Lines	\$9,685.44	\$509.76	\$10,195.20	\$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
Aircraft time	\$19,000.00	\$1,000.00	\$20,000.00	\$0.00
Other Costs total	\$52,720.44	\$2,774.76	\$55,495.20	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$5,161,506.77	\$271,658.23	\$5,433,165.00	\$51,200.00
Total Costs Budgeted	\$5,161,506.77	\$271,658.23	\$5,433,165.00	\$51,200.00

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	\$5,161,507.00	\$271,658.00	\$5,433,165.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$814,975.00
MOE Baseline:	\$24,416.75

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
;;;Salary Subtotal	\$3,234,660.76	\$170,245.29	\$3,404,906.05	\$0.00
;;;Overtime Subtotal	\$426,360.00	\$22,440.00	\$448,800.00	\$0.00
Personnel Total	\$3,661,020.76	\$192,685.29	\$3,853,706.05	\$0.00
Fringe Benefits Total	\$1,245,224.30	\$65,538.12	\$1,310,762.42	\$51,200.00
Travel Total	\$109,425.75	\$5,759.25	\$115,185.00	\$0.00
Equipment Total	\$4,275.00	\$225.00	\$4,500.00	\$0.00
Supplies Total	\$29,940.52	\$1,575.81	\$31,516.33	\$0.00
Contractual and Subaward Total	\$58,900.00	\$3,100.00	\$62,000.00	\$0.00
Other Costs Total	\$52,720.44	\$2,774.76	\$55,495.20	\$0.00
	95% Federal Share	5% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$5,161,506.77	\$271,658.23	\$5,433,165.00	\$51,200.00
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$5,161,506.77	\$271,658.23	\$5,433,165.00	\$51,200.00

Part 5 - Certifications and Documents
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Part 5 Section 1 - Overview

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to and abide by 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.

These certifications must be completed and signed on an annual basis.

Part 5 Section 2 - 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? Nebraska 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 3 - 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? Agency Legal Counsel
3. What are the phone # and email address of your State official? 402-471-4545 mark.boyer@nebraska.gov

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

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

I, Mark Boyer, certify that NEBRASKA 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 4 - New Laws/Legislation/Policy Impacting CMV Safety

The State will provide answers to the questions below regarding any new laws, regulations, or policy that impacts CMV safety since the last CVSP or annual update that was submitted.

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
1200	04/15/2024	75-363, 75-364, 75-366, 75-369.03	Codify annual updates and update civil penalties.

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

☐ Yes ☒ No

LEGISLATIVE BILL 1200

Approved by the Governor April 15, 2024

Introduced by Moser, 22; Holdcroft, 36.

A BILL FOR AN ACT relating to law; to amend sections 18-1737, 43-3314, 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, 60-6,123, 60-6,254, 60-6,290, 60-1401.24, 60-1438.01, and 66-4,144, Reissue Revised Statutes of Nebraska, sections 39-2817, 60-144, 60-146, 60-149, 60-3,198, 60-490, 86-1025, and 86-1029.02, Revised Statutes Cumulative Supplement, 2022, and sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Supplement, 2023; to adopt updates to federal law and update certain federal references; to change provisions relating to certificates of title under the Nebraska Probate Code, construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act, delivery of certain notifications relating to operator's licenses, 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 Motor Vehicle Industry Regulation Act, excise tax rates on certain fuels, federal motor carrier safety regulations, federal hazardous materials regulations, and the unified carrier registration plan; to change certain civil penalties; to provide for coordination of the 911 service system and the 988 suicide and crisis lifeline; 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 18-1737, Reissue Revised Statutes of Nebraska, is amended to read:

18-1737 (1) Any city or village, any state agency, and any person in lawful possession of any offstreet parking facility may designate stalls or spaces, including access aisles, in such facility owned or operated by the city, village, state agency, or person for the exclusive use of handicapped or disabled persons whose motor vehicles display the distinguishing license plates issued to such individuals pursuant to section 60-3,113, such other handicapped or disabled persons or temporarily handicapped or disabled persons whose motor vehicles display a handicapped or disabled parking permit, and such other motor vehicles which display a handicapped or disabled parking permit. Such designation shall be made by posting aboveground and immediately adjacent to and visible from each stall or space, including access aisles, a sign which is in conformance with the Manual on Uniform Traffic Control Devices adopted pursuant to section 60-6,118 and 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, 2024 ~~2011~~.

(2) The owner or person in lawful possession of an offstreet parking facility, after notifying the police or sheriff's department, as the case may be, and any city, village, or state agency providing onstreet parking or owning, operating, or providing an offstreet parking facility may cause the removal, from a stall or space, including access aisles, designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, of any vehicle not displaying the proper handicapped or disabled parking permit or the distinguishing license plates specified in this section if there is posted aboveground and immediately adjacent to and visible from such stall or space, including access aisles, a sign which clearly and conspicuously states the area so designated as a tow-in zone.

(3) A person who parks a vehicle in any onstreet parking space or access aisle which has been designated exclusively for handicapped or disabled persons or temporarily handicapped or disabled persons or motor vehicles for the transportation of handicapped or disabled persons or temporarily handicapped or disabled persons, or in any so exclusively designated parking space or access aisle in any offstreet parking facility, without properly displaying the proper license plates or handicapped or disabled parking permit or when the handicapped or disabled person to whom or for whom, as the case may be, the license plate or permit is issued will not enter or exit the vehicle while it is parked in the designated space or access aisle shall be guilty of a handicapped parking infraction as defined in section 18-1741.01 and shall be subject to the penalties and procedures set forth in sections 18-1741.01 to 18-1741.07. The display on a motor vehicle of a distinguishing license plate or permit issued to a handicapped or disabled person by and under the duly

constituted authority of another state shall constitute a full and complete defense in any action for a handicapped parking infraction as defined in section 18-1741.01. If the identity of the person who parked the vehicle in violation of this section cannot be readily determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for such violation and shall be guilty and subject to the penalties and procedures described in this section. In the case of a privately owned offstreet parking facility, a city or village shall not require the owner or person in lawful possession of such facility to inform the city or village of a violation of this section prior to the city or village issuing the violator a handicapped parking infraction citation.

(4) For purposes of this section and section 18-1741.01, state agency means any division, department, board, bureau, commission, or agency of the State of Nebraska created by the Constitution of Nebraska or established by act of the Legislature, including the University of Nebraska and the Nebraska state colleges, when the entity owns, leases, controls, or manages property which includes offstreet parking facilities.

Sec. 2. Section 30-24,125, Revised Statutes Supplement, 2023, is amended to read:

30-24,125 (a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating:

(1) the value of all of the personal property in the decedent's estate, wherever located, less liens and encumbrances, does not exceed one hundred thousand dollars;

(2) thirty days have elapsed since the death of the decedent as shown in a certified or authenticated copy of the decedent's death certificate attached to the affidavit;

(3) the claiming successor's relationship to the decedent or, if there is no relationship, the basis of the successor's claim to the personal property;

(4) the person or persons claiming as successors under the affidavit swear or affirm that all statements in the affidavit are true and material and further acknowledge that any false statement may subject the person or persons to penalties relating to perjury under section 28-915;

(5) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction; and

(6) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

(c) Upon the presentation of an affidavit as provided in subsection (a), the claiming successor may endorse or negotiate any instrument evidencing a debt belonging to the decedent that is a check, draft, or other negotiable instrument that is payable to the decedent or the decedent's estate. Notwithstanding the provisions of section 3-403, 3-417, or 3-420, Uniform Commercial Code, a financial institution accepting such a check, draft, or other negotiable instrument presented for deposit in such manner is discharged from all claims for the amount accepted.

(d)(1) Except as provided in subdivision (d)(2), in {d}—In addition to compliance with the requirements of subsection (a), a person seeking a transfer of a certificate of title to a motor vehicle, motorboat, all-terrain vehicle, utility-type vehicle, or minibike shall be required to furnish to the Department of Motor Vehicles an affidavit showing applicability of this section and compliance with the requirements of this section to authorize the department to issue a new certificate of title.

(2) After ten years have elapsed since the estate has closed, the Department of Motor Vehicles shall waive the requirements of subdivision (a)(5) if the person seeking a transfer of a certificate of title provides evidence that the estate has closed and a certified authenticated copy of the decedent's death certificate.

Sec. 3. Section 39-2817, Revised Statutes Cumulative Supplement, 2022, is amended to read:

39-2817 (1) The process for selecting a construction manager and entering into a construction manager-general contractor contract shall be in accordance with this section and sections 39-2818 to 39-2820.

(2) A contracting agency shall prepare a request for qualifications for construction manager-general contractor contract proposals and shall prequalify construction managers. The request for qualifications shall describe the project in sufficient detail to permit a construction manager to respond. The request for qualifications shall identify the maximum number of eligible construction managers the contracting agency will place on a short list as qualified and eligible to receive a request for proposals.

(3) The request for qualifications shall be (a) published in a newspaper of statewide circulation at least thirty days prior to the deadline for receiving the request for qualifications and (b) sent by first-class mail to any construction manager upon request.

(4) The contracting agency shall create a short list of qualified and

eligible construction managers in accordance with the guidelines adopted pursuant to section 39-2811. The contracting agency shall select at least two construction managers, except that if only one construction manager has responded to the request for qualifications, the contracting agency may, in its discretion, proceed or cancel the procurement. The request for proposals shall be sent only to the construction managers placed on the short list.

(5) A contracting agency may combine the separate qualification and proposal steps of this section and section 39-2818 into a single-step process if the contracting agency determines that a single-step process is in the contracting agency's best interest. If a single-step process is used, a contracting agency shall consider the qualifications of all proposing construction managers as a part of the request for proposals. Notice of the request for proposals shall be published as provided in subsection (3) of this section. There is no requirement to short list construction managers when using the single-step process. If only one proposal is submitted, the contracting agency may, in its discretion, proceed or cancel the procurement.

Sec. 4. Section 43-3314, Reissue Revised Statutes of Nebraska, is amended to read:

43-3314 (1) When the department or a county attorney or authorized attorney has made reasonable efforts to verify and has reason to believe that a license holder in a case receiving services under Title IV-D of the Social Security Act, as amended, (a) is delinquent on a support order in an amount equal to the support due and payable for more than a three-month period of time, (b) is not in compliance with a payment plan for amounts due as determined by a county attorney, an authorized attorney, or the department for such past-due support, or (c) is not in compliance with a payment plan for amounts due under a support order pursuant to a court order for such past-due support, and therefor determines to certify the license holder to the appropriate licensing authority, the department, county attorney, or authorized attorney shall send written notice to the license holder by regular United States certified mail to the last-known address of the license holder or to the last-known address of the license holder available to the court pursuant to section 42-364.13. For purposes of this section, reasonable efforts to verify means reviewing the case file and having written or oral communication with the clerk of the court of competent jurisdiction and with the license holder. Reasonable efforts to verify may also include written or oral communication with custodial parents.

(2) The notice shall specify:

(a) That the Department of Health and Human Services, county attorney, or authorized attorney intends to certify the license holder to the Department of Motor Vehicles and to relevant licensing authorities pursuant to subsection (3) of section 43-3318 as a license holder described in subsection (1) of this section;

(b) The court or agency of competent jurisdiction which issued the support order or in which the support order is registered;

(c) That an enforcement action for a support order will incorporate any amount delinquent under the support order which may accrue in the future;

(d) That a license holder who is in violation of a support order can come into compliance by:

(i) Paying current support if a current support obligation exists; and

(ii) Paying all past-due support or, if unable to pay all past-due support and if a payment plan for such past-due support has not been determined, by making payments in accordance with a payment plan determined by the county attorney, the authorized attorney, or the Department of Health and Human Services for such past-due support; and

(e) That within thirty days after issuance of the notice, the license holder may either:

(i) Request administrative review in the manner specified in the notice to contest a mistake of fact. Mistake of fact means an error in the identity of the license holder or an error in the determination of whether the license holder is a license holder described in subsection (1) of this section; or

(ii) Seek judicial review by filing a petition in the court of competent jurisdiction of the county where the support order was issued or registered or, in the case of a foreign support order not registered in Nebraska, the court of competent jurisdiction of the county where the child resides if the child resides in Nebraska or the court of competent jurisdiction of the county where the license holder resides if the child does not reside in Nebraska.

Sec. 5. Section 43-3318, Reissue Revised Statutes of Nebraska, is amended to read:

43-3318 (1) The Department of Health and Human Services, county attorney, authorized attorney, or court of competent jurisdiction may certify in writing to the Department of Motor Vehicles, relevant licensing authorities, and, if the license holder is a member of the Nebraska State Bar Association, the Counsel for Discipline of the Nebraska Supreme Court, that a license holder is a license holder described in subsection (1) of section 43-3314 if:

(a) The license holder does not timely request either administrative review or judicial review upon issuance of a notice under subsection (2) of section 43-3314, is still a license holder described in subsection (1) of section 43-3314 thirty-one days after issuance of the notice, and does not obtain a written confirmation of compliance from the Department of Health and Human Services, county attorney, or authorized attorney pursuant to section 43-3320 within thirty-one days after issuance of the notice;

(b) The Department of Health and Human Services issues a decision after a

hearing that finds the license holder is a license holder described in subsection (1) of section 43-3314, the license holder is still a license holder described in such subsection thirty-one days after issuance of that decision, and the license holder does not seek judicial review of the decision within the ten-day appeal period provided in section 43-3317; or

(c) The court of competent jurisdiction enters a judgment on a petition for judicial review, initiated under either section 43-3315 or 43-3317, that finds the license holder is a license holder described in subsection (1) of section 43-3314.

(2) The court of competent jurisdiction, after providing appropriate notice, may certify a license holder to the Department of Motor Vehicles and relevant licensing authorities if a license holder has failed to comply with subpoenas or warrants relating to paternity or child support proceedings.

(3) If the Department of Health and Human Services, county attorney, authorized attorney, or court of competent jurisdiction determines to certify a license holder to the appropriate licensing authority, then the department, county attorney, authorized attorney, or court of competent jurisdiction shall certify a license holder in the following order and in compliance with the following restrictions:

(a) To the Department of Motor Vehicles to suspend the license holder's operator's license, except the Department of Motor Vehicles shall not suspend the license holder's commercial driver's license or restricted commercial driver's license. If a license holder possesses a commercial driver's license or restricted commercial driver's license, the Department of Health and Human Services, county attorney, authorized attorney, or court of competent jurisdiction shall certify such license holder pursuant to subdivision (b) of this subsection. If the license holder fails to come into compliance with the support order as provided in section 43-3314 or with subpoenas and warrants relating to paternity or child support proceedings within ten working days after the date on which the license holder's operator's license suspension becomes effective, then the department, county attorney, authorized attorney, or court of competent jurisdiction may certify the license holder pursuant to subdivision (b) of this subsection without further notice;

(b) To the relevant licensing authority to suspend the license holder's recreational license once the Game and Parks Commission has operative the electronic or other automated retrieval system necessary to suspend recreational licenses. If the license holder does not have a recreational license and until the Game and Parks Commission has operative the electronic or other automated retrieval system necessary to suspend recreational licenses, the department, county attorney, authorized attorney, or court of competent jurisdiction may certify the license holder pursuant to subdivision (c) of this subsection. If the license holder fails to come into compliance with the support order as provided in section 43-3314 or with subpoenas and warrants relating to paternity or child support proceedings within ten working days after the date on which the license holder's recreational license suspension becomes effective, the department, county attorney, authorized attorney, or court of competent jurisdiction may certify the license holder pursuant to subdivision (c) of this subsection without further notice; and

(c) To the relevant licensing authority to suspend the license holder's professional license, occupational license, commercial driver's license, or restricted commercial driver's license.

(4) If the Department of Health and Human Services, county attorney, authorized attorney, or court of competent jurisdiction certifies the license holder to the Department of Motor Vehicles, the Department of Motor Vehicles shall suspend the operator's license of the license holder ten working days after the date of certification. The Department of Motor Vehicles shall without undue delay notify the license holder by regular United States certified mail that the license holder's operator's license will be suspended and the date the suspension becomes effective. No person shall be issued an operator's license by the State of Nebraska if at the time of application for a license the person's operator's license is suspended under this section. Any person whose operator's license has been suspended shall return his or her license to the Department of Motor Vehicles within five working days after receiving the notice of the suspension. If any person fails to return the license, the Department of Motor Vehicles shall direct any peace officer to secure possession of the operator's license and to return it to the Department of Motor Vehicles. The peace officer who is directed to secure possession of the license shall make every reasonable effort to secure the license and return it to the Department of Motor Vehicles or shall show good cause why the license cannot be returned. An appeal of the suspension of an operator's license under this section shall be pursuant to section 60-4,105. A license holder whose operator's license has been suspended under this section may apply for an employment driving permit as provided by sections 60-4,129 and 60-4,130, except that the license holder is not required to fulfill the driver improvement or driver education and training course requirements of subsection (2) of section 60-4,130.

(5) Except as provided in subsection (6) of this section as it pertains to a license holder who is a member of the Nebraska State Bar Association, if the Department of Health and Human Services, county attorney, authorized attorney, or court of competent jurisdiction certifies the license holder to a relevant licensing authority, the relevant licensing authority, notwithstanding any other provision of law, shall suspend the license holder's professional, occupational, or recreational license and the license holder's right to renew

the professional, occupational, or recreational license ten working days after the date of certification. The relevant licensing authority shall without undue delay notify the license holder by regular United States certified mail that the license holder's professional, occupational, or recreational license will be suspended and the date the suspension becomes effective.

(6) If the department, county attorney, authorized attorney, or court of competent jurisdiction certifies a license holder who is a member of the Nebraska State Bar Association to the Counsel for Discipline of the Nebraska Supreme Court, the Nebraska Supreme Court may suspend the license holder's license to practice law. It is the intent of the Legislature to encourage all license holders to comply with their child support obligations. Therefore, the Legislature hereby requests that the Nebraska Supreme Court adopt amendments to the rules regulating attorneys, if necessary, which provide for the discipline of an attorney who is delinquent in the payment of or fails to pay his or her child support obligation.

(7) The Department of Health and Human Services, or court of competent jurisdiction when appropriate, shall send by regular United States certified mail to the license holder at the license holder's last-known address a copy of any certification filed with the Department of Motor Vehicles or a relevant licensing authority and a notice which states that the license holder's operator's license will be suspended ten working days after the date of certification and that the suspension of a professional, occupational, or recreational license pursuant to subsection (5) of this section becomes effective ten working days after the date of certification.

Sec. 6. Section 60-107, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 42 U.S.C. 5401 et seq.

Sec. 7. Section 60-119.01, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 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. 8. Section 60-144, Revised Statutes Cumulative Supplement, 2022, 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) 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 ~~may shall~~ be filed with the county treasurer of ~~any 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 60-146, Revised Statutes Cumulative Supplement, 2022, is amended to read:

60-146 (1) An application for a certificate of title for a vehicle shall include a statement that an identification inspection has been conducted on the vehicle unless (a) the title sought is a salvage branded certificate of title or a nontransferable certificate of title, (b) the surrendered ownership document is a Nebraska certificate of title, a manufacturer's statement of origin, an importer's statement of origin, a United States Government Certificate to Obtain Title to a Vehicle of ~~Release of a vehicle~~, or a nontransferable certificate of title, (c) the application contains a statement that the vehicle is to be registered under section 60-3,198, (d) the vehicle is a cabin trailer, (e) the title sought is the first title for the vehicle sold directly by the manufacturer of the vehicle to a dealer franchised by the manufacturer, or (f) the vehicle was sold at an auction authorized by the manufacturer and purchased by a dealer franchised by the manufacturer of the vehicle.

(2) The department shall prescribe a form to be executed by a dealer and submitted with an application for a certificate of title for vehicles exempt from inspection pursuant to subdivision (1)(e) or (f) of this section. The form shall clearly identify the vehicle and state under penalty of law that the vehicle is exempt from inspection.

(3) The statement that an identification inspection has been conducted shall be furnished by the county sheriff of any county or by any other holder of a certificate of training issued pursuant to section 60-183, shall be in a format as determined by the department, and shall expire ninety days after the date of the inspection. The county treasurer shall accept a certificate of inspection, approved by the superintendent, from an officer of a state police agency of another state unless an inspection is required under section 60-174.

(4)(a) Except as provided in subdivision (b) of this subsection, the identification inspection shall include examination and notation of the then current odometer reading, if any, and a comparison of the vehicle identification number with the number listed on the ownership records, except that if a lien is registered against a vehicle and recorded on the vehicle's ownership records, the county treasurer shall provide a copy of the ownership records for use in making such comparison. If such numbers are not identical, if there is reason to believe further inspection is necessary, or if the inspection is for a Nebraska assigned number, the person performing the inspection shall make a further inspection of the vehicle which may include, but shall not be limited to, examination of other identifying numbers placed on

the vehicle by the manufacturer and an inquiry into the numbering system used by the state issuing such ownership records to determine ownership of a vehicle. The identification inspection shall also include a statement that the vehicle identification number has been checked for entry in (i) the National Crime Information Center and (ii) the Nebraska Crime Information Service or the National Motor Vehicle Title Information System. In the case of an assembled vehicle, a vehicle designated as reconstructed, or a vehicle designated as replica, the identification inspection shall include, but not be limited to, an examination of the records showing the date of receipt and source of each major component part. No identification inspection shall be conducted unless all major component parts are properly attached to the vehicle in the correct location.

(b) Each county sheriff shall establish a process by which to enter into an agreement with any motor vehicle dealer as defined in section 60-1401.26 with an established place of business as defined in section 60-1401.15 in the county in which the sheriff has jurisdiction in order to collect information for the identification inspection on motor vehicles which are in the inventory of the motor vehicle dealer at the dealer's established place of business in such county. The agreement entered into shall require that the motor vehicle dealer provide the required fee, a copy of the documents evidencing transfer of ownership, and the make, model, vehicle identification number, and odometer reading in a form and manner prescribed by the county sheriff, which shall include a requirement to provide one or more photographs or digital images of the vehicle, the vehicle identification number, and the odometer reading. The county sheriff shall complete the identification inspection as required under subdivision (a) of this subsection using such information and return to the motor vehicle dealer the statement that an identification inspection has been conducted for each motor vehicle as provided in subsection (3) of this section. If the information is incomplete or if there is reason to believe that further inspection is necessary, the county sheriff shall inform the motor vehicle dealer. If the motor vehicle dealer knowingly provides inaccurate or false information, the motor vehicle dealer shall be liable for any damages that result from the provision of such information. The motor vehicle dealer shall keep the records for five years after the date the identification inspection is complete.

(5) If there is cause to believe that odometer fraud exists, written notification shall be given to the office of the Attorney General. If after such inspection the sheriff or his or her designee determines that the vehicle is not the vehicle described by the ownership records, no statement shall be issued.

(6) The county treasurer or the department may also request an identification inspection of a vehicle to determine if it meets the definition of motor vehicle as defined in section 60-123.

Sec. 10. Section 60-149, Revised Statutes Cumulative Supplement, 2022, 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; or -

(x) A United States Government Certificate to Obtain Title to a Vehicle.

(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. 11. Section 60-164.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-164.01 If a certificate of title is an electronic certificate of title record, upon application by an owner or a lienholder and payment of the fee prescribed in section 60-154, the following changes may be made to a certificate of title electronically and without printing a certificate of title:

(1) Changing the name of an owner to reflect a legal change of name;

(2) Removing the name of an owner with the consent of all owners and lienholders;

(3) Adding an additional owner with the consent of all owners and lienholders; ~~or~~

~~(4) Adding Beginning on an implementation date designated by the director on or before January 1, 2022, adding, changing, or removing a transfer-on-death beneficiary designation; or -~~

(5) Allowing an owner that has elected to retain a salvage vehicle pursuant to subsection (2) of section 60-173 to obtain a salvage branded certificate of title.

Sec. 12. Section 60-169, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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, ~~2024~~ 2023. 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, ~~2024~~ 2023.

(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. 13. Section 60-172, Reissue Revised Statutes of Nebraska, is amended to read:

60-172 A certificate of title issued on or after January 1, 2003, shall disclose in writing, from any records readily accessible to the department or county officials or a law enforcement officer, anything which indicates that the vehicle was previously issued a title in another jurisdiction that bore any word or symbol signifying that the vehicle was branded damaged, including, but not limited to, older model salvage, unrebuildable, parts only, scrap, junk, nonrepairable, reconstructed, rebuilt, flood damaged, damaged, buyback, or any other indication, symbol, or word of like kind, and the name of the jurisdiction issuing the previous title.

Sec. 14. Section 60-302.01, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~.

Sec. 15. Section 60-336.01, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 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. 16. Section 60-386, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 17. Section 60-3,113.04, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023.

(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. 18. Section 60-3,162, Reissue Revised Statutes of Nebraska, is amended to read:

60-3,162 (1) The department shall, upon a sworn complaint in writing of any person, investigate whether a certificate of registration:

(a) Has been issued on a motor vehicle or trailer that exceeds exceeding the length, height, or width provided by law;

(b) Was or issued contrary to any law of this state; or

(c) Was issued to a person who has had a certificate of registration revoked pursuant to subdivision (1)(c) of section 60-3,183 under the International Registration Plan Act.

(2) If the department validates the information in the complaint after conducting such determines from the investigation that such certificate of registration has been improperly issued, it shall have the power to revoke such certificate of registration.

Sec. 19. Section 60-3,193.01, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023.

Sec. 20. Section 60-3,198, Revised Statutes Cumulative Supplement, 2022, 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.

~~(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.~~

~~(b)(i) Before (ii) Beginning July 1, 2021, and until July 1, 2024 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.~~

~~(ii) (iii) Beginning July 1, 2024 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 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. 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 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 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 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, 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. 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.

(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. 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. 21. Section 60-3,202, Reissue Revised Statutes of Nebraska, is amended to read:

~~60-3,202 (1)(a) Until July 1, 2021, registration fees credited to the Motor Carrier Services Division Distributive Fund pursuant to section 60-3,198 and remaining in such fund at the close of each calendar month shall be remitted to the State Treasurer for credit as follows: (a) Three percent of thirty percent of such amount shall be credited to the Department of Revenue Property Assessment Division Cash Fund; (b) the remainder of such thirty percent shall be credited to the Highway Tax Fund; and (c) seventy percent of such amount shall be credited to the Highway Trust Fund.~~

~~(1)(a) Before (b) Beginning July 1, 2021, and until July 1, 2024 2025, registration fees credited to the Motor Carrier Services Division Distributive Fund pursuant to section 60-3,198 and remaining in such fund at the close of each calendar month shall be remitted to the State Treasurer for credit as follows: (i) Twenty-seven percent of such amount shall be credited to the Highway Tax Fund; (ii) sixty-four percent of such amount shall be credited to the Highway Trust Fund; and (iii) nine percent of such amount shall be credited to the Motor Carrier Services System Replacement and Maintenance Fund.~~

~~(b) (c) Beginning July 1, 2024 2025, registration fees credited to the Motor Carrier Services Division Distributive Fund pursuant to section 60-3,198 and remaining in such fund at the close of each calendar month shall be remitted to the State Treasurer for credit as follows: (i) Twenty-eight percent of such amount shall be credited to the Highway Tax Fund; (ii) sixty-seven percent of such amount shall be credited to the Highway Trust Fund; and (iii) five percent of such amount shall be credited to the Motor Carrier Services System Replacement and Maintenance Fund.~~

(2) On or before the last day of each quarter of the calendar year, the State Treasurer shall distribute all funds in the Highway Tax Fund to the county treasurer of each county in the same proportion as the number of original motor vehicle registrations in each county bears to the total of all original registrations within the state in the registration year immediately preceding.

(3) Upon receipt of motor vehicle tax funds from the State Treasurer pursuant to subsection (2) of this section, the county treasurer shall distribute such funds to taxing agencies within the county in the same proportion that the levy of each such taxing agency bears to the total of such levies of all taxing agencies in the county.

(4) In the event any taxing district has been annexed, merged, dissolved, or in any way absorbed into another taxing district, any apportionment of motor vehicle tax funds under subsection (3) of this section to which such taxing district would have been entitled shall be apportioned to the successor taxing district which has assumed the functions of the annexed, merged, dissolved, or absorbed taxing district.

(5) On or before March 1 of each year, the department shall furnish to the State Treasurer a tabulation showing the total number of original motor vehicle registrations in each county for the immediately preceding calendar year, which shall be the basis for computing the distribution of motor vehicle tax funds as provided in subsection (2) of this section.

(6) The Highway Tax Fund is created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 22. Section 60-3,205, Reissue Revised Statutes of Nebraska, is amended to read:

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

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

(ii) If the applicant or certificate holder is in violation of sections 75-392 to 75-3,100;~~or~~ -

(iii) If the applicant or certificate holder committed any violation of the International Registration Plan Act or any rule or regulation adopted and promulgated under the act.

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

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

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

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

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

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

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

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

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

Sec. 23. Section 60-462, Revised Statutes Supplement, 2023, is amended to read:

60-462 Sections 60-462 to 60-4,189 and section 40 of this act shall be known and may be cited as the Motor Vehicle Operator's License Act.

Sec. 24. Section 60-462.01, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023:

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. 25. Section 60-479.01, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~. 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, 2024 ~~2023~~, 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. 26. Section 60-480, Reissue Revised Statutes of Nebraska, is amended to read:

60-480 (1) Operators' licenses issued by the department pursuant to the Motor Vehicle Operator's License Act shall be classified as follows:

(a) Class O license. The operator's license which authorizes the person to whom it is issued to operate on highways any motor vehicle except a commercial motor vehicle or motorcycle;

(b) Class M license. The operator's license or endorsement on a Class O license, provisional operator's permit, learner's permit, school permit, or commercial driver's license which authorizes the person to whom it is issued to operate a motorcycle on highways;

(c) CDL-commercial driver's license. The operator's license which authorizes the person to whom it is issued to operate a class of commercial motor vehicle or any motor vehicle, except a motorcycle, on highways;

(d) CLP-commercial learner's permit. A permit which when carried with a Class O license authorizes an individual to operate a class of commercial motor vehicle when accompanied by a holder of a valid commercial driver's license for purposes of behind-the-wheel training. When issued to a commercial driver's license holder, a CLP-commercial learner's permit serves as authorization for accompanied behind-the-wheel training in a commercial motor vehicle for which the holder's current commercial driver's license is not valid;

(e) RCDL-restricted commercial driver's license. The class of commercial driver's license which, ~~when held with an annual seasonal permit,~~ authorizes a ~~seasonal~~ commercial motor vehicle operator described as defined in section 60-4,146.01 to operate any Class B Heavy Straight Vehicle or Class C Small Vehicle commercial motor vehicle for purposes of a farm-related or ranch-related service industry as defined in such section within one hundred fifty miles of the employer's place of business or the farm or ranch currently being served as provided in such section or any other motor vehicle, except a motorcycle, on highways;

(f) POP-provisional operator's permit. A motor vehicle operating permit with restrictions issued pursuant to section 60-4,120.01 to a person who is at least sixteen years of age but less than eighteen years of age which authorizes the person to operate any motor vehicle except a commercial motor vehicle or motorcycle;

(g) SCP-school permit. A permit issued to a student between fourteen years and two months of age and sixteen years of age for the purpose of driving in accordance with the requirements of section 60-4,124;

(h) FMP-farm permit. A permit issued to a person for purposes of operating farm tractors and other motorized implements of farm husbandry on highways in accordance with the requirements of section 60-4,126;

(i) LPD-learner's permit. A permit issued in accordance with the requirements of section 60-4,123 to a person at least fifteen years of age which authorizes the person to operate a motor vehicle, except a commercial motor vehicle, for learning purposes when accompanied by a licensed operator who is at least twenty-one years of age and who possesses a valid operator's license issued by this state or another state;

(j) LPE-learner's permit. A permit issued to a person at least fourteen years of age which authorizes the person to operate a motor vehicle, except a commercial motor vehicle, while learning to drive in preparation for application for a school permit;

(k) EDP-employment driving permit. A permit issued to a person which

authorizes the person to operate a motor vehicle, except a commercial motor vehicle, pursuant to the requirements of sections 60-4,129 and 60-4,130;

(1) IIP-ignition interlock permit. A permit issued to a person which authorizes the person to operate a motor vehicle, except a commercial motor vehicle, which is equipped with an ignition interlock device;

~~(m) SEP-seasonal permit. A permit issued to a person who holds a restricted commercial driver's license authorizing the person to operate a commercial motor vehicle, as prescribed by section 60-4,146.01, for no more than one hundred eighty consecutive days in any twelve-month period. The seasonal permit shall be valid and run from the date of original issuance of the permit for one hundred eighty days and from the date of annual revalidation of the permit;~~

(m) ~~(n)~~ MHP-medical hardship driving permit. A permit issued to a person which authorizes the person to operate a motor vehicle, except a commercial motor vehicle, pursuant to the requirements of sections 60-4,130.01 and 60-4,130.02; and

(n) ~~(o)~~ SPP-24/7 sobriety program permit. A permit issued to a person which authorizes the person to operate a motor vehicle, except a commercial motor vehicle, pursuant to the 24/7 Sobriety Program Act.

(2) For purposes of this section, motorcycle does not include an autocycle.

Sec. 27. Section 60-490, Revised Statutes Cumulative Supplement, 2022, 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 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.

(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 thirty ~~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. 28. Section 60-497.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-497.01 (1) An abstract of the court record of every case in which a person is convicted of violating any provision of the Motor Vehicle Operator's License Act, the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road, or section 28-524, as from time to time amended by the Legislature, or any traffic regulations in city or village ordinances shall be transmitted within thirty days of sentencing or other disposition by the court to the director. Any abstract received by the director more than thirty days after the date of sentencing or other disposition shall be reported by the director to the State Court Administrator.

(2) Any person violating section 28-306, 28-394, 28-1254, 60-696, 60-697, 60-6,196, 60-6,197, 60-6,213, or 60-6,214 who is placed on probation shall be assessed the same points under section 60-4,182 as if such person were not placed on probation unless a court has ordered that such person shall ~~must~~ obtain an ignition interlock permit in order to operate a motor vehicle with an ignition interlock device pursuant to section 60-6,211.05 and sufficient evidence is presented to the department that such a device is installed. For any other violation, the director shall not assess such person with any points under section 60-4,182 for such violation when the person is placed on probation until the director is advised by the court that such person previously placed on probation has violated the terms of his or her probation and such probation has been revoked. Upon receiving notice of revocation of

probation, the director shall assess to such person the points which such person would have been assessed had the person not been placed on probation. All such points shall be assessed as of the date of the violation. When a person fails to successfully complete probation, the court shall notify the director immediately.

Sec. 29. Section 60-4,111.01, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 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. 30. Section 60-4,115, Revised Statutes Supplement, 2023, 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) Except as otherwise provided in subsection (7) of this section, the fees provided in this subsection in the following dollar amounts apply for operators' licenses and state identification cards.

Document	Total Fee	County	Department
		General	of Motor
		Fund	Vehicles Cash Fund
State identification card:			
Valid for 1 year or less	5.00	2.75	2.25
Valid for more than 1 year but not more than 2 years	10.00	2.75	7.25
Valid for more than 2 years but not more than 3 years	14.00	2.75	11.25
Valid for more than 3 years but not more than 4 years	19.00	2.75	16.25
Valid for more than 4 years for a person under 21	24.00	2.75	21.25
Valid for 5 years	24.00	3.50	20.50
Replacement	11.00	2.75	8.25
Class 0 or M operator's license:			
Valid for 1 year or less	5.00	2.75	2.25
Valid for more than 1 year but not more than 2 years	10.00	2.75	7.25
Valid for more than 2 years but not more than 3 years	14.00	2.75	11.25
Valid for more than 3 years but not more than 4 years	19.00	2.75	16.25
Valid for 5 years	24.00	3.50	20.50
Bioptic or telescopic lens restriction:			
Valid for 1 year or less	5.00	0	5.00
Valid for more than 1 year but not more than 2 years	10.00	2.75	7.25
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Provisional operator's permit:			

LB1200 2024			LB1200 2024
Original	15.00	2.75	12.25
Bioptic or telescopic lens restriction:			
Valid for 1 year or less	5.00	0	5.00
Valid for more than 1 year but not more than 2 years	15.00	2.75	12.25
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
LPD-learner's permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
LPE-learner's permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
School permit:			
Original	8.00	.25	7.75
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Farm permit:			
Original or renewal	5.00	.25	4.75
Replacement	5.00	.25	4.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Driving permits:			
Employment	45.00	0	45.00
Medical hardship	45.00	0	45.00
Replacement	10.00	.25	9.75
Add, change, or remove class, endorsement, or restriction	5.00	0	5.00
Commercial driver's license:			
Valid for 1 year or less	11.00	1.75	9.25
Valid for more than 1 year but not more than 2 years	22.00	1.75	20.25

Valid for more than 2 years			
but not more than 3 years	33.00	1.75	31.25
Valid for more than 3 years			
but not more than 4 years	44.00	1.75	42.25
Valid for 5 years	55.00	1.75	53.25
Bioptic or telescopic lens restriction:			
Valid for one year or less	11.00	1.75	9.25
Valid for more than 1 year			
but not more than 2 years	22.00	1.75	20.25
Replacement	11.00	2.75	8.25
Add, change, or remove class, endorsement, or restriction			
	10.00	1.75	8.25
CLP-commercial learner's permit:			
<u>Original</u>	<u>10.00</u>	<u>.25</u>	<u>9.75</u>
Original or renewal	10.00	.25	9.75
Replacement	10.00	.25	9.75
Add, change, or remove class, endorsement, or restriction			
	10.00	.25	9.75
Seasonal permit:			
Original or renewal	10.00	.25	9.75
Replacement	10.00	.25	9.75
Add, change, or remove class, endorsement, or restriction			
	10.00	.25	9.75

(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. Eight dollars and twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash 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. Forty dollars of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund. Five dollars of the fee shall be remitted to the county treasurer for credit to the county general fund.

(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. Eight dollars and twenty-five cents of the fee shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash 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.

(7) No fee shall be charged for issuance of an original, renewal, or duplicate state identification card to a resident of Nebraska who (a) does not have a valid Nebraska driver's license, (b) is requesting issuance of such card for voting purposes, and (c) is at least eighteen years of age or is seventeen years of age and will attain the age of eighteen years on or before the first Tuesday after the first Monday in November of the then-current calendar year.

Sec. 31. Section 60-4,131, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,131 (1) Sections 60-462.01 and 60-4,132 to 60-4,172 and section 40 of this act shall apply to the operation of any commercial motor vehicle.

(2) For purposes of such sections:

(a) Disqualification means:

(i) The suspension, revocation, cancellation, or any other withdrawal by a state of a person's privilege to operate a commercial motor vehicle;

(ii) A determination by the Federal Motor Carrier Safety Administration, under the rules of practice for motor carrier safety contained in 49 C.F.R. part 386, that a person is no longer qualified to operate a commercial motor vehicle under 49 C.F.R. part 391; or

(iii) The loss of qualification which automatically follows conviction of an offense listed in 49 C.F.R. 383.51;

(b) Downgrade means the state:

(i) Allows the driver of a commercial motor vehicle to change his or her self-certification to interstate, but operating exclusively in transportation or operation excepted from 49 C.F.R. part 391, as provided in 49 C.F.R. 390.3(f), 391.2, 391.68, or 398.3;

(ii) Allows the driver of a commercial motor vehicle to change his or her self-certification to intrastate only, if the driver qualifies under a state's physical qualification requirements for intrastate only;

(iii) Allows the driver of a commercial motor vehicle to change his or her certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of a state driver qualification requirement; or

(iv) Removes the commercial driver's license privilege from the operator's license;

(c) Employee means any operator of a commercial motor vehicle, including full-time, regularly employed drivers; casual, intermittent, or occasional drivers; and leased drivers and independent, owner-operator contractors, while in the course of operating a commercial motor vehicle, who are either directly employed by or under lease to an employer;

(d) Employer means any person, including the United States, a state, the District of Columbia, or a political subdivision of a state, that owns or leases a commercial motor vehicle or assigns employees to operate a commercial motor vehicle;

(e) Endorsement means an authorization to an individual's CLP-commercial learner's permit or commercial driver's license required to permit the individual to operate certain types of commercial motor vehicles;

(f) Foreign means outside the fifty United States and the District of Columbia;

(g) Imminent hazard means the existence of a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment;

(h) Issue and issuance means initial issuance, transfer, renewal, or upgrade of a ~~CLP-commercial learner's permit, commercial driver's license, nondomiciled CLP-commercial learner's permit, or nondomiciled commercial driver's license,~~ or issuance, transfer, or upgrade of a CLP-commercial learner's permit or nondomiciled CLP-commercial learner's permit, as described in 49 C.F.R. 383.73;

(i) Medical examiner means an individual certified by the Federal Motor Carrier Safety Administration and listed on the National Registry of Certified Medical Examiners in accordance with 49 C.F.R. part 390, subpart D;

(j) Medical examiner's certificate means a form meeting the requirements of 49 C.F.R. 391.43 issued by a medical examiner in compliance with such regulation;

(k) Medical variance means the Federal Motor Carrier Safety Administration has provided a driver with either an exemption letter permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 381, subpart C, or 49 C.F.R. 391.64 or a Skill Performance Evaluation Certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49;

(l) Nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license means a CLP-commercial learner's permit or commercial driver's license, respectively, issued by this state or other

jurisdiction under either of the following two conditions:

(i) To an individual domiciled in a foreign country meeting the requirements of 49 C.F.R. 383.23(b)(1); or

(ii) To an individual domiciled in another state meeting the requirements of 49 C.F.R. 383.23(b)(2);

(m) Representative vehicle means a motor vehicle which represents the type of motor vehicle that a driver applicant operates or expects to operate;

(n) State means a state of the United States and the District of Columbia;

(o) State of domicile means that state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has the intention of returning whenever he or she is absent;

(p) Tank vehicle means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more and that are either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of one thousand gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle;

(q) Third-party skills test examiner means a person employed by a third-party tester who is authorized by this state to administer the commercial driver's license skills tests specified in 49 C.F.R. part 383, subparts G and H;

(r) Third-party tester means a person, including, but not limited to, another state, a motor carrier, a private driver training facility or other private institution, or a department, agency, or instrumentality of a local government, authorized by this state to employ skills test examiners to administer the commercial driver's license skills tests specified in 49 C.F.R. part 383, subparts G and H;

(s) United States means the fifty states and the District of Columbia; and

(t) Vehicle group means a class or type of vehicle with certain operating characteristics.

Sec. 32. Section 60-4,131.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,131.01 Sections 60-462.01 and 60-4,132 to 60-4,172 and section 40 of this act shall not apply to individuals who operate commercial motor vehicles for military purposes, including and limited to:

(1) Active duty military personnel;

(2) Members of the military reserves, other than military technicians;

(3) Active duty United States Coast Guard personnel; and

(4) Members of the National Guard on active duty, including:

(a) Personnel on full-time National Guard duty;

(b) Personnel on part-time National Guard training; and

(c) National Guard military technicians required to wear military uniforms.

Such individuals must have a valid military driver's license unless such individual is operating the vehicle under written orders from a commanding officer in an emergency declared by the federal government or by the State of Nebraska.

Sec. 33. Section 60-4,132, Revised Statutes Supplement, 2023, 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 and section 40 of this act 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, 2024 ~~2023~~, 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. 34. Section 60-4,134, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 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. 35. Section 60-4,139, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,139 Any nonresident may operate a commercial motor vehicle upon the highways of this state if:

(1) Such ~~such~~ nonresident has in his or her immediate possession a valid commercial driver's license or a valid commercial learner's permit issued by his or her state of residence or by a jurisdiction with standards that are in

accord with 49 C.F.R. parts 383 and 391; ~~and~~

(2) ~~The~~ the license or permit is not suspended, revoked, or canceled; ~~and~~

(3) ~~Such~~ such nonresident is not disqualified from operating a commercial motor vehicle; ~~and~~

(4) ~~The~~ the commercial motor vehicle is not operated in violation of any downgrade; ~~and~~

(5) Such nonresident does not have a status of prohibited in the federal Drug and Alcohol Clearinghouse.

Sec. 36. Section 60-4,142, Revised Statutes Supplement, 2023, is amended to read:

60-4,142 Any resident or nondomiciled applicant may obtain a CLP-commercial learner's permit from the department by making application to licensing staff of the department. An applicant shall present proof to licensing staff that he or she holds a valid Class 0 license or commercial driver's license or a foreign nondomiciled applicant shall successfully complete the requirements for the Class 0 license before a CLP-commercial learner's permit is issued. An applicant shall also successfully complete the commercial driver's license general knowledge examination under section 60-4,155 and examinations for all previously issued endorsements as provided in 49 C.F.R. 383.25(a)(3) and 49 C.F.R. 383.153(b)(2)(vii). Upon application, the examination may be waived if the applicant presents (1) a Nebraska commercial driver's license which is valid or has been expired for less than one year or (2) a valid commercial driver's license from another state. The CLP-commercial learner's permit shall be valid for one year from the date of issuance. The successful applicant shall pay the fee prescribed in section 60-4,115 for the issuance ~~or renewal~~ of a CLP-commercial learner's permit.

Sec. 37. Section 60-4,143, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,143 (1) No commercial driver's license or CLP-commercial learner's permit shall, under any circumstances, be issued to any person who has not attained the age of eighteen years.

(2) A commercial driver's license or CLP-commercial learner's permit shall not be issued to any person:

(a) ~~During~~ during the period the person is subject to a disqualification in this or any other state; ~~and~~

(b) ~~While~~ while the person's operator's license is suspended, revoked, or canceled in this or any other state; ~~or~~

(c) ~~When~~ when the Commercial Driver License Information System indicates "not-certified"; ~~or~~

(d) When a federal Drug and Alcohol Clearinghouse query indicates "prohibited".

(3) The department shall not issue any commercial driver's license to any person unless the person applying for a commercial driver's license first surrenders to the department all operators' licenses issued to such person by this or any other state. Any operator's license issued by another state which is surrendered to the department shall be destroyed, and the director shall send notice to the other state that the operator's license has been surrendered.

Sec. 38. Section 60-4,144, Revised Statutes Supplement, 2023, is amended to read:

60-4,144 (1) An applicant for issuance of any original or renewal commercial driver's license or an applicant for a change of class of commercial motor vehicle, endorsement, or restriction shall demonstrate his or her knowledge and skills for operating a commercial motor vehicle as prescribed in the Motor Vehicle Operator's License Act. An applicant for a commercial driver's license shall provide the information and documentation required by this section and section 60-4,144.01. Such information and documentation shall include any additional information required by 49 C.F.R. parts 383 and 391 and also include:

(a) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate; and

(b) The names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application.

(2)(a) Before being issued a CLP-commercial learner's permit or commercial driver's license, the applicant shall provide (i) his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, (ii) two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, except that a nondomiciled applicant for a CLP-commercial learner's permit or nondomiciled commercial driver's license holder does not have to provide proof of residence in Nebraska, (iii) evidence of identity as required by this section, and (iv) a brief physical description of himself or herself.

(b) The applicant's social security number shall not be printed on the CLP-commercial learner's permit or commercial driver's license and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the certification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security

Administration of the United States Department of Homeland Security or its agent, (v) to furnish information to the Department of Revenue under section 77-362.02, ~~or~~ (vi) to furnish information to the Secretary of State for purposes of the Election Act, or (vii) to query the federal Drug and Alcohol Clearinghouse.

(c) No person shall be a holder of a CLP-commercial learner's permit or commercial driver's license and a state identification card at the same time.

(3) Before being issued a CLP-commercial learner's permit or commercial driver's license, an applicant, except a nondomiciled applicant, shall provide proof that this state is his or her state of residence. Acceptable proof of residence is a document with the person's name and residential address within this state.

(4)(a) Before being issued a CLP-commercial learner's permit or commercial driver's license, an applicant shall provide proof of identity.

(b) The following are acceptable as proof of identity:

(i) A valid, unexpired United States passport;

(ii) A certified copy of a birth certificate filed with a state office of vital statistics or equivalent agency in the individual's state of birth;

(iii) A Consular Report of Birth Abroad issued by the United States Department of State;

(iv) A valid, unexpired permanent resident card issued by the United States Department of Homeland Security or United States Citizenship and Immigration Services;

(v) An unexpired employment authorization document issued by the United States Department of Homeland Security;

(vi) An unexpired foreign passport with a valid, unexpired United States visa affixed accompanied by the approved form documenting the applicant's most recent admittance into the United States;

(vii) A Certificate of Naturalization issued by the United States Department of Homeland Security;

(viii) A Certificate of Citizenship issued by the United States Department of Homeland Security;

(ix) A driver's license or identification card issued in compliance with the standards established by the federal REAL ID Act of 2005, Public Law 109-13, division B, section 1, 119 Stat. 302; or

(x) Such other documents as the director may approve.

(c) If an applicant presents one of the documents listed under subdivision (b)(i), (ii), (iii), (iv), (vii), or (viii) of this subsection, the verification of the applicant's identity will also provide satisfactory evidence of lawful status.

(d) If the applicant presents one of the identity documents listed under subdivision (b)(v), (vi), or (ix) of this subsection, the verification of the identity documents does not provide satisfactory evidence of lawful status. The applicant shall ~~must~~ also present a second document from subdivision (4)(b) of this section, a document from subsection (5) of this section, or documentation issued by the United States Department of Homeland Security or other federal agencies demonstrating lawful status as determined by the United States Citizenship and Immigration Services.

(e) An applicant may present other documents as designated by the director as proof of identity. Any documents accepted shall be recorded according to a written exceptions process established by the director.

~~(f)(i) Any On a date determined by the director but not later than November 1, 2023, any person assigned a parolee immigration status by the United States Department of Homeland Security may apply for and be issued a CLP-commercial learner's permit or commercial driver's license that is not in compliance with the federal REAL ID Act of 2005, Public Law 109-13, if the person:~~

~~(A) Possessed an unexpired foreign passport issued to such person at the time of such person's entry into the United States of America; and~~

~~(B) Fulfills the requirements of subdivision (2)(a) of this section and such requirements are verified pursuant to section 60-484.06.~~

~~(ii) Any CLP-commercial learner's permit or commercial driver's license issued under this subsection is otherwise subject to all laws relating to CLP-commercial learner's permits or commercial driver's licenses.~~

~~(5)(a) Whenever a person, as a nondomiciled individual to this state, is renewing, replacing, upgrading, transferring, or applying as a nondomiciled individual to this state for a CLP-commercial learner's permit or commercial driver's license, or replacing, upgrading, transferring, or applying for a CLP-commercial learner's permit, the Department of Motor Vehicles shall verify the citizenship in the United States of the person or the lawful status in the United States of the person.~~

~~(b) The following are acceptable as proof of citizenship or lawful status:~~

~~(i) A valid, unexpired United States passport;~~

~~(ii) A certified copy of a birth certificate filed with a state office of vital statistics or equivalent agency in the individual's state of birth, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands;~~

~~(iii) A Consular Report of Birth Abroad issued by the United States Department of State;~~

~~(iv) A Certificate of Naturalization issued by the United States Department of Homeland Security;~~

~~(v) A Certificate of Citizenship issued by the United States Department of Homeland Security; or~~

(vi) A valid, unexpired Permanent Resident Card issued by the United States Department of Homeland Security or United States Citizenship and Immigration Services.

(6) An applicant may present other documents as designated by the director as proof of lawful status. Any documents accepted shall be recorded according to a written exceptions process established by the director.

(7)(a) An applicant shall obtain a nondomiciled CLP-commercial driver's license or nondomiciled CLP-commercial learner's permit:

(i) If the applicant is domiciled in a foreign jurisdiction and the Federal Motor Carrier Safety Administrator has not determined that the commercial motor vehicle operator testing and licensing standards of that jurisdiction meet the standards contained in subparts G and H of 49 C.F.R. part 383; or

(ii) If the applicant is domiciled in a state that is prohibited from issuing commercial learners' permits and commercial drivers' licenses in accordance with 49 C.F.R. 384.405. Such person is eligible to obtain a nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license from Nebraska that complies with the testing and licensing standards contained in subparts F, G, and H of 49 C.F.R. part 383.

(b) An applicant for a nondomiciled CLP-commercial learner's permit and nondomiciled commercial driver's license shall ~~must~~ do the following:

(i) Complete the requirements to obtain a CLP-commercial learner's permit or a commercial driver's license under the Motor Vehicle Operator's License Act, except that an applicant domiciled in a foreign jurisdiction shall ~~must~~ provide an unexpired employment authorization document issued by the United States Citizenship and Immigration Services or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States. No proof of domicile is required;

(ii) After receipt of the nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license and, for as long as the permit or license is valid, notify the Department of Motor Vehicles of any adverse action taken by any jurisdiction or governmental agency, foreign or domestic, against his or her driving privileges. Such adverse actions include, but are not limited to, license disqualification or disqualification from operating a commercial motor vehicle for the convictions described in 49 C.F.R. 383.51. Notifications shall ~~must~~ be made within the time periods specified in 49 C.F.R. 383.33; and

(iii) Provide a mailing address to the Department of Motor Vehicles. If the applicant is applying for a foreign nondomiciled CLP-commercial learner's permit or foreign nondomiciled commercial driver's license, he or she shall ~~must~~ provide a Nebraska mailing address and his or her employer's mailing address to the Department of Motor Vehicles.

(c) An applicant for a nondomiciled CLP-commercial learner's permit or nondomiciled commercial driver's license who holds a foreign operator's license is not required to surrender his or her foreign operator's license.

(8) Any person applying for a CLP-commercial learner's permit or commercial driver's license may answer the following:

(a) Do you wish to register to vote as part of this application process?

(b) Do you wish to have a veteran designation displayed on the front of your operator's license to show that you served in the armed forces of the United States? (To be eligible you shall ~~must~~ register with the Nebraska Department of Veterans' Affairs registry.)

(c) Do you wish to include your name in the Donor Registry of Nebraska and donate your organs and tissues at the time of your death?

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

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

(9) Application for a CLP-commercial learner's permit or commercial driver's license shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the permit or license is true and correct.

(10) Any person applying for a CLP-commercial learner's permit or commercial driver's license shall ~~must~~ make one of the certifications in section 60-4,144.01 and any certification required under section 60-4,146 and shall ~~must~~ provide such certifications to the Department of Motor Vehicles in order to be issued a CLP-commercial learner's permit or a commercial driver's license.

(11) Every person who holds any commercial driver's license shall ~~must~~ provide to the department medical certification as required by section 60-4,144.01. The department may provide notice and prescribe medical certification compliance requirements for all holders of commercial drivers' licenses. Holders of commercial drivers' licenses who fail to meet the prescribed medical certification compliance requirements may be subject to downgrade.

Sec. 39. Section 60-4,144.03, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,144.03 (1) The department shall issue a CLP-commercial learner's permit or a commercial driver's license that is temporary only to any applicant who presents documentation under section 60-4,144 that shows his or her authorized stay in the United States is temporary. A CLP-commercial learner's permit or a commercial driver's license that is temporary shall be valid only during the period of time of the applicant's authorized stay in the United

States or, if there is no definite end to the period of authorized stay, a period of one year.

(2) A CLP-commercial learner's permit or a commercial driver's license that is temporary shall clearly indicate that it is temporary with a special notation that states the date on which it expires.

(3) ~~A CLP-commercial learner's permit or a commercial driver's license that is temporary may be renewed only upon presentation of valid documentary evidence that the status, by which the applicant qualified for the CLP-commercial learner's permit or commercial driver's license that is temporary, has been extended by the United States Department of Homeland Security.~~

Sec. 40. (1) Beginning November 18, 2024, in compliance with 49 C.F.R. part 382, within sixty calendar days of receiving notification from the Federal Motor Carrier Safety Administration that a driver is prohibited from operating a commercial motor vehicle due to a drug or alcohol violation, the department shall:

(a) Update the Commercial Driver License Information System driver record to include the information provided in the notification;

(b) Notify the holder of the commercial driver's license or CLP-commercial learner's permit of such holder's prohibited status and that the commercial driver's license privilege or CLP-commercial learner's permit privilege will be removed from such license or permit; and

(c) Downgrade such license and cancel the permit for holders of a CLP-commercial learner's permit pursuant to established procedures of the department and, if applicable, update the driver's record maintained by the department.

(2) Beginning November 18, 2024, in compliance with 49 C.F.R. part 382, within ten calendar days of receiving notification from the Federal Motor Carrier Safety Administration that a driver was erroneously identified as prohibited on the federal Drug and Alcohol Clearinghouse, the department shall:

(a) Restore the commercial driving privilege as it existed before the erroneous notification;

(b) Notify the holder of the commercial driver's license or CLP-commercial learner's permit of:

(i) Such holder's updated status; and

(ii) Procedures the driver shall follow to reinstate such driver's license or permit; and

(c) Expunge the Commercial Driver License Information System driver record or motor vehicle record of any reference to the erroneous prohibited status.

Sec. 41. Section 60-4,146.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,146.01 (1) Any resident of this state who is a ~~seasonal~~ commercial motor vehicle operator for a farm-related or ranch-related service industry may apply for a restricted commercial driver's license. If the applicant is an individual, the application or examiner's certificate shall include the applicant's social security number. A restricted commercial driver's license shall authorize the holder to operate any Class B Heavy Straight Vehicle commercial motor vehicle or any Class B Heavy Straight Vehicle or Class C Small Vehicle commercial motor vehicle required to be placarded pursuant to section 75-364 when the hazardous material being transported is (a) diesel fuel in quantities of one thousand gallons or less, (b) liquid fertilizers in vehicles or implements of husbandry with total capacities of three thousand gallons or less, or (c) solid fertilizers that are not transported or mixed with any organic substance within one hundred fifty miles of the employer's place of business or the farm or ranch being served.

(2) Any applicant for a restricted commercial driver's license ~~or seasonal permit~~ shall be eighteen years of age or older, shall have possessed a valid operator's license during the twelve-month period immediately preceding application, and shall demonstrate, in a manner to be prescribed by the director, that:

(a) If the applicant has possessed a valid operator's license for two or more years, that in the two-year period immediately preceding application the applicant:

(i) Has not possessed more than one operator's license at one time;

(ii) Has not been subject to any order of suspension, revocation, or cancellation of any type;

(iii) Has no convictions involving any type or classification of motor vehicle of the disqualification offenses enumerated in sections 60-4,168 and 60-4,168.01; and

(iv) Has no convictions for traffic law violations that are accident-connected and no record of at-fault accidents; and

(b) If the applicant has possessed a valid operator's license for more than one but less than two years, the applicant shall demonstrate that he or she meets the requirements prescribed in subdivision (a) of this subsection for the entire period of his or her driving record history.

~~(3)(a) Until January 1, 2022, the commercial motor vehicle operating privilege as conferred by the restricted commercial driver's license shall be valid for five years if annually revalidated by the seasonal permit which shall be valid for no more than one hundred eighty consecutive days in any twelve-month period. To revalidate the restricted commercial driver's license, the applicant shall meet the requirements of subsection (2) of this section and shall designate a time period he or she desires the commercial motor vehicle operating privilege to be valid. The time period designated by the applicant shall appear and be clearly indicated on the seasonal permit. A seasonal permit~~

~~shall not be issued to any person more than once in any twelve-month period. The holder of a restricted commercial driver's license shall operate commercial motor vehicles in the course or scope of his or her employment within one hundred fifty miles of the employer's place of business or the farm or ranch currently being served.~~

~~(3)(a) The (b) Beginning January 1, 2022, the restricted commercial driver's license shall be valid for five years and shall clearly indicate the commercial motor vehicle operating privilege for the seasonal period of validity on the back of the restricted commercial driver's license. The seasonal period of validity shall be valid for no more than one hundred eighty consecutive days in any twelve-month period. The applicant shall designate the seasonal period of validity when making application for the restricted commercial driver's license. The holder of the restricted commercial driver's license may change the seasonal period of validity by renewing or obtaining a replacement of the restricted commercial driver's license. The holder of a restricted commercial driver's license shall operate commercial motor vehicles in the course or scope of his or her employment within one hundred fifty miles of the employer's place of business or the farm or ranch currently being served. The department shall annually revalidate the restricted commercial driver's license to confirm that the holder of the restricted commercial driver's license meets the requirements of subsection (2) of this section. If the holder of the restricted commercial driver's license does not meet the requirements of subsection (2) of this section upon revalidation, the department shall provide notice to the holder that the restricted commercial driver's license is canceled and the holder shall must apply for a Class 0 operator's license within thirty calendar days after the date notice was sent.~~

~~(b) Beginning January 1, 2025, the restricted commercial driver's license shall be valid for five years and shall clearly indicate the commercial motor vehicle operating privilege for the seasonal period of validity on the back of the restricted commercial driver's license. The seasonal period of validity shall be valid for no more than two hundred ten days in any calendar year. The applicant shall designate the seasonal period of validity when making application for the restricted commercial driver's license. The holder of the restricted commercial driver's license may change the seasonal period of validity by renewing or obtaining a replacement of the restricted commercial driver's license. The holder of a restricted commercial driver's license shall operate commercial motor vehicles in the course or scope of his or her employment within one hundred fifty miles of the employer's place of business or the farm or ranch currently being served. The department shall annually revalidate the restricted commercial driver's license to confirm that the holder of the restricted commercial driver's license meets the requirements of subsection (2) of this section. If the holder of the restricted commercial driver's license does not meet the requirements of subsection (2) of this section upon revalidation, the department shall provide notice to the holder that the restricted commercial driver's license is canceled and the holder must apply for a Class 0 operator's license within thirty calendar days after the date notice was sent.~~

~~(4) Any person who violates any provision of this section shall, upon conviction, be guilty of a Class III misdemeanor. In addition to any penalty imposed by the court, the director shall also revoke such person's restricted commercial driver's license and shall disqualify such person from operating any commercial motor vehicle in Nebraska for a period of five years.~~

~~(5) The Department of Motor Vehicles may adopt and promulgate rules and regulations to carry out the requirements of this section.~~

~~(6) For purposes of this section:~~

~~(a) Agricultural chemical business means any business that transports agricultural chemicals predominately to or from a farm or ranch;~~

~~(b) Farm-related or ranch-related service industry means any custom harvester, retail agricultural outlet or supplier, agricultural chemical business, or livestock feeder which operates commercial motor vehicles for the purpose of transporting agricultural products, livestock, farm machinery and equipment, or farm supplies to or from a farm or ranch; and~~

~~(c) Retail agricultural outlet or supplier means any retail outlet or supplier that transports either agricultural products, farm machinery, farm supplies, or both, predominately to or from a farm or ranch; and~~

~~(d) Seasonal commercial motor vehicle operator means any person who, exclusively on a seasonal basis, operates a commercial motor vehicle for a farm-related or ranch-related service industry.~~

~~Sec. 42. Section 60-4,147.02, Revised Statutes Supplement, 2023, 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, 2024 2023, for the issuance of licenses to operate commercial motor vehicles transporting hazardous materials.~~

~~Sec. 43. Section 60-4,148, Reissue Revised Statutes of Nebraska, is amended to read:~~

~~60-4,148 (1) All commercial drivers' licenses shall be issued by the department as provided in sections 60-4,148.01 and 60-4,149. Successful~~

applicants shall pay the fee and surcharge prescribed in section 60-4,115.

(2) Any person making application to add or remove a class of commercial motor vehicle, any endorsement, or any restriction to or from a previously issued and outstanding commercial driver's license shall pay the fee and surcharge prescribed in section 60-4,115. ~~The fee for an original or renewal seasonal permit to revalidate the restricted commercial motor vehicle operating privilege to a previously issued and outstanding restricted commercial driver's license shall be the fee and surcharge prescribed in section 60-4,115.~~

Sec. 44. Section 60-4,148.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,148.01 (1) The department may develop and offer methods for successful applicants to obtain, renew, and replace commercial drivers' licenses electronically and for the electronic renewal and replacement of ~~commercial drivers' licenses and CLP-commercial learners' permits.~~

(2)(a) An applicant who has successfully passed the knowledge and skills tests for a commercial driver's license pursuant to section 60-4,149 and who has a digital image and digital signature preserved in the digital system that is not more than ten years old may obtain a commercial driver's license using the preserved digital image and digital signature by electronic means in a manner prescribed by the department pursuant to this subsection.

(b) To be eligible to obtain a license pursuant to this subsection:

(i) There shall ~~must~~ have been no changes to the applicant's name since his or her most recent application for a CLP-commercial learner's permit;

(ii) The new license shall ~~must~~ not contain a hazardous materials endorsement;

(iii) The applicant shall ~~must~~ meet the requirements of section 60-4,144 and submit the information and documentation and make the certifications required under section 60-4,144; and

(iv) The applicant shall ~~must~~ satisfy any other eligibility criteria that the department may prescribe pursuant to subsection (6) of this section.

(c) The successful applicant shall pay the fee and surcharge prescribed in section 60-4,115. Upon receipt of such fee and surcharge and an application it deems satisfactory, the department shall deliver the license by mail.

(3)(a) An applicant whose commercial driver's license ~~or CLP-commercial learner's permit~~ expires prior to his or her seventy-second birthday and who has a digital image and digital signature preserved in the digital system may, once every ten years, renew such license ~~or permit~~ using the preserved digital image and digital signature by electronic means in a manner prescribed by the department pursuant to this subsection.

(b) To be eligible for renewal under this subsection:

(i) The renewal shall ~~must~~ be prior to or within one year after expiration of such license ~~or permit~~;

(ii) The driving record abstract maintained in the department's computerized records shall ~~must~~ show that such license ~~or permit~~ is not suspended, revoked, canceled, or disqualified;

(iii) There shall ~~must~~ be no changes to the applicant's name or to the class, endorsements, or restrictions on such license ~~or permit~~;

(iv) The applicant shall ~~must~~ not hold a hazardous materials endorsement or shall ~~must~~ relinquish such endorsement;

(v) The applicant shall ~~must~~ meet the requirements of section 60-4,144 and submit the information and documentation and make the certifications required under section 60-4,144; and

(vi) The applicant shall ~~must~~ satisfy any other eligibility criteria that the department may prescribe pursuant to subsection (6) of this section.

(c) Every applicant seeking renewal of his or her commercial driver's license shall ~~or CLP-commercial learner's permit must~~ apply for renewal in person at least once every ten years and have a new digital image and digital signature captured.

(d) An applicant seeking renewal under this subsection (3) shall pay the fee and surcharge prescribed in section 60-4,115. Upon receipt of such fee and surcharge and an application it deems satisfactory, the department shall deliver the renewal license or permit by mail.

(4)(a) Any person holding a commercial driver's license or CLP-commercial learner's permit who has a digital image and digital signature not more than ten years old preserved in the digital system and who loses his or her license or permit, who requires issuance of a replacement license or permit because of a change of address, or whose license or permit is mutilated or unreadable may obtain a replacement commercial driver's license or CLP-commercial learner's permit using the preserved digital image and digital signature by electronic means in a manner prescribed by the department pursuant to this subsection.

(b) To be eligible to obtain a replacement license or permit pursuant to this subsection:

(i) There shall ~~must~~ be no changes to the applicant's name and no changes to the class, endorsements, or restrictions on such license or permit;

(ii) The applicant shall ~~must~~ meet the requirements of section 60-4,144 and submit the information and documentation and make the certifications required under section 60-4,144; and

(iii) The applicant shall ~~must~~ satisfy any other eligibility criteria that the department may prescribe pursuant to subsection (6) of this section.

(c) An application for a replacement license or permit because of a change of address shall be made within sixty days after the change of address.

(d) An applicant seeking replacement under this subsection (4) of this section shall pay the fee and surcharge prescribed in section 60-4,115. Upon

receipt of such fee and surcharge and an application it deems satisfactory, the department shall deliver the replacement license or permit by mail. The replacement license or permit shall be subject to the provisions of subsection (4) of section 60-4,150.

(5) An application to obtain, renew, or replace a commercial driver's license or to ~~renew or replace a commercial driver's license or~~ CLP-commercial learner's permit because of a change of name may not be made electronically pursuant to this section and shall be made in person at a licensing station within sixty days after the change of name.

(6) The department may adopt and promulgate rules and regulations governing eligibility for the use of electronic methods for successful applicants to obtain, renew, or replace commercial drivers' licenses and for the ~~renewal and replacement of commercial drivers' licenses and~~ CLP-commercial learners' permits, taking into consideration medical and vision requirements, safety concerns, and any other factors consistent with the purposes of the Motor Vehicle Operator's License Act that the director deems relevant.

Sec. 45. Section 60-4,149, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,149 (1) The director shall appoint as his or her agents one or more department personnel who shall examine all applicants for a commercial driver's license or a CLP-commercial learner's permit as provided in section 60-4,144. The same department personnel may be assigned to one or more counties by the director. In counties in which the county treasurer collects the fees and issues receipts, the county shall furnish office space for the administration of the license or permit examination. Department personnel shall conduct the examination of applicants and deliver to each successful applicant an issuance certificate or receipt. The certificate may be presented to the county treasurer within ninety days after issuance, and the county treasurer shall collect the fee and surcharge as provided in section 60-4,115 and issue a receipt which is valid for up to thirty days. If a commercial driver's license or CLP-commercial learner's permit is being issued, the receipt shall also authorize driving privileges for such thirty-day period. If department personnel refuse to issue an issuance certificate or receipt, the department personnel shall state such cause in writing and deliver such written cause to the applicant.

(2)(a) The segments of the driving skills examination shall be administered and successfully completed in the following order: Pre-trip inspection, basic vehicle control skills, and on-road skills. If an applicant fails one segment of the driving skills examination, ~~the~~ :(i) The applicant cannot continue to the next segment of the examination. ~~;~~ and

~~(ii) Scores for the passed segments of the examination are only valid during initial issuance of a CLP-commercial learner's permit. If a CLP-commercial learner's permit is renewed, all three segments of the skills examination must be retaken.~~

(b) Passing scores for the knowledge and skills tests shall ~~must~~ meet the standards contained in 49 C.F.R. 383.135.

(3) Except as provided for in sections 60-4,157 and 60-4,158, all commercial driver's license examinations shall be conducted by department personnel designated by the director. Each successful applicant shall be issued a certificate or receipt entitling the applicant to secure a commercial driver's license. If department personnel refuse to issue such certificate or receipt, he or she shall state such cause in writing and deliver the same to the applicant. Department personnel shall not be required to hold a commercial driver's license to administer a driving skills examination and occupy the seat beside an applicant for a commercial driver's license.

(4) The successful applicant shall, within ten days after renewal or within twenty-four hours after initial issuance, pay the fee and surcharge as provided in section 60-4,115. A receipt with driving privileges which is valid for up to thirty days shall be issued. The commercial driver's license shall be delivered to the applicant as provided in section 60-4,113.

(5) In lieu of proceeding under subsection (4) of this section, the successful applicant may pay the fee and surcharge as provided in section 60-4,115 and electronically submit an application prescribed by the department in a manner prescribed by the department pursuant to section 60-4,148.01.

Sec. 46. Section 60-4,150, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,150 (1) Any person holding a commercial driver's license or CLP-commercial learner's permit who loses his or her license or permit, who requires issuance of a replacement license or permit because of a change of name or address, or whose license or permit is mutilated or unreadable may obtain a replacement commercial driver's license or CLP-commercial learner's permit by filing an application pursuant to this section and by furnishing proof of identification in accordance with section 60-4,144. Any person seeking a replacement license or permit for such reasons, except because of a change of name, may also obtain a replacement license or permit by submitting an electronic application pursuant to section 60-4,148.01.

(2) An application for a replacement license or permit because of a change of name or address shall be made within sixty days after the change of name or address.

(3) A replacement commercial driver's license or CLP-commercial learner's permit issued pursuant to this section shall be delivered to the applicant as provided in section 60-4,113 after department personnel or the county treasurer collects the fee and surcharge prescribed in section 60-4,115 and issues the

applicant a receipt with driving privileges which is valid for up to thirty days. Replacement commercial drivers' licenses or CLP-commercial learners' permits issued pursuant to this section shall be issued in the manner provided for the issuance of original and renewal commercial drivers' licenses or the issuance of permits as provided for by section 60-4,149.

(4) Upon issuance of any replacement commercial driver's license or permit, the commercial driver's license or CLP-commercial learner's permit for which the replacement license or permit is issued shall be void. Each replacement commercial driver's license or CLP-commercial learner's permit shall be issued with the same expiration date as the license or permit for which the replacement is issued. The replacement license or permit shall also state the new issuance date.

Sec. 47. Section 60-4,151, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,151 (1)(a) The commercial driver's license shall be conspicuously marked Nebraska Commercial Driver's License and shall be, to the maximum extent practicable, tamper and forgery proof. The commercial driver's license shall be marked Nondomiciled if the license is a nondomiciled commercial driver's license.

(b) The form of the commercial driver's license shall also comply with section 60-4,117.

(2) The RCDL-restricted commercial driver's license shall be conspicuously marked Nebraska Restricted Commercial Driver's License and shall be, to the maximum extent practicable, tamper and forgery proof. The RCDL-restricted commercial driver's license shall contain such additional information as deemed necessary by the director.

~~(3) The SEP-seasonal permit shall contain such information as deemed necessary by the director but shall include the time period during which the commercial motor vehicle operating privilege is effective. The SEP-seasonal permit shall be valid only when held in conjunction with an RCDL-restricted commercial driver's license.~~

(3) (4) The CLP-commercial learner's permit shall be conspicuously marked Nebraska Commercial Learner's Permit and shall be, to the maximum extent practicable, tamper and forgery proof. The permit shall also be marked Nondomiciled if the permit is a nondomiciled CLP-commercial learner's permit.

Sec. 48. Section 60-4,168, Revised Statutes Supplement, 2023, 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 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, 2024 ~~2023~~.

(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. 49. Section 60-501, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 50. Section 60-628.01, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 51. Section 60-6,123, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,123 Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, number, or symbol, and such lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1)(a) Vehicular traffic facing a circular green indication may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such indication is exhibited;

(b) Vehicular traffic facing a green arrow indication, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time, and such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection; and

(c) Unless otherwise directed by a pedestrian-control signal, pedestrians facing any green indication, except when the sole green indication is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk;

(2)(a) Vehicular traffic facing a steady yellow indication is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection, and upon display of a steady yellow indication, vehicular traffic shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection; ~~and~~

(b) Vehicular traffic facing a flashing yellow arrow indication may cautiously enter the intersection only to make the movement indicated by such arrow, and such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection; and

~~(c) {b}~~ Pedestrians facing a steady yellow indication, unless otherwise directed by a pedestrian-control signal, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway;

(3)(a) Vehicular traffic facing a steady circular red indication alone shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, before entering the intersection. The traffic shall remain standing until an indication to proceed is shown except as provided in subdivisions (3)(b) and (3)(c) of this section;

(b) Except where a traffic control device is in place prohibiting a turn, vehicular traffic facing a steady circular red indication may cautiously enter the intersection to make a right turn after stopping as required by subdivision (3)(a) of this section. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Except where a traffic control device is in place prohibiting a turn, vehicular traffic facing a steady circular red indication at the intersection of two one-way streets may cautiously enter the intersection to make a left turn after stopping as required by subdivision (3)(a) of this section. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection; ~~and~~

(d) Vehicular traffic facing a steady red arrow indication alone shall stop at a clearly marked stop line or shall stop, if there is no such line, before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, before entering the intersection. The traffic shall not enter the intersection to make the movement indicated by the arrow and shall remain standing until an indication to proceed is shown; and

(e) ~~(d)~~ Unless otherwise directed by a pedestrian-control signal, pedestrians facing a steady red indication alone shall not enter the roadway;

(4) If a traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the signal; and

(5)(a) If a traffic control signal at an intersection is not operating because of a power failure or other cause and no peace officer, flagperson, or other traffic control device is providing direction for traffic at the intersection, the intersection shall be treated as a multi-way stop; and

(b) If a traffic control signal is not in service and the signal heads are turned away from traffic or covered with opaque material, subdivision (a) of this subdivision shall not apply.

Sec. 52. Section 60-6,254, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,254 (1)(a) ~~(1)~~ No person shall drive a motor vehicle, other than a motorcycle, on a highway when the motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position unless such vehicle is equipped with the following that are a right-side and a left-side outside mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle: -

(i) A right-side and a left-side outside mirror; or

(ii) A camera monitor system that is compliant with the Federal Motor Carrier Safety Administration.

(b) Temporary outside mirrors and attachments used when towing a vehicle shall be removed from such motor vehicle or retracted within the outside dimensions thereof when it is operated upon the highway without such trailer.

(2) For purposes of this section, motorcycle does not include an autocycle.

Sec. 53. Section 60-6,265, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 54. Section 60-6,290, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,290 (1)(a) No vehicle shall exceed a length of forty feet, extreme overall dimensions, inclusive of front and rear bumpers including load, except that:

(i) A bus or a motor home, as defined in section 71-4603, may exceed the forty-foot limitation but shall not exceed a length of forty-five feet;

(ii) A truck-tractor may exceed the forty-foot limitation;

(iii) A semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation;

(iv) A semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was not actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation but shall not exceed a length of fifty-three feet including load;

(v) A semitrailer operating in a truck-tractor single semitrailer combination, while transporting baled livestock forage, may exceed the forty-foot limitation but shall not exceed a length of fifty-nine feet six inches including load; ~~and~~

(vi) An articulated bus vehicle operated by a transit authority established under the Transit Authority Law or regional metropolitan transit authority established pursuant to section 18-804 may exceed the forty-foot limitation. For purposes of this subdivision (vi), an articulated bus vehicle shall not exceed sixty-five feet in length; ~~and -~~

(vii) A truck may exceed the forty-foot limitation but shall not exceed a length of forty-five feet.

(b) No combination of vehicles shall exceed a length of sixty-five feet, extreme overall dimensions, inclusive of front and rear bumpers and including load, except:

(i) One truck and one trailer, loaded or unloaded, used in transporting implements of husbandry to be engaged in harvesting, while being transported into or through the state during daylight hours if the total length does not exceed seventy-five feet including load;

(ii) A truck-tractor single semitrailer combination;

(iii) A truck-tractor semitrailer trailer combination, but the semitrailer trailer portion of such combination shall not exceed sixty-five feet inclusive of connective devices;

(iv) A driveaway saddlemount vehicle transporter combination and driveaway saddlemount with fullmount vehicle transporter combination, but the total overall length shall not exceed ninety-seven feet;

(v) A stinger-steered automobile transporter, but the total overall length shall not exceed eighty feet, inclusive of a front overhang of less than four feet and a rear overhang of less than six feet. For purposes of this subdivision, automobile transporter means any vehicle combination designed and used for the transport of assembled highway vehicles, including truck camper units. An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it is in compliance with weight limitations for a truck-tractor and semitrailer combination; and

(vi) A towaway trailer transporter combination, but the total overall length shall not exceed eighty-two feet. For purposes of this subdivision, towaway trailer transporter combination means a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers with a total weight that does not exceed twenty-six thousand pounds, and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

(c) A truck shall be construed to be one vehicle for the purpose of determining length.

(d) A trailer shall be construed to be one vehicle for the purpose of determining length.

(2) Subsection (1) of this section shall not apply to:

(a) Extra-long vehicles which have been issued a permit pursuant to section 60-6,292;

(b) Vehicles which have been issued a permit pursuant to section 60-6,299;

(c) The temporary moving of farm machinery during daylight hours in the normal course of farm operations;

(d) The movement of unbaled livestock forage vehicles, loaded or unloaded;

(e) The movement of public utility or other construction and maintenance material and equipment at any time;

(f) Farm equipment dealers or their representatives as authorized under section 60-6,382 driving, delivering, or picking up farm equipment or implements of husbandry within the county in which the dealer maintains his or her place of business, or in any adjoining county or counties, and return;

(g) The overhang of any motor vehicle being hauled upon any lawful combination of vehicles, but such overhang shall not exceed the distance from the rear axle of the hauled motor vehicle to the closest bumper thereof;

(h) The overhang of a combine to be engaged in harvesting, while being transported into or through the state driven during daylight hours by a truck-tractor semitrailer combination, but the length of the semitrailer, including overhang, shall not exceed sixty-three feet and the maximum semitrailer length shall not exceed fifty-three feet;

(i) Any self-propelled specialized mobile equipment with a fixed load when the requirements of subdivision (2)(i) of section 60-6,288 are met; or

(j) One truck-tractor two trailer combination or one truck-tractor semitrailer trailer combination used in transporting equipment utilized by custom harvesters under contract to agricultural producers to harvest wheat, soybeans, or milo during the months of April through November but the length of the property-carrying units, excluding load, shall not exceed eighty-one feet six inches.

(3) The length limitations of this section shall be exclusive of safety and energy conservation devices such as rearview mirrors, turnsignal lights, marker lights, steps and handholds for entry and egress, flexible fender extensions, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors, and other devices necessary for safe and efficient operation of commercial motor vehicles, except that no device excluded from the limitations of this section shall have by its design or use the capability to carry cargo.

Sec. 55. Section 60-1401.24, Reissue Revised Statutes of Nebraska, is amended to read:

60-1401.24 (1) Manufacturer means any person, whether a resident or nonresident of this state, who is engaged in the business of distributing, manufacturing, or assembling a line-make of new motor vehicles, trailers, or motorcycles, and includes any such person who distributes such motor vehicles, trailers, or motorcycles them directly or indirectly through one or more distributors to one or more new motor vehicle, trailer, or motorcycle dealers in this state.

(2) Manufacturer ~~and also~~ has the same meaning as the term franchisor.

(3) Manufacturer also includes a central or principal sales corporation or other entity through which, by contractual agreement or otherwise, a

manufacturer distributes its products.

Sec. 56. Section 60-1438.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-1438.01 (1) For purposes of this section, manufacturer or distributor includes (a) a factory representative or a distributor representative or (b) a person who is affiliated with a manufacturer or distributor or who, directly or indirectly through an intermediary, is controlled by, or is under common control with, the manufacturer or distributor. A person is controlled by a manufacturer or distributor if the manufacturer or distributor has the authority directly or indirectly, by law or by agreement of the parties, to direct or influence the management and policies of the person. A franchise agreement with a Nebraska-licensed dealer which conforms to and is subject to the Motor Vehicle Industry Regulation Act is not control for purposes of this section.

(2) Except as provided in this section, a manufacturer or distributor shall not directly or indirectly:

(a) Own an interest in a franchise, franchisee, or consumer care or service facility, except that a manufacturer or distributor may hold stock in a publicly held franchise, franchisee, or consumer care or service facility so long as the manufacturer or distributor does not by virtue of holding such stock operate or control the franchise, franchisee, or consumer care or service facility;

(b) Operate or control a franchise, franchisee, or consumer care or service facility; ~~or~~

(c) Act in the capacity of a franchisee or motor vehicle dealer; ~~or~~

(d) Own, operate, or control any consumer care or service facility or perform warranty or nonwarranty work on any vehicle manufactured by such manufacturer or distributor, unless such manufacturer or distributor:

(i) Manufactures and distributes electric vehicles; and

(ii) Is not nor has ever been a franchisor in this state.

(3) A manufacturer or distributor may own an interest in a franchisee or otherwise control a franchise for a period not to exceed twelve months after the date the manufacturer or distributor acquires the franchise if:

(a) The person from whom the manufacturer or distributor acquired the franchise was a franchisee; and

(b) The franchise is for sale by the manufacturer or distributor.

(4) For purposes of broadening the diversity of its franchisees and enhancing opportunities for qualified persons who lack the resources to purchase a franchise outright, but for no other purpose, a manufacturer or distributor may temporarily own an interest in a franchise if the manufacturer's or distributor's participation in the franchise is in a bona fide relationship with a franchisee and the franchisee:

(a) Has made a significant investment in the franchise, which investment is subject to loss;

(b) Has an ownership interest in the franchise; and

(c) Operates the franchise under a plan to acquire full ownership of the franchise within a reasonable time and under reasonable terms and conditions.

(5) On a showing of good cause by a manufacturer or distributor, the board may extend the time limit set forth in subsection (3) of this section. An extension may not exceed twelve months. An application for an extension after the first extension is granted is subject to protest by a franchisee of the same line-make whose franchise is located in the same community as the franchise owned or controlled by the manufacturer or distributor.

(6) The prohibition in subdivision (2)(b) of this section shall not apply to any manufacturer of manufactured housing, recreational vehicles, or trailers.

(7) The prohibitions set forth in subsection (2) of this section shall not apply to a manufacturer that:

(a) Does not own or operate more than two such dealers or dealership locations in this state;

(b) Owned, operated, or controlled a warranty repair or service facility in this state as of January 1, 2016;

(c) Manufactures engines for installation in a motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand pounds for which motor-driven vehicle evidence of title is required as a condition precedent to registration under the laws of this state, if the manufacturer is not otherwise a manufacturer of motor vehicles; and

(d) Provides to dealers on substantially equal terms access to all support for completing repairs, including, but not limited to, parts and assemblies, training and technical service bulletins, and other information concerning repairs that the manufacturer provides to facilities owned, operated, or controlled by the manufacturer.

Sec. 57. Section 60-2705, Revised Statutes Supplement, 2023, 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, ~~2023~~ 2024.

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. 58. Section 60-2909.01, Revised Statutes Supplement, 2023, 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, 2024 2023, 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, 2024 2023.

Sec. 59. Section 66-4,144, Reissue Revised Statutes of Nebraska, is amended to read:

66-4,144 (1) In order to insure that an adequate balance in the Highway Restoration and Improvement Bond Fund is maintained to meet the debt service requirements of bonds to be issued by the commission under subsection (2) of section 39-2223, the Director-State Engineer shall certify to the department the excise tax rate to be imposed by sections 66-4,140 and 66-6,108 for each year during which such bonds are outstanding necessary to provide in each such year money equal in amount to not less than one hundred twenty-five percent of such year's bond principal and interest payment requirements. The department shall adjust the rate as certified by the Director-State Engineer. Such rate shall be in addition to the rate of excise tax set pursuant to subsection (2) of this section. Each such rate shall be effective from July 1 of a stated year through June 30 of the succeeding year or during such other period not longer than one year as the Director-State Engineer certifies to be consistent with the principal and interest requirements of such bonds. Such excise tax rates set pursuant to this subsection may be increased, but such excise tax rates shall not be subject to reduction or elimination unless the Director-State Engineer has received from the State Highway Commission notice of reduced principal and interest requirements for such bonds, in which event the Director-State Engineer shall certify the new rate or rates to the department. The new rate or rates, if any, shall become effective on the first day of the following semiannual period.

(2) In order to insure that there is maintained an adequate Highway Cash Fund balance to meet expenditures from such fund as appropriated by the Legislature, by June 15 or five days after the adjournment of the regular legislative session each year, whichever is later, the Director-State Engineer shall certify to the department the excise tax rate to be imposed by sections 66-4,140 and 66-6,108. The department shall adjust the rate as certified by the Director-State Engineer to be effective from July 1 through June 30 of the succeeding year. The rate of excise tax for a given July 1 through June 30 period set pursuant to this subsection shall be in addition to and independent of the rate or rates of excise tax set pursuant to subsection (1) of this section for such period. The Director-State Engineer shall determine the cash and investment balances of the Highway Cash Fund at the beginning of each fiscal year under consideration and the estimated receipts to the Highway Cash Fund from each source which provides at least one million dollars annually to such fund. The rate of excise tax shall be an amount sufficient to meet the appropriations made from the Highway Cash Fund by the Legislature. Such rate shall be set in increments of ~~one-hundredth~~ one-tenth of one percent.

(3) The Department of Transportation shall provide to the Legislative Fiscal Analyst an electronic copy of the information that is submitted to the Department of Revenue and used to set or adjust the excise tax rate.

(4) If the actual receipts received to date added to any projections or modified projections of deposits to the Highway Cash Fund for the current fiscal year are less than ninety-nine percent or greater than one hundred two percent of the appropriation for the current fiscal year, the Director-State Engineer shall certify to the department the adjustment in rate necessary to meet the appropriations made from the Highway Cash Fund by the Legislature. The department shall adjust the rate as certified by the Director-State Engineer to be effective on the first day of the following semiannual period.

(5) Nothing in this section shall be construed to abrogate the duties of the Department of Transportation or attempt to change any highway improvement

program schedule.

Sec. 60. Section 75-363, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 61. Section 75-364, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, 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. 62. Section 75-366, Revised Statutes Supplement, 2023, 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, ~~2024~~ 2023, and federal hazardous materials regulations, as such regulations existed on January 1, ~~2024~~ 2023, 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. 63. Section 75-369.03, Revised Statutes Supplement, 2023, 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 nine hundred seventy-one ~~nine hundred one~~ 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 nineteen thousand three hundred eighty-nine ~~seventeen thousand nine hundred ninety-five~~ 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 seven hundred forty three thousand four hundred seventy-one dollars for a first violation and not less than seven thousand four hundred eighty-one six thousand nine hundred forty-three 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 six thousand seven hundred fifty-five six thousand two hundred sixty-nine dollars but not more than thirty-seven thousand four hundred thirty-four thousand seven hundred twelve 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. 64. Section 75-392, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~.

Sec. 65. Section 75-393, Revised Statutes Supplement, 2023, 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, 2024 ~~2023~~, 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. 66. (1) The Legislature finds that:

(a) In 2020, Congress enacted the federal National Suicide Hotline Designation Act of 2020, Public Law 116-172. This federal act designated 988 as the universal three-digit telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating since 2005 through the National Suicide Prevention Lifeline;

(b) The three-digit 988 code became operational nationally in 2022, and is a more universal and easy-to-remember way to connect individuals experiencing mental health-related distress with mental health care professionals; and

(c) The 988 Suicide and Crisis Lifeline is a national effort, organized at the state level, and serves as an alternative to 911 in addressing the growing need for mental health-related crisis intervention in order to save lives.

(2) The Department of Health and Human Services shall:

(a) Oversee administration of the 988 Suicide and Crisis Lifeline in Nebraska, including contracting for services provided by trained counselors, call-center operators, and other service providers helping operate the 988 Suicide and Crisis Lifeline network in the state; and

(b) Coordinate and cooperate with the Public Service Commission to ensure that the 988 Suicide and Crisis Lifeline has the capability to connect individuals to the 911 service system and also receive communications from the 911 service system as provided under subdivision (6) of section 86-1025.

Sec. 67. Except for failure to use reasonable care or for intentional acts, each person involved in the provision of 988 Suicide and Crisis Lifeline service pursuant to section 66 of this act, including 988 service providers, call-center operators, and counselors, shall be immune from liability or the payment of damages in the performance of installing, maintaining, or providing such service, including providing interoperable connections between the 988 Suicide and Crisis Lifeline and the 911 service system.

Sec. 68. Section 86-1025, Revised Statutes Cumulative Supplement, 2022, is amended to read:

86-1025 The commission shall:

(1) Serve as the statewide coordinating authority for the implementation of the 911 service system;

(2) Be responsible for statewide planning, implementation, coordination, funding assistance, deployment, and management and maintenance of the 911 service system to ensure that coordinated 911 service is provided to all residents of the state at a consistent level of service in a cost-effective manner;

(3) Be responsible for establishing mandatory and uniform technical and training standards applicable to public safety answering points and adopting and promulgating rules and regulations applicable to public safety answering points for quality assurance standards;

(4) Appoint the members of the committee and act on the committee's recommendations as provided in section 86-1025.01; ~~and~~

(5)(a) Determine how to allocate the 911 Service System Fund in order to facilitate the planning, implementation, coordination, operation, management, and maintenance of the 911 service system;

(b) Create a mechanism for determining the level of funding available to or for the benefit of local governing bodies, public safety answering points, and third-party service or infrastructure providers for costs determined to be eligible by the commission under subdivision (5)(c) of this section; and

(c) Establish standards and criteria concerning disbursements from the 911 Service System Fund for the planning, implementation, coordination, operation, management, and maintenance of the 911 service system. In establishing such standards and criteria, the following may be eligible for funding:

(i) Costs incurred by or on behalf of governing bodies or public safety answering points to provide 911 service, including, but not limited to, (A) acquisition of new equipment and related maintenance costs and license fees, (B) upgrades and modifications, (C) delivering next-generation 911 core services, and (D) training personnel used to provide 911 services; and

(ii) Costs incurred by or on behalf of governing bodies or public safety answering points for the acquisition, installation, maintenance, and operation of telecommunications equipment and telecommunications service required for the provision of 911 service; and -

(6) Adopt statewide uniform standards for technical enhancement, support, training, and quality assurance that will allow the 911 service system to communicate, coordinate, and engage with the 988 Suicide and Crisis Lifeline. Such standards shall provide that service users calling the 911 service system can be connected to the 988 Suicide and Crisis Lifeline, and individuals calling the 988 Suicide and Crisis Lifeline can be connected to the 911 service system, when deemed appropriate by the call-center operators. The purpose of such dual capability is to facilitate the provision of appropriate emergency services, including instances requiring counseling services for an individual in psychological distress. The standards shall be completed so that the dual capability to connect individuals between both the 988 Suicide and Crisis Lifeline and the 911 service system is operational no later than January 1, 2025.

Sec. 69. Section 86-1029.02, Revised Statutes Cumulative Supplement, 2022, is amended to read:

86-1029.02 Any person involved in the provision of next-generation 911 service who: (1) Receives, develops, collects, or processes information for any 911 database; (2) provides local exchange, interexchange, or transport service in connection with any next-generation 911 service; (3) relays, transfers, operates, maintains, or provides next-generation 911 service or systems capabilities, including interoperable connections between the 911 service system and the 988 Suicide and Crisis Lifeline; or (4) provides next-generation 911 communications service for emergency service providers shall, except for failure to use reasonable care or for intentional acts, be immune from liability or the payment of damages in the performance of installing, maintaining, or providing next-generation 911 service.

Sec. 70. Sections 3, 51, 54, 55, 56, 59, 66, 67, 68, 69, and 72 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. 71. Original sections 18-1737, 43-3314, 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, and 60-6,254, Reissue Revised Statutes of Nebraska, sections 60-144, 60-146, 60-149, 60-3,198, and 60-490, Revised Statutes Cumulative Supplement, 2022, and sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Supplement, 2023, are repealed.

Sec. 72. Original sections 60-6,123, 60-6,290, 60-1401.24, 60-1438.01, and 66-4,144, Reissue Revised Statutes of Nebraska, and sections 39-2817, 86-1025, and 86-1029.02, Revised Statutes Cumulative Supplement, 2022, are repealed.

Sec. 73. Since an emergency exists, this act takes effect when passed and approved according to law.

Maytum, Mike

From: Finkle, Lester (FMCSA) <Lester.Finkle@dot.gov>
Sent: Thursday, August 15, 2024 3:14 PM
To: Maytum, Mike
Cc: Jennifer Bell; Dugger, Jeremy; Harris, Chavarria (FMCSA)
Subject: FMCSA Approval Of Nebraska State Patrol's Final Title VI Program Compliance Plan For FY 2025
Attachments: FY 2025 FMCSA APPLICANT TITLE VI PROGRAM COMPLIANCE PLAN CHECKLIST.docx

Great! Thanks, Lieutenant. I have reviewed Nebraska State Patrol's final Title VI Program Compliance Plan for FY 2025 and find all elements identified in the FY 2025 FMCSA Title VI Program Compliance Plan Checklist. Therefore, Nebraska State Patrol's final Title VI Program Compliance Plan for FY 2025 is hereby approved.

Please note that I am copying Chavarria Harris of the Office of Civil Rights who is assisting me moving forward.

As per my virtual presentation at the FMCSA MCSAP Conference on May 1, 2024, #5 of the **Unbiased Enforcement** portion of the **CMV Inspection Selection & Unbiased Enforcement Policies** section of the Plan Checklist (attached) requires the following: *Periodic monitoring by the Applicant of the effective implementation of this policy.* To provide context for this requirement, I am including my introductory paragraph and questions below which I will be providing to all MCSAP Grant applicants for FFY 2025. Please forward my paragraph and questions to the appropriate NSP representative to initiate NSP's consideration regarding how best to incorporate these questions into NSP's existing on-going monitoring approach for the safety of NSP personnel conducting enforcement activities. I am requesting a status e-mail response from NSP by December 31, 2024 letting me know how NSP is moving forward with incorporating the questions I am providing into its' existing on-going monitoring approach.

- **Nondiscrimination-Focused Questions** – Presently, certain personnel (primarily Captains/Lieutenants/Sergeants) from each LEA monitor the safety of Officers/Troopers conducting enforcement activities on a monthly-basis by reviewing dash cam recordings (and possibly body cam recordings if available). Additionally, the larger LEAs conduct Ride-Alongs to visually observe Officers/Troopers real-time. The proposed questions are applicable to enforcement activities regardless as to whether the given enforcement activity is CMV or non-CMV specific (except for approximately six MCSAP Grantees which are CMV-specific). I propose the incorporation of the following Nondiscrimination-focused questions to the existing questions focused on the safety of the Officers/Troopers to be used during reviews of dash cam recordings/Ride-Alongs:
 - What is the demeanor of the Officer/Trooper at the initiation of and throughout the conduct of the enforcement activity?
 - How does the driver respond to the Officer/Trooper at the initiation and throughout the conduct of the enforcement activity?
 - If the driver indicates that she/he wants to file a complaint of discrimination, how does the Officer/Trooper respond?
 - If the driver requires a language-assistance resource to communicate, how does the Officer/Trooper respond?
 - Did the Officer/Trooper conduct the enforcement activity in conformance with the Agency's Unbiased Enforcement policy?
 - If enforcement activity is CMV-specific, did the Officer/Trooper follow the Agency's CMV Inspection Selection Criteria when she/he determined to pull-over the CMV?

Please do not hesitate to let me know if NSP has any questions. Thanks again, Lieutenant.

Lester

Lester Finkle
FMCSA National Title VI Program Manager

From: Maytum, Mike <Mike.Maytum@nebraska.gov>
Sent: Thursday, August 15, 2024 1:57 PM
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 Plan

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.

Mr. Finkle,
Please find our most current Title VI Compliance plan for the Nebraska State Patrol attached to this email. It remains unchanged from last year's approved plan other than updated dates and signatures, if that grants you any liberty in your review process. Once approved by your office, I will update our weblink to the newest version.

Respectfully,

Mike Maytum
MCSAP Lieutenant

Nebraska State Patrol
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[Facebook](#) | [X/Twitter](#)