NEBRASKA ADMINISTRATIVE CODE

TITLE 248, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 3

NEBRASKA DEPARTMENT OF MOTOR VEHICLES

RULES AND REGULATIONS GOVERNING DONATION OF ORGANS AND TISSUES BY NOTATION ON DRIVER'S LICENSE OR STATE IDENTIFICATION CARD, NEB. REV. STAT. §§ 60-484, 60-493, 60-494, 60-495, 60-4,144, 60-4,181 AND THE REVISED UNIFORM ANATOMICAL GIFT ACT NEB. REV. STAT. §§ 71-4824 THROUGH 71-4845.

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LAST EFFECTIVE DATE: ~~**October 7, 1998.**~~ **July 22, 2011.**

RULES AND REGULATIONS GOVERNING DONATION OF ORGANS AND TISSUES BY NOTATION ON DRIVER'S LICENSE OR STATE IDENTIFICATION CARD, NEB. REV. STAT. §§ 60-484, 60-493, 60-494, 60-495, 60-4,144, 60-4,181 AND THE REVISED UNIFORM ANATOMICAL GIFT ACT NEB. REV. STAT. §§ 71-4824 THROUGH 71-4845.

001 SCOPE. These rules and regulations govern the Nebraska Department of Motor Vehicles' procedures for organ and tissue donations pursuant to Neb. Rev. Stat. §§ 60-484, 60-493, 60-494, 60-495, 60-4,144, 60-4,181 and the Revised Uniform Anatomical Gift Act Neb. Rev. Stat. §§ 71-4824 through 71-4845.

002 DEFINITIONS.

002.01 Application means an application blank for a new, renewal, revised, or duplicate state identification card or operator's license.

002.02 Department means the Nebraska Department of Motor Vehicles.

002.03 Director means the Director of the Nebraska Department of Motor Vehicles.

002.04 Donor means an individual who makes an organ or tissue donation.

002.05 Operator's or driver's license means any license or permit to operate a motor vehicle issued under the laws of this state, including any replacement or duplicate license or instruction permit.

002.06 State identification card means an identification card issued under the laws of this state, including a replacement or duplicate card.

003 APPLICATION.

003.01 Form. Application for a new or renewal operator's license or state identification card shall be made upon uniform blanks prepared and furnished by the Director to the examiners of the Department.

003.02 Contents. Every application for an operator's license or state identification card made to the Department shall include the following in regards to organ and tissue donations:

~~OPTIONAL – YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:~~

~~1. Do you wish to be an organ and tissue donor?~~

1. Do you wish to include your name in the Donor Registry of Nebraska and donate your organ and tissue at the time of your death?

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

3. Do you wish to donate $1.00 to promote the Organ and Tissue Donor Awareness and Education Fund?

003.03 Brochure. The county treasurer or a staff person of the Department shall distribute a brochure provided by an organ and tissue procurement organization and approved by the Department of Health and Human Services containing a description and explanation of the Revised Uniform Anatomical Gift Act to each person who applies for a new or renewal operator's license or state identification card.

003.04 Specific Information. If an individual desires to receive additional specific information regarding organ and tissue donations and the Donor Registry of Nebraska as indicated on an application, the Department shall notify a federally designated organ procurement organization representative in Nebraska of the name and address of such individual within five working days of the date of entry into the Department's records.

003.05 Renewal. At the time of renewal of an operator's license or state identification card which has been used to make an organ and/or tissue donation, the donation will be renewed only if the licensee or cardholder affirmatively completes the portion of the application form which indicates his or her desire to make an organ and/or tissue donation. An organ and/or tissue donation is not automatically renewed with the mere renewal of an operator's license or state identification card.

004 NOTATION OF DONATION ON LICENSE OR IDENTIFICATION CARD. Each operator's license and state identification card shall include a special notation on the front of the license or card if the licensee or cardholder indicates on the application or issuance ~~examiner's~~ certificate under Neb. Rev. Stat. §§ 60-484, 60-4,144, ~~60-4,181,~~ or 71-4828 his or her wish to be an organ and ~~donor, a~~ tissue donor~~, or both~~ and the licensee or cardholder is at least 16 years of age or older.

005 STATUS CHANGE.

005.01 Donor. Any person whose operator's license or state identification card indicates his or her status as an organ and ~~donor, a~~ tissue donor~~, or both,~~ may obtain a replacement license or card without a notation of such status. The fee for such replacement license or

card shall be the fee provided in Neb. Rev. Stat. § 60-4115.

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~~**005.02 Non-donor**. Any person whose operator's license or state identification card indicates that he or she does not desire to make an organ and/or tissue donation may obtain a replacement operator's license or state identification card changing his or her status to that of a donor. The fee for such replacement license or card shall be the fee provided in Neb. Rev. Stat. § 60-4115.~~

~~**005.03 Change of Status**. A licensee or cardholder may also change his or her status as a donor by (a) Internet access to the Donor Registry of Nebraska, (b) telephone request to the registry, or (c) other methods approved by the federally designated organ procurement organization in Nebraska.~~

005.02 Revoking or Amending Donor Status. The status as an organ and tissue donor shall continue until amended or revoked by the licensee or cardholder as provided in subsection 005.03 below or as provided in section 71-4829. The status as an organ and tissue donor is not changed by the expiration, suspension, cancellation, revocation, or impoundment of the license or card.

005.03 Change of Status. A licensee or cardholder may change his or her status as a donor by indicating the desire that his or her name not be included in the Donor Registry of Nebraska on an application for an operator's license, a state identification card, or a replacement license or card under subsection (3) of this section. A licensee or cardholder may also change or limit the extent of his or her status as a donor by (a) internet access to the Donor Registry of Nebraska, (b) telephone request to the registry, or (c) other methods approved by the federally designated organ procurement organization for Nebraska.

006 DONATIONS.

006.01 Fees. All $1.00 donations designated for the Organ and Tissue Donor Awareness and Education Fund which are collected by the county treasurers and transferred to the State Treasurer as part of the licensing fee will be administered by the Department of Health and Human Services according to the purposes set forth in Neb. Rev. Stat. § 60-495.

006.02 Information Transfer. The Department shall electronically transfer to the Donor Registry of Nebraska all information which appears on the face of an original or replacement operator's license or state identification card, except the image and signature, of each person whose license or card includes the notation described in 004 of these rules and regulations.