NEBRASKA ADMINISTRATIVE CODE

TITLE 249, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 2

NEBRASKA DEPARTMENT OF MOTOR VEHICLES

RULES AND REGULATIONS GOVERNING SPECIALTY LICENSE PLATES, NEB. REV. STAT. §§ 60-361, 60-3,104.01 AND 60-3,104.02.

Filing Date: _____

~~DRAFT DATE~~
~~4/8/2010~~

DRAFT DATE showing changes
05/01/2017

RULES AND REGULATIONS GOVERNING SPECIALTY LICENSE PLATES, NEB. REV. STAT. §§ 60-361, 60-3,104.01 AND 60-3,104.02.

ALPHABETICAL TABLE OF CONTENTS

Subject of Title	Statutory Authority	Code Section
APPLICATIONS	60-3,104.02	005
CERTIFICATION OF ORGANIZATIONS AND APPROVAL OF SPECIALTY LICENSE PLATE DESIGN	60-385, 60-3,104.01 and 60-3,104.02	006
DEFINITIONS	60-301 through 60-360, 60-3,104.01 and 60-3,104, and 60-3,184	003
FINAL DECISION	60-361, 60-3,104.02	010
FORMS	60-386, 60-3,104.02(2)	002
REQUIREMENTS FOR ORGANIZATIONS	60-3,104.02	004
REVOCATION OF SPECIALTY LICENSE PLATES	60-392, 60-393, 60-3,104.02	009
SCOPE	60-301 through 60-3,222, and 60-361	001
SPECIALTY LICENSE PLATE DESIGN STANDARDS	60-3,100, 60-3,104.02	007
SPECIALTY LICENSE PLATE FEES AND TAXES TO BE COLLECTED BY THE COUNTY TREASURER	60-388, 60-3,103, 60-3,104.01	008

RULES AND REGULATIONS GOVERNING SPECIALTY LICENSE PLATES, NEB. REV. STAT. §§ 60-361, 60-3,104.01 AND 60-3,104.02.

NUMERICAL TABLE OF CONTENTS

Subject of Title	Statutory Authority	Code Section
SCOPE	60-301 through 60-3,222, and 60-361	001
FORMS	60-386, 60-3,104.02(2)	002
DEFINITIONS	60-301 through 60-360, 60-3,104.01 and 60-3,104, and 60-3,184	003
REQUIREMENTS FOR ORGANIZATIONS	60-3,104.02	004
APPLICATIONS	60-3,104.02	005
CERTIFICATION OF ORGANIZATIONS AND APPROVAL OF SPECIALTY LICENSE PLATE DESIGN	60-385, 60-3,104.01 and 60-3,104.02	006
SPECIALTY LICENSE PLATE DESIGN STANDARDS	60-3,100, 60-3,104.02	007
SPECIALTY LICENSE PLATE FEES AND TAXES TO BE COLLECTED BY THE COUNTY TREASURER	60-388, 60-3,103, 60-3,104.01	008
REVOCATION OF SPECIALTY LICENSE PLATES	60-392, 60-393, 60-3,104.02	009
FINAL DECISION	60-361, 60-3,104.02	010

RULES AND REGULATIONS GOVERNING SPECIALTY LICENSE PLATES, NEB. REV. STAT. §§ 60-361, 60-3,104.01 AND 60-3,104.02.

001 SCOPE. These rules and regulations govern the Department of Motor Vehicles' procedures for the certification of specialty license plates for organizations meeting the requirements of statute for issuance of special license plates to individuals pursuant to the Motor Vehicle Registration Act and Neb. Rev. Stat. §§ 60-361, 60-3,104.01 and 60-3,104.02.

002 FORMS. All named forms referred to in these rules and regulations may be found on the Department of Motor Vehicles' web page, www.dmv.ne.gov. Forms may be downloaded, completed and returned to the Department. The forms may also be obtained by calling the phone number listed for the Driver and Vehicle Records Division on the website.

003 DEFINITIONS.

003.01 In general. Definitions found in Neb. Rev. Stat. §§ 60-301 through 60-360 shall be applicable to terms used in these rules and regulations.

003.02 Department means the Nebraska Department of Motor Vehicles.

003.03 Director means the Director of the Department of Motor Vehicles or his or her designee.

003.04 Specialty license plate means a license plate designed for an organization and issued according to the processes set forth in these rules and regulations. Approved specialty license plates may be used to register any motor vehicle, trailer, semitrailer, or cabin trailer except for motor vehicles or trailers registered pursuant to Neb. Rev. Stat. § 60-3,198. A specialty license plate on a farm truck with a gross weight of over 16 tons or for a commercial motor vehicle registered for a gross weight of five tons or over shall affix the appropriate tonnage decal to the plate/s displayed on the motor vehicle or trailer.

004 REQUIREMENTS FOR ORGANIZATIONS. The Department will consider applications for a specialty license plate from any organization meeting the following conditions:

004.01 The organization is a nonprofit corporation or a group of nonprofit corporations with a common purpose.

004.02 The primary activity or purpose of the organization serves the community, contributes to the welfare of others, and is not offensive or discriminatory in its purpose, nature, activity, or name.

004.03 The name and purpose of the organization does not promote any specific product or brand name that is on a product provided for sale.

004.04 The organization is authorized to use any name, logo, or graphic design suggested for the design of the plate.

004.05 No infringement or violation of any property right will result from the use of such name, logo, or graphic design.

004.06 The organization will hold harmless the State of Nebraska and its employees and agents for any liability that may result from any infringement or violation of property right based on the use of such name, logo, or graphic design.

005 APPLICATIONS. An organization applying for development of a specialty license plate must provide the requirements enumerated below at the time of submission of the application to the Department. The Department will make applications available on the Department's web page at www.dmv.ne.gov. The Department will not design or manufacture any specialty license plates until the organization applying for such license plate has provided the following:

005.01 A copy of its articles of incorporation and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

005.02 A copy of its charter or bylaws and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

005.03 Any Internal Revenue Service rulings of the organizations' nonprofit tax-exempt status and, if the organization consists of a group of nonprofit corporations, a copy for each organization;

005.04 A copy of a certificate of existence on file with the Secretary of State under the Nebraska Nonprofit Corporation Act; and

005.05 A completed Application for Creation of a Specialty License Plate Design for an Organization *(Attachment 1)* certifying that the organization meets the requirements of **004** of these rules and regulations. The application must be signed by an individual authorized to do so by the organization.

005.06 Completed applications from organizations meeting the requirements of **004** and **005** of these rules will be accepted. ~~beginning January 1, 2010.~~

005.07 An application for a specialty license plate must include an affirmation that the organization has ~~500~~ 250 or more prepaid applications from individuals to be submitted to the Department upon receiving notice of certification from the Department of the organization's specialty license plate.

005.08 An application for a specialty license plate must include an affirmation that the organization will hold harmless the State of Nebraska and its employees and agents for any liability that may result from any infringement or violation of property right based on the use of the name, logo, or graphic design submitted as part of the application process.

006 CERTIFICATION OF ORGANIZATIONS AND APPROVAL OF SPECIALTY LICENSE PLATE DESIGN.

006.01 Applications from Organizations. Applications for specialty license plates will be accepted from organizations on an on-going daily basis. ~~on and after January 1, 2010.~~ The Department will set the schedule for certification of applications. Certification decisions on specialty license plate applications will be released quarterly during the year at minimum.

006.02 Submission of ~~500~~ 250 Prepaid Applications. Once an organization receives a certification of its Application for Creation of a Specialty License Plate Design for an Organization from the Department, it shall submit to the Department ~~500~~ 250 prepaid applications from individuals for such license plate design along with one form of payment for the total amount due of ~~$35,000~~ $17,500. Upon receipt of the ~~500~~ 250 prepaid applications and payment the Department shall begin production of the specialty plate design for that organization.

006.03 Specialty License Plate Design Creation. Upon certification of an organization's Application for Creation of a Specialty License Plate Design for an Organization by the Department, the Department will design the specialty license plate for that organization.

006.04 Individuals' Specialty License Plate Applications Submitted with Applications from Organization. After an organization has been certified for a specialty license plate and after the initial ~~500~~ 250 or more applications are submitted by the organization in compliance with **006.02** of these rules and regulations, the Department shall begin accepting any application for that organization's specialty license plate from the public.

006.05 Delivery of Specialty License Plates. Delivery of organizations' specialty license plates to individuals who have ordered specialty license plates will begin in January 2011. Individuals who have ordered specialty license plates prior to January 1, 2011 shall have their plates delivered in January 2011. All specialty license plates shall be delivered to the county treasurer of the county in which the motor vehicle, trailer, semitrailer, or cabin trailer is registered.

006.06 Application Forms. Applications for individuals to use to apply for any approved specialty license plate will be available on the Department's web page at www.dmv.ne.gov. An individual shall submit a completed application to the Department along with a fee of $70.00 for initial issuance of a specialty license plate.

006.07 **Individuals Eligible for Specialty License Plates.** After the Department has certified a specialty license plate for an organization and published a final design for a specialty license plate on the Department's web page, any person may apply for issuance of such plate in lieu of standard license plates in compliance with **008** of these regulations.

007 SPECIALTY LICENSE PLATE DESIGN STANDARDS.

007.01 All specialty license plates will have a base design set by the Department.

007.02 The base design will provide room for a logo or graphic supplied by the applicant organization. The organization's desired words or statement must fit between the two holes at the bottom of the license plate.

007.03 All specialty license plates will have five alphanumeric characters in an identification system to be developed by the Department. Specialty license plates are not eligible for personal messages. All specialty license plates will have an alphanumeric combination assigned by the Department.

008 SPECIALTY LICENSE PLATE FEES AND TAXES TO BE COLLECTED BY THE COUNTY TREASURER.

008.01 **Use.** Specialty license plates may be issued in lieu of regular license plates when the individual applicant for such license plates pays the required fees and complies with all other provisions of law for the registration of the motor vehicle, trailer, semitrailer, or cabin trailer. A motor vehicle, trailer, semitrailer, or cabin trailer displaying specialty license plates is subject to all provisions of the Motor Vehicle Registration Act unless specifically exempted by statute.

008.02 **Fees and Taxes.** The Department will deliver specialty license plates ordered by individuals to the county treasurer of the county in which the motor vehicle, trailer, semitrailer, or cabin trailer is registered. When an individual picks up his or her initial order for specialty license plates from the county treasurer, the treasurer shall collect all applicable fees or taxes authorized by Nebraska statutes. Upon registration renewal, the treasurer shall collect a fee of $70.00 for the renewal of the specialty license plates in addition to any other applicable fees or taxes authorized by Nebraska statute.

008.03 **Transfer.** An owner of a motor vehicle, trailer, semitrailer, or cabin trailer may make application to the county treasurer to have specialty license plates transferred to a motor vehicle, trailer, semitrailer, or cabin trailer other than the motor vehicle, trailer, semitrailer, or cabin trailer for which such license plates were originally purchased if such motor vehicle, trailer, semitrailer, or cabin trailer is owned by the owner of the specialty license plates.

008.03A The owner may have the unused portion of the specialty license plate fee credited to the other motor vehicle, trailer, semitrailer, or cabin trailer which will bear the specialty license plates at the rate of 8 1/3% for each full month left in the registration period.

008.03B Application for a transfer shall be accompanied by a fee of $3.00.

009 REVOCATION OF SPECIALTY LICENSE PLATES. The Department may revoke the approval of an organization's specialty license plate if the total number of registered vehicles that obtained such plates is less than ~~500~~ 250 within three years after receiving approval. The Department will determine the number of vehicles registered with such plates. If an individual owns a specialty license plate that has been revoked, the individual may use such plate until it expires. The revoked specialty license plate will not be renewed and the individual will need to select another available plate type.

010 FINAL DECISION. The Director's decision pursuant to these rules and regulations to not certify an organization's Application for Creation of a Specialty License Plate Design for an Organization or to not approve a specialty license plate design or to revoke a specialty license plate design is final.

Attachment 1: Application for Creation of a Specialty License Plate Design for an Organization

Application for Creation of a Specialty License Plate Design for an Organization

An organization that meets the requirements enumerated below and submits this properly completed application along with the required documents may be certified for the creation of a specialty plate design honoring that organization.

The DMV will certify/deny applications on a quarterly basis (i.e. at the end of March, June, September and December). Applications that include all required information and documentation received more than 14 calendar days prior to the end of a quarter will be considered at the end of that quarter.

Organization Name _____ Phone Number _____

Address _____ City, State, Zip _____

President/Director Name _____ Email _____

Certification

On behalf of the above-named organization I certify the following (check all boxes that apply):

- ☐ The organization is a nonprofit corporation or a group of nonprofit corporations with a common purpose.
- ☐ The primary activity or purpose of the organization serves the community, contributes to the welfare of others, and is not offensive or discriminatory in its purpose, nature, activity, or name.
- ☐ The name and purpose of the organization does not promote any specific product or brand name that is on a product provided for sale.
- ☐ The organization is authorized to use any name, logo, or graphic design suggested for the design of the plate.
- ☐ No infringement or violation of any property right will result from such use of such name, logo, or graphic design.
- ☐ The organization will hold harmless the State of Nebraska and its employees and agents for any liability, which may result from any infringement or violation of a property right based on the use of such name, logo, or graphic design.
- ☐ At least 250 prepaid applications from individuals wishing to purchase this organization's specialty license plate will be submitted upon receiving notice of certification of this new license plate from DMV.
- ☐ All documentation as detailed on page 2 of this application is attached.

Under penalty of law, the undersigned affirms that the information contained in this Application is true and correct and that the attached documentation are true and accurate copies of the originals.

Signature President/Director: _____ Date: _____

State of _____

County of _____

The foregoing signature of the **applicant** was acknowledged before me this _____ day of _____, _____

_____
Signature of Notary Public

My commission expires on _____

SEAL

Send completed application, copy of current bylaws and membership list to:

Nebraska Department of Motor Vehicles
Driver and Vehicle Records Division
301 Centennial Mall South
P.O. Box 94789
Lincoln, NE 68509-4789

For questions related to this application please contact this office at 402.471.3918.

7/16

PLEASE READ CAREFULLY

The following documents must be submitted with this Application for Creation of a Specialty License Plate Design for an Organization:

- ☐ A copy of the organization's articles of incorporation and, if the organization consists of a group of nonprofit corporations, a copy for each organization;
- ☐ A copy of the organization's charter or bylaws and, if the organization consists of a group of nonprofit corporations, a copy for each organization;
- ☐ Any Internal Revenue Service rulings of the organization's nonprofit tax-exempt status and, if the organization consists of a group of nonprofit corporations, a copy for each organization;
- ☐ A copy of a certificate of existence on file with the Secretary of State under the Nebraska Nonprofit Corporation Act for the organization and, if the organization consists of a group of nonprofit corporations, a copy for each organization.

IMPORTANT: Two hundred fifty prepaid applications for the organization specific license plates must be submitted after DMV's certification of the specialty license plates for this organization.

PROCESS OVERVIEW

The DMV will accept applications on an on-going, continuous basis. Upon receipt of the application an acknowledgement of receipt or a request for additional information/documentation will be forwarded to the address on the Application.

Certification/denial of the applications will occur on a quarterly basis (i.e. at the end of March, June, September and December). Applications that include all required information and documentation received more than 14 calendar days prior to the end of a quarter will be considered at the end of that quarter.

Upon certification of an organization, the organization shall gather and submit to the DMV 250 pre-paid applications for the organization-specific specialty license plates. The individual applications must be submitted with one check from the organization for the total amount ($70 per plate, a minimum of $17,500). Upon receipt of the 250 applications and fee an organization's specialty license plate design will be opened to the public for purchase.

7/16