

Power of Attorney

LICENSEES NAME AND ADDRESS

Licensee's Legal Name

Business (DBA) Name

Street Address

Mailing Address (if different than street address)

City

State

Zip Code

City

State

Zip Code

IRP/IFTA Carrier Number: _____

ATTORNEY(S)-IN-FACT NAME AND ADDRESS
(If more than two, see Designation of Attorney-in Fact in the instructions.)

Name

Name

Title or Firm Name

Title or Firm Name

Address (Street or Other Mailing Address)

Address (Street or Other Mailing Address)

City

State

Zip Code

City

State

Zip Code

Email Address

Phone Number

Email Address

Phone Number

The licensee hereby appoints the above named individual(s) or firm as the attorney(s)-in-fact for purposes of duly authorized representation in proceedings with the Nebraska Department of Motor Vehicles (NEDMV).

Authorized Acts. The attorney(s)-in-fact designated on this form have the authority to perform the following acts with respect to the designated NEDMV-Motor Carrier Services matters. Please mark the appropriate box. The attorney(s)-in-fact may not do any other acts unless otherwise marked or specifically noted on the POA:

- ☐ Fully represent the licensee in any hearing, determination, or appeal.
- ☐ Enter into any agreements or compromises on behalf of the licensee with the NEDMV.
- ☐ Execute waivers, including offers of waivers of collection of taxes or fee deficiencies.
- ☐ Execute consents extending the statutory period for assessment or collection of taxes, registration fees, or for issuing a notice of deficiency determination.
- ☐ Receive all notices, billings, tax returns, or any other correspondence from the NEDMV that may include confidential information or information covered under the Uniform Motor Vehicle Records Disclosure Act (UMVRDA).
- ☐ Any and all applications and reports for licensing, titling, mileage/fuel taxes, and/or permitting of motor vehicles as may be deemed necessary.
- ☐ Perform other acts, specifically: _____

If signed by a corporate officer, partner, member, LLC manager, or fiduciary on behalf of the licensee, I hereby certify that I have the authority to execute this Power of Attorney on behalf of the licensee:

STATE OF _____)

COUNTY OF _____) SS:

Signature of Licensee or Designee

Title

The foregoing instrument was acknowledged before me this

_____ day of _____ by

Name of Licensee or Designee

Notary Public Signature

INSTRUCTIONS

WHO MUST FILE. Any licensee who wishes to secure representation by another party in matters before the Nebraska Department of Motor Vehicles (NEDMV) with regard to any fuel tax reported as a part of the IFTA, registration fees and sales tax as a part of the IRP, certificates of title or fees paid related to UCR or audit of any of the above, must file a Power of Attorney (POA) authorizing that party to receive confidential information regarding said licensee. This form is provided for the licensee's convenience in designating a POA, but it is not the sole form which may be used. The NEDMV will honor all other properly completed and signed POA designations.

WHEN AND WHERE TO FILE. The completed POA may be filed any time but this form or some other properly completed and signed POA must be filed with the NEDMV before the person designated can represent the licensee in matters involving disclosure of confidential tax, registration or other fee information under the administration of the NEDMV.

This form, or other appropriate POA, may be scanned and emailed, faxed or mailed to the NEDMV:

- Email to mcs.web@nebraska.gov
- Fax to 402-471-4024 or 402-471-3920
- Mail to the NEDMV - Motor Carrier Services, PO Box 94729, Lincoln, NE 68509-4729

LICENSEE'S NAME AND ADDRESS. If the licensee has a DBA name, list both the legal name and DBA name and include the licensee's account number assigned by the NEDMV.

DESIGNATION OF ATTORNEY-IN-FACT. An attorney-in-fact is any person who is acting on behalf of another. Enter the appropriate information pertaining to each person to whom representative authority and power is being delegated. Space is provided for listing two appointees. If additional space is required, attach a separate statement clearly showing the names, addresses, zip codes, and telephone numbers of the additional appointees.

MOTOR VEHICLE MATTERS – PERIOD COVERED. This POA is designed to clearly express the scope of the authority granted by the licensee to any attorney(s)-in-fact. In the space provided, designate all motor vehicle categories, tax matters, registration or other fee information under the administration of the NEDMV. If additional space is required, attach a separate statement clearly indicating the matter of the representation.

Motor Vehicle Matters requires a brief summary of the subject for which the attorney-in-fact will represent the licensee. These may include but are not limited to: IFTA and sales and use tax matters, issues related to audit of the licensee's IRP, IFTA or UCR files, abatement of penalty, certificate of title or formal hearing.

Period Covered requires a designation of a specific year or time period. Reference can be made to "all years" or "all periods".

AUTHORIZED ACTS. The POA lists several acts which can be performed by the attorney-in-fact. This list is intended to cover the most commonly appointed acts related to the functions performed by the NEDMV – Motor Carrier Services Division. The licensee must mark the box to authorize the named attorney-in-fact regarding a particular act which is listed. This is important with respect to correspondence from the NEDMV to the licensee that may include confidential information or information covered under the Uniform Motor Vehicle Records Disclosure Act (UMVRDA). If the licensee does not want the attorney(s)-in-fact to receive billings, tax returns, notices, or any other correspondence from the NEDMV, the licensee will not check the box for this particular act. Notices of deficiency determinations and other audit related correspondence, state warrants and balance due notices will be sent to the licensee directly. A copy will be furnished to the designated attorney(s)-in fact if the box is checked for the attorney(s)-in-fact to receive notices. If the licensee wishes to authorize an act which is not listed, a concise and specific statement about the additional authorization must be made in the space provided, or a separate statement may be attached to the POA form.

REVOCATION OF POWER OF ATTORNEY. The POA on file with the NEDMV will remain in full force and effect during the time period listed -OR- until such time as the NEDMV receives written notification from the licensee to revoke said POA -OR- until the NEDMV receives an updated POA which will revoke any previous POA on file with the NEDMV.

NOTARIZATION. The licensee or designee must sign the document before a notary and the document must be properly notarized. If the licensee is a sole proprietor, the owner(s) must sign. If the licensee is a corporation, an officer having authority to bind the entity must sign. The officer must indicate his or her official title on the line provided. If the licensee is a Nebraska limited liability company (LLC), all the members must sign, unless a manager is duly authorized to act in the name of the LLC. The validity of the authorizations made by a foreign LLC will be governed by the laws of the state in which the LLC was organized. If the licensee is a partnership all partners must sign unless one is duly authorized to act in the name of the partnership. Nebraska has adopted the Uniform Partnership Act of 1998 (Neb. Rev. Stat. §§ 67-401 to 67-467 making each partner a business agent duly authorized to act for any partnership formed in Nebraska. Authorized signatures for nonresident partnerships will be governed by the laws of the state in which the partnership was formed.