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## SECTION 1 - PERMITS

### **Farm Husbandry Permit (FHP)**

A Farm Husbandry Permit authorizes the operation of farm tractors, mini trucks, and other motorized implements of farm husbandry upon the highways of this state. Implements of husbandry equipment are defined as off road vehicles designed for agricultural, horticultural or livestock-raising operations or for lifting or carrying an implement of husbandry. All Farm Husbandry Permits are Special permits. Type FHP as the document, and no class is required on the DOC screen.

### **Age, Eligibility and Issuance Periods:**

Applicants over 13 and under 16 years of age can be issued a FHP.

Applicants must be over 13, but younger than 16 to apply and be issued a FHP (13+ if individual resides on a farm or 14 or over if employed for compensation on a farm). Expires on the 16<sup>th</sup> birthday.

### **U.S Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

### **Proof of Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

The applicant must meet DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

### **Written and Drive Test Requirements:**

A tractor written and a tractor (Class O) drive test are required for a FHP.

## SECTION 1 - PERMITS

In addition, if the applicant is stating they drive a mini truck, a Class O written and drive test is required. Some tests may be waived due to the applicant having previously taken the Class O written and/or skills tests for the LPE or SCP. If they do not drive a mini truck, a "Z" (no mini truck) restriction will be placed on the FHP. *Note: The tractor drive test is administered using the Class "O" score sheet.*

If the applicant brings a certificate from their county extension office showing they have completed the tractor safety course, the tractor written and tractor drive tests will be waived for the FHP. Test results from the county extension agent are valid until the applicant's 16<sup>th</sup> birthday.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

### **General Information:**

Individuals will make application to staff, take any appropriate tests and be issued an issuance certificate. It will be the applicant's responsibility to send the issuance certificate and \$10.00 check made payable to the Nebraska DMV and mail it to:

Department of Motor Vehicles  
Driver Licensing Services  
P.O. Box 94726  
Lincoln, NE 68509

The Home Office will issue original, replacement and correction FHPs. The only exception to this is for forced replacements where name, date of birth or address has been changed and another document is involved. In those instances, to ensure that the change has been made on the FHP, the county treasurers or service center employees will produce the 30-day receipt. The applicant should receive their actual replacement within 30 days. The home office will scan the issuance certificate.

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### **School Learner's Permit (LPE)**

This permit is issued for the purpose of allowing a student to legally practice driving for a school permit. The applicant must be accompanied by a licensed motor vehicle operator who occupies the seat beside the driver. Motorcyclists must be accompanied by a licensed motorcycle operator within visual contact.

*Note: Such licensed motor vehicle or motorcycle operator shall be at least 21 years of age and hold a current Nebraska or out of state operator's license.*

Individual applying for an LPE must be eligible for a school permit and meet all school permit criteria.

### **Age, Eligibility and Issuance Periods:**

The applicant must be 14, but younger than 16. LPE is valid for six months. There is no limit on the number of renewals an applicant may obtain.

### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

### **Proof of Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

### **Address Verification Requirements**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision and Medical Requirements:**

The applicant must meet all DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

## SECTION 1 - PERMITS

### **Written and Drive Tests Requirements:**

A written test is required. No drive test is required. No testing is required for renewing an LPE if it is valid or has not expired over one year.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

Document to document test waiver information can be found in Section 16.

### **General Information:**

The holder of an LPE shall not use any type of interactive wireless communication device while operating a motor vehicle. Interactive wireless communication device means any wireless electronic communication between two or more parties, including, but not limited to, a mobile or cellular phone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer.

## SECTION 1 - PERMITS

### **School Permit (SCP)**

Eligibility – The applicant must either reside outside a city of 5,001 or more or attend a school outside a city of 5,001 or more.

A school permit holder can drive unsupervised to and from where he or she attends school and between schools of enrollment over the most direct and accessible route by the nearest highway from his or her place of residence to transport such person or any family member who resides with such person to attend duly scheduled courses of instructions and extracurricular or school related activities at the school he or she attends. A school permit holder can also drive anytime when accompanied by a licensed driver who is at least 21 years of age.

### **Age, Eligibility and Issuance Periods:**

The applicant must hold an LPE (or LPD) for at least two months before making application for an SCP.

The applicant must be at least 14 and two months old, but younger than 16 and three months of age.

The SCP expires when the individual is 16 years and three months of age. *Note: Individuals with a bioptic or telescopic restriction are required to renew their SCP on their birthday in the second year after issuance unless the optometrist or ophthalmologist indicates a shorter expiration date on the vision statement.*

Before applying for an SCP individuals must:

1. Complete a Nebraska DMV approved driver safety course and pass the written and drive tests given by the driver safety instructor  
OR
2. Present a 50-Hour Certification form to the Driver's License Staff. The 50-Hour Certification form must be signed by a parent, guardian or licensed driver who is at least 21 years of age.

### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

### **Proof of Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

## SECTION 1 - PERMITS

### **Address Verification Requirements**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

The applicant must meet DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

### **Written Test Requirements:**

A written test is required (Class O or M).

1. When the SCP/POP test information has been electronically received from the Driver Safety School or presented by the applicant. the written test is waived.
2. When presenting the 50-Hour Certification form and has been issued an LPE or LPD that is valid or expired less than one year – the written test is waived.
3. Any test that is failed cannot be retaken the same day.
4. All written test results are valid for 6 months.
5. Failing six written tests results in having to wait 90 days from date of last written test to retest or show proof of successfully completing a driver training course.
6. The motorcycle written test shall be waived if the applicant can show successful completion of a Nebraska approved motorcycle safety education program within the last 24 months. Completion date of program must be after any test failure dates for written test to be waived.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

### **Drive Test Requirements:**

The Class O or M drive test is required. For the Class M only, the applicant must take the MIT test, even if the applicant presents a motorcycle waiver that was issued within the previous 24 months.



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When presenting or using SCP/POP driver safety waiver information, there is no drive test required unless staff has a valid reason to request a drive test. Call your supervisor for authorization.

Individuals adding a M endorsement after SCP has been issued, using a motorcycle waiver that was issued within the previous 24 months - no drive test required. Completion date of program must be after test failure date for drive test to be waived.

When the mechanical aids field is marked on the SCP/POP pop up screen and the driver safety instructor has also indicated the appropriate restrictions to be placed on the SCP, DMV will not re-administer the drive test.

If the mechanical aids field is marked on the SCP/POP pop up screen, but the driver safety instructor has not indicated any restrictions, staff will go to the refusal screen, then call the Home Office, who will get in contact with the driver safety instructor to obtain additional information from them. If the Home Office staff enters restrictions based on their conversation with the driver safety instructor, DMV will not re-administer the drive test.

If the Home Office staff cannot determine from talking to the driver safety instructor what or if restrictions should be placed on the SCP/POP pop up screen, only in that case will DMV re-administer the drive test to determine what restrictions should be placed on the SCP.

Some applicants completing Driver Safety Courses may have medical or vision problems that have not been identified by the driver safety instructor. Please continue to issue these individuals medical or vision statements and administer drive tests per Division policy.

Permit applicants do not follow the three drive test failure requirements as per state law. This law only pertains to Class O and Class M applicants. If six drive tests are failed, then SCP applicants will be required to successfully complete a driver training course before they can take any additional drive tests.

### **General Information:**

If an applicant previously held an SCP and it was suspended/revoked or cancelled, upon reinstatement there is no need to meet eligibility requirements again, but the written and drive tests will be required unless a driver safety course is completed after the date of reinstatement.

The holder of a SCP shall not use any type of interactive wireless communication device while operating a motor vehicle. Interactive wireless communication device means any wireless electronic communication between two or more parties, including, but not limited to, a mobile or cellular phone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer.

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All persons being transported in a motor vehicle operated by the holder of a SCP are required to ride secured in an occupant protection system.

Questions regarding school permit usage should be directed to the County Attorney in the applicant's county of residence.

Cities of the metropolitan, primary or first class are:

Alliance	Hastings	Omaha
Beatrice	Holdrege	Papillion
Bellevue	Kearney	Plattsmouth
Blair	La Vista	Ralston
Chadron	Lexington	Scottsbluff
Columbus	Lincoln	Schuyler
Crete	McCook	Seward
Elkhorn	Nebraska City	Sidney
Fremont	Norfolk	S. Sioux City
Gering	North Platte	Wayne
Grand Island	Ogallala	York

The above information was verified through the League of Municipalities in 2020.

Home-schooled applicants are eligible for school permits in some situations if they are attending some classes outside of their homes. Contact the Driver's License Manager or Driver's License Administrator for additional information.

If an individual completed the DMV approved driver safety course and didn't obtain or hasn't held an LPE (or LPD) for two months when making application for the SCP – they will not be eligible for the SCP. Once the LPE (or LPD) is held for two months, the applicant can present or use the waiver information from the course to obtain their SCP.

If an individual held a Nebraska SCP, it was suspended, revoked, or cancelled and has been reinstated, there is no need to meet eligibility requirements again. However, the written and drive tests will be required unless the applicant completes a driver safety course after their date of reinstatement. This policy also pertains to SCP holders whose SCP has been revoked until their 16<sup>th</sup> birthday, but they completed a driver safety course prior to the revocation. Completion of the course can be used to meet eligibility requirements, but the written and drive test will be required prior to the issuance of the SCP.

## SECTION 1 - PERMITS

The 50 Hour Certification Form certifies that a minimum of 50 hours of lawful behind the wheel driving has occurred. The certification form must indicate that at least 10 hours of motor vehicle operation was between sunset and sunrise. This time can include hours accumulated while holding one of the following: out-of-state permit, Nebraska LPD or LPE. Hours driven must have been compiled after issuance of such document. *Note: Individual must have accumulated 50 hours with a licensed driver 21 years of age or older.*

## SECTION 1 - PERMITS

### **Learner's Permit (LPD)**

This permit is issued to allow a person to legally practice driving for a Provisional Operator's Permit (POP), School Permit (SCP), Operator's (Class O) or Motorcycle (Class M) License/Endorsement. The applicant must be accompanied by a licensed motor vehicle operator at least 21 years of age who occupies the seat beside the driver.

Motorcyclists must be accompanied by a licensed motorcycle operator within visual contact. *Note: Such licensed motor vehicle or motorcycle operator shall be at least 21 years of age and licensed by this state or another state.*

### **Age, Eligibility and Issuance Periods:**

An individual may apply for an LPD 60 days prior to their 15<sup>th</sup> birthday, the 30 day receipt will not become valid until their 15<sup>th</sup> birthday and they will receive their actual LPD within 30 days after their birthday. The LPD is valid for 12 months. An applicant can renew the LPD 90 days prior to its expiration date.

### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

A non-domiciled CLP/CDL holder is not eligible to test for a Class M LPD.

### **Proof of Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

### **Address Verification Requirements**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address, can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

The applicant must meet the DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

## SECTION 1 - PERMITS

### **Written Test Requirements:**

Written test (Class O or M) required.

1. The written test will be waived if an LPE, SCP or LPD has been issued and is valid or expired no more than one year.
2. Any test that is failed cannot be retaken the same day.
3. Failing six written tests results in having to wait 90 days from date of last written test to retest or show proof of successfully completing a driver training course.
4. The motorcycle written test shall be waived if the applicant can show successful completion of a Nebraska approved motorcycle safety education program within the last 24 months. Completion date of program must be after any test failure dates for written test to be waived.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

Document to document test waiver information can be found in Section 16.

### **Drive Test Requirements:**

No drive test is required.

### **General Information:**

The holder of an LPD shall not use any type of interactive wireless communication device while operating a motor vehicle. Interactive wireless communication device means any wireless electronic communication between two or more parties, including, but not limited to, a mobile or cellular phone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer.

## SECTION 1 - PERMITS

### **Provisional Operator's Permit (POP)**

The Provisional Operator's Permit (POP) allows an individual to operate a motor vehicle unsupervised in Nebraska from 6 a.m. to 12 midnight. Individual may drive unsupervised between 12 midnight and 6 a.m. if they are driving to or from home to work or a school activity. Individual may drive anytime if they are accompanied by a parent, guardian or licensed driver who is at least 21 years of age or older.

### **Age, Eligibility, and Issuance Periods:**

The applicant must be at least 16 years of age but less than 18 years of age. The POP will expire on the applicant's 18<sup>th</sup> birthday. Applicants may apply for the POP up to 60 days prior to their 16<sup>th</sup> birthday. *Note: Individuals with a bioptic or telescopic restriction are required to renew their POP on their birthday in the second year after issuance unless the optometrist or ophthalmologist indicates a shorter expiration date on the vision statement.*

Before individuals can apply for a POP, they must do **one** of the following:

1. have held a valid Nebraska or OOS LPE, SCP or LPD for at least six months and have not accumulated three or more points on their driving record during the six-month period immediately preceding the POP application date; **and**
2. successfully complete a Nebraska DMV approved driver safety course, OR
3. present to staff a 50-hour certification form.

### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

### **Proof of Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

### **Address Verification Requirements**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address, can use their parents or guardians' principal address documents.

## SECTION 1 - PERMITS

Once the applicants address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

The applicant must meet Department of Motor Vehicles minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV, and SAVE (if applicable) checks during the application process.

### **Written and Drive Test Requirements (Class O or M):**

1. When the SCP/POP test information has been electronically received from the Driver Safety School or presented by the applicant – the written test is waived.
2. When presenting the 50-Hour Certification form and has been issued an LPE or LPD that is valid or expired less than one year – the written test is waived.
3. Any test that is failed cannot be retaken the same day.
4. All written test results are valid for 6 months.
5. Failing six written tests results in having to wait 90 days from date of last written test to retest or show proof of successfully completing a driver safety course.
6. Individuals applying for a motorcycle endorsement on the POP with an approved motorcycle safety course completion card (issued within last 24 months), will have the motorcycle written test and drive test waived. No 50 Hour Certification Form required. Completion date of program must be after any test failure dates for tests to be waived.
7. Individuals applying for a motorcycle endorsement on the POP without an approved motorcycle course completion card will be required to take the written test and drive test unless a) written test waived if individual has been issued a same class/endorsement LPE, SCP or LPD that is valid or expired for no more than one year, and b) drive test waived if individual has been issued a same class/endorsement SCP that is valid or expired for no more than one year. 50 Hour Certification Form required.
8. Individuals applying for a Class M POP without an approved motorcycle safety course completion card (issued within last 24 months) will be required to take the written test and the MIT test unless a) written test waived if individual has been issued a same class/endorsement LPE, SCP or LPD that is valid or expired for no more than one year, and b) drive test waived if individual holds a same class/endorsement SCP that is valid or expired for no more than one year. 50 Hour Certification Form required.
9. Permit applicants do not follow the three drive test failure requirements as per state law. This law only pertains to Class O and Class M applicants. If six drive tests are failed, then POP applicants will be required to successfully complete a driver safety course before they can take any additional drive tests.

## SECTION 1 - PERMITS

When the mechanical aids field is marked on the pop up screen, and the driver safety instructor has also indicated appropriate restrictions to be placed on the POP, DMV will NOT re-administer the drive test.

If the mechanical aids field is marked on the pop up screen, but the driver safety instructor has not indicated any restrictions, staff will go to the refusal screen, then call the Home Office, who will get in contact with the driver safety instructor to obtain additional information from them. If the Home Office staff enters restrictions based on their conversation with the driver safety instructor, DMV will not re-administer the drive test.

If the Home Office staff cannot determine from speaking with the driver safety instructor what or if restrictions should be placed on the pop up screen, the drive test will be re-administered by DMV to determine what restrictions should be placed on the POP.

Some applicants completing Driver Safety Courses may have medical or vision problems that have not been identified by the driver safety instructor. Please continue to issue these individuals medical or vision statements and administer the drive test as per Division policy.

Refer to Section 18 for the proper end of the day written testing policy and procedures.

Document to document test waiver information can be found in Section 16.

### **General Information:**

The holder of a POP shall not use any type of interactive wireless communication device while operating a motor vehicle. Interactive wireless communication device means any wireless electronic communication between two or more parties, including, but not limited to, a mobile or cellular phone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer.

All persons being transported in a motor vehicle operated by the holder of a POP are required to ride secured in an occupant protection system.

The 50 Hour Certification Form certifies that a minimum of 50 hours of lawful behind the wheel driving has occurred. At least 10 hours of this must have occurred between sunset and sunrise. This time can include hours accumulated while holding an out-of-state driver's license or permit, Nebraska, LPE, SCP, LPD or Class O license. Hours driven must have been compiled after issuance of such document. The 50 Hour Certification form must be signed by a parent, guardian, or licensed driver who is at least 21 years of age or older. *Note: Individual must have accumulated 50 hours with a licensed driver 21 or over.*



## SECTION 1 - PERMITS

If an applicant is unable to produce their out-of-state license or permit and they are applying for a POP, staff can do one of two things to get the issue date to determine the 6 month requirement: 1) The applicant would be required to

provide the license or permit number, and then a #30 State-to-State History check to that state should be done. If this history shows the issue and expiration date and it has been 6 months, then we can use that check, or 2) Require the applicant to present a driving record from the other state to show this information. We are not concerned about the points on the out of state license or permit.

In order for that information to be used and calculated by the Interactive Driver's License System to figure the 6-month requirement, enter that on the APP screen just as if the permit was seen (even though the license or permit was not seen nor can it be used as proof of ID). Other acceptable forms of identification must be presented and entered on the F9 ID screen. Make a comment on F1 that license or permit information has been entered on the APP screen even though document not presented.

If an individual has never held a POP and their privilege to drive has been taken away until their 16<sup>th</sup> birthday, they cannot legally drive during the period prior to their 16<sup>th</sup> birthday. Therefore, test results that are electronically submitted or a paper waiver presented, during this timeframe would be invalid, as well as any drive time recorded on the 50 Hour Certification Form.

If the individual presents an SCP when applying for a POP, the driver safety test results provided for the SCP will satisfy the requirements for the POP.

Applicant previously issued a Nebraska POP, surrendered to another state and returns to Nebraska to apply for another POP – no need to meet eligibility requirements again, but written and drive tests will be required unless the applicant originally presented a driver safety waiver.

Applicant had Nebraska POP, but was suspended/revoked or cancelled – upon reinstatement there is no need to meet eligibility requirements again, but written and drive tests will be required unless applicant can provide proof they completed a driver safety course after date of reinstatement.

Any individual under the age of 21 years old who holds a POP or operator's license and who accumulates within any 12 month period a total of six or more points on their driving record will be required to attend and successfully complete a driver improvement course. If an individual fails to complete the course within three months after notification by the Department, their POP or operator's license will be suspended.

During the first six months of the POP, the holder can only operate a motor vehicle with no more than one passenger who is not an immediate family member and who is under nineteen years of age. They may not drive between the hours of midnight and 6 am for the duration of the permit unless they are with an adult, 21 years of age or older, or driving home from work or school activity.

## SECTION 1 - PERMITS

*Note: The POP holder is not limited to driving in Nebraska only. However, it is advisable for them to contact other state law enforcement agencies prior to driving interstate.*

### **Commercial Learner's Permit (CLP)**

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 (CDL) for purposes of behind-the-wheel training. When issued to a CDL holder, a CLP serves as authorization for accompanied behind-the-wheel training in a commercial motor vehicle for which the holder's current CDL is not valid. Any upgrade change of endorsement, or restriction requires the applicant to surrender his or her CLP or CDL before issuance of the new document. Exception: non-domiciled applicants may not hold a Class O license but may obtain a non-domiciled CLP.

The CLP authorizes a person to operate a commercial motor vehicle for learning purposes when accompanied by a person who is at least 21 years of age, and who has a CDL for the class of vehicle being driven. The holder of a CLP may not operate a commercial motor vehicle transporting hazardous materials. The issuance of a CLP is a precondition of the initial issuance of a CDL. The issuance of a CLP is also a precondition to the upgrade of a CDL if the upgrade requires a skills test. For endorsements that don't require skills testing, a CLP is not required. The Hazmat (H), Doubles/Triples (T) or Tank (N) (if a tank vehicle isn't being used for the skills test) endorsements can be added to a CDL without first having a CLP issued. Applicants using a Military Skills Waiver to waive the skills test are NOT required to first hold a CLP.

### **Age, Eligibility, and Issuance Periods:**

Minimum age is 18 years of age – individuals shall present proof to staff that he or she holds a valid Nebraska Class O license or Commercial Driver's License before a CLP is issued. Foreign non-domiciled applicants shall successfully complete the requirements for a Class O license before a CLP is issued. A CLP is valid for a maximum of 1 year. CLPs cannot be renewed. Subsequent issuances of a CLP will be considered a 'New' CLP.

### **U.S. Citizenship or Lawful Status:**

An applicant for a CDL document must provide proof of U.S. Citizenship or Lawful Status. Once U.S. citizenship has been verified, proof need not be presented again. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

If an applicant holds an I-94 and EAD, they must decide whether they are a Nebraska resident or want to get a non-domiciled CLP. To obtain the non-domiciled CLP, they must surrender their Class O license.

A non-domiciled CLP holder is not eligible to add the M endorsement or to test for a Class M LPD.

### **ID Requirements:**

## SECTION 1 - PERMITS

Proof of identification must be presented for each CDL document applied for. The digital image (photo) retained by DMV cannot be used as identification for CDL documents. Must present U.S. Based document(s) to prove identity. Refer to Section 8 of this manual for the list of acceptable documents to prove U.S. Based Identity.

### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

All individuals applying for a Nebraska CLP are required to certify to the DMV what type of operation they engage in. They must self-certify as one of four categories. If an applicant certifies as category A – Interstate – Non-Excepted, the applicant must provide a medical examiner's certificate (card – not long form) to the DMV. If an applicant certifies as category B – Interstate – Excepted, they are subject to DMV medical and vision requirements. If the applicant certifies as category C – Intrastate – Non-Excepted, applicant must meet federal medical and vision requirements; however, they do not have to present a medical examiner's certificate to licensing staff. A K (intrastate only) restriction will be placed on their CLP. If the applicant certifies as category D – Intrastate – Excepted, they are subject to DMV medical and vision requirements. A K (intrastate only) restriction will be placed on their CLP. If the applicant is a customer harvester under age 21, no K restriction is required.

Applicants who have suffered a loss of limb will be required to have a Training SPE prior to the issuance of the CLP.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV, and SAVE (if applicable) checks during the application process.

### **Entry Level Driver Training (ELDT) Requirements:**

Any driver who will be taking a skills test for a new CDL, taking a skills test to upgrade their CDL (including adding the P and/or S endorsements) or taking the hazardous materials (hazmat) knowledge test for the first time will be required to first complete ELDT.

ELDT training requirements do not apply to individuals holding a valid CDL or an S, P, or H endorsement issued prior to February 7, 2022 or holding a valid CLP issued prior to February 7, 2022.

## SECTION 1 - PERMITS

Once a Nebraska driver obtains a CDL, their record on the mainframe system will show they are grandfathered from ELDT requirements for the class/endorsements they have obtained and will stay on their record in the future.

If a driver is applying for a CLP and states they don't need ELDT because they previously held a CDL in another state, DMV examining staff can mark the driver as grandfathered (G) on the mainframe if the driver provides proper proof. An example of proper proof would be a driver's abstract from another state, a letter from another state on letterhead or a photocopy of a previous CDL from another state. DMV staff would enter G in the proper location on the mainframe (Option 89), scan the proof and make a note on the F1 HIS screen on the mainframe.

If drivers have questions not related to how Nebraska checks the TPR, they should be directed to the FMCSA website: <https://tpr.fmcsa.dot.gov>

### **CLP Classes:**

Class A – Combination of vehicles with Gross Combination Weight Rating of 26,001 or more pounds provided the Gross Vehicle Weight Rating of vehicle(s) being towed is in excess of 10,000 pounds.

Class B – Single vehicle with GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds.

*Class A and Class B are the only valid classes on a Nebraska CLP. If a driver desires to drive a Class C vehicle, the written test requirements are the same as those for a Class B. Thus, a Class B CLP will be issued as it will allow the driver to practice in a Class C vehicle also.*

### **CLP Endorsements:**

N = Tank Vehicle

P = Passenger Vehicle

S = School Bus

### **CLP Restrictions :**

<u>Restriction</u>	<u>Description</u>
K	Intrastate Only – Drivers who have self-certified as Category C and D
L	Drivers of CMVs not equipped with Air Brakes (required if the Air Brakes written test is not passed.)
M	Except Class A Bus. (Required on all CLP's with a P endorsement.)
P	No passengers in CMV bus. (required with a P endorsement). The no passenger restriction on a CLP does not apply to instructors, examiners, other trainees, or Federal/State auditors/inspectors.
V	Operation of a commercial motor vehicle for drivers with medical variance documentation.
X	No cargo in CMV tank vehicle. (required with an N endorsement on CLP). *

## SECTION 1 - PERMITS

*\*The tank vehicle endorsement can still be added to an existing CDL with a written test only. However, if a driver wants to practice in a tank vehicle or take*

*the skills test in a tank vehicle, they must have the CLP with an N endorsement and X restriction.*

All CLP's have a Class (A or B) and can have some endorsements and restrictions. Drivers must pass all applicable knowledge tests for the class and endorsements of CLP being applied for in order for the CLP to be issued.

### **Written Test Requirements:**

For initial CLP issuance, all applicable written tests must be passed for the class of CLP applied. To avoid an L restriction, the Air Brakes written test must be passed.

To add an endorsement to a CLP or make a change where a NEW CLP will be issued to an applicant that has not previously had a CDL document issued, all applicable tests must be passed to obtain the new CLP including the General Knowledge test.

For non-domicile applicants who do not already have a CDL, the tests required will include the written and drive test for a Class O license.

If a Nebraska CDL exists and the applicant is changing class, endorsement(s), or restriction(s) on the CDL which require skills testing, only those written tests not previously passed to obtain the CDL must be passed.

After expiration of the initial CLP, if an applicant desires another CLP, it is referred to as a 'new' CLP and all written testing will be required as if it is an initial issuance of the CLP.

The CLP holder is not eligible to take the skills test in the first 14 days after initial issuance of the CLP. *(Example: driver obtains CLP on August 1. The earliest they can take a CDL skills test is August 15.)*

### **Surrender:**

Applicants must surrender any CLP or CDL from another state. An applicant for a non-domiciled CLP or CDL is not required to surrender his or her foreign license.

### **CLP Written Tests:**

General Knowledge	50 questions	can miss 10 questions
Combination	20 questions	can miss 4 questions
Air Brakes	25 questions	can miss 5 questions
Passenger	20 questions	can miss 4 questions
School Bus	20 questions	can miss 4 questions

## SECTION 1 - PERMITS

Tank Vehicle

20 questions

can miss 4 questions

Applicants who fail the combination written test must not be issued a Class A CLP.

Refer to Section 18 for the proper end of the day written testing policy and procedure. Document to document test waiver information can be found in Section 16.

### **General Information:**

Non-domiciled CLP holders must notify the Nebraska DMV of any adverse action taken by any jurisdiction or governmental agency, foreign or domestic, against his or her driving privileges, including disqualifications. Notification must be made by the end of the next business day following the day the license holder received notice of a suspension, revocation, cancellation, lost privilege, or disqualification.

### **Employment Drive (Work) Permit**

An Employment Drive Permit (Work Permit) allows an individual to drive a non-commercial motor vehicle to and from work and while on the job if their license is revoked under the point system or as a result of a child support revocation.

Authorization for an Employment Drive Permit must be obtained from the Financial Responsibility Division. The applicant must be a Nebraska resident and is not required to present the approval letter from FR in order to apply. They must have a valid DIP on file or present acceptable proof of identification.

## SECTION 1 - PERMITS

### **Ignition Interlock Permit/ Sobriety Permit**

A court or Pardon's Board can order the installation of an Ignition Interlock Device due to a Driving Under the Influence (DUI) probation order. This allows the individual to operate a motor vehicle during a period they would normally not be allowed to drive.

The applicant must send the required documents to the Financial Responsibility Division (certified copy of court order, certification that Ignition Interlock Device has been installed and the license or affidavit for a lost license).

The Financial Responsibility Division adds the appropriate information to their work file. The Financial Responsibility Division sends an Ignition Interlock authorization letter to the applicant along with a DMV Document Verification form. The interlock authorization letter does not serve as a form of identification and is not required to be presented to staff in order to apply for the permit as long as the information has been placed on the driving record.

To obtain an IIP, applicants must present acceptable proof of identification if no previous Nebraska document issued, will be required to show proof of citizenship one time. All other IIP applicants should be able to use their DIP as proof of ID, two proofs of residential address and meet DMV vision and medical requirements. Written and drive testing will be required if the ignition interlock installation is required by the Pardon's Board. Court orders requiring ignition interlock installation will not require any written or drive testing unless the applicant is applying for an IIP and has never had a Nebraska Class O or CDL license or the license is expired over one year. Also, if they are revoked over one year the system will force the written and drive tests. If presenting a valid out of state license, and applying for NE IIP, the written and drive tests are required.

Proof of Lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

Individuals may be eligible to obtain their ignition interlock permit online.

The Financial Responsibility Division will input onto their work file whether the ignition interlock installation is required by the Pardon's Board or is court ordered. Individuals may not operate a commercial motor vehicle with an IIP or add a motorcycle endorsement to an IIP, but can retain their motorcycle endorsement on their IIP.

The applicant takes the issuance certificate to any county treasurer or service center and upon the payment of the \$50.00 fee will be issued an Ignition Interlock Permit (IIP). The expiration date of the permit will be shown on the face of the permit.

## SECTION 1 - PERMITS

If applicant has an IIP and is turning 21 years old during that timeframe of the IIP, the system will only allow renewal of the IIP during 30 days prior to the 21<sup>st</sup> birthday. If applicant is within 30 days of 21<sup>st</sup> birthday and system is still not allowing issuance, contact the home office to contact the Financial Responsibility division to check their workfile.

If applicant is presenting an out of state license that reflects ignition interlock, if the PDPS check comes back as NOT, then we cannot issue any document in Nebraska. If the PDPS check is okay, then we will issue a license with no ignition interlock restriction on it.

### IIP Eligibility

- Applicant must be a Nebraska resident
- Applicant must be at least 18 years old and have been issued a license. POP holders are not eligible for the IIP
- The alcohol violation must have occurred in Nebraska
- Applicant must meet all other applicable reinstatement requirements for any non-alcohol suspension or revocation actions on their Nebraska driving record.
- Applicant must serve any required wait periods.
- Applicant cannot have driving privileges removed in any other stat/jurisdiction.

### Sobriety Permit

The 24/7 Sobriety permit (SPP) is similar to the IIP. It is a document that is court-ordered and approved by financial responsibilities. The main difference is that the SPP does not require a device to be installed in the vehicle. If a drive test is required for issuance it is not required that a device is installed in the vehicle for the SPP to be issued.



## SECTION 1 - PERMITS

### **Medical Hardship Driving Permit**

A medical hardship driving permit allows an individual to drive a non-commercial motor vehicle from their place of residence or place of employment to a hospital, clinic, doctor's office, or similar location and return if their license is revoked under the point system or the 90 day Administrative License Revocation process.

### **U.S Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file.

### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

Authorization for a Medical Hardship Driving Permit must be obtained from the Financial Responsibility Division. Once the authorization is approved, the applicant should proceed to any driver licensing office and apply for the permit.

## SECTION 1 - PERMITS

### **Snowmobile Safety Certificate**

This certificate is issued to individuals between 12 and 16 years of age for the purposes of operating a snowmobile in Nebraska.

#### **Age, Eligibility and Issuance Periods:**

No person over 12 and under 16 years of age may operate a snowmobile in Nebraska unless:

1. He/she holds a valid snowmobile certificate, or
2. Is accompanied by a person 14 years of age or older who has a snowmobile certificate, or
3. Is accompanied by a person over age 18.
4. Expires on 16<sup>th</sup> birthday.

#### **U.S Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file.

#### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

#### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

A parent or guardian's signature is also required on the snowmobile safety certificate application form.

## SECTION 1 - PERMITS

**Vision/Medical Requirements:**

Applicants must meet Department of Motor Vehicles minimum vision requirements.

**Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV, and SAVE (if applicable) checks during the application process.

**Written and Drive Test Requirements:**

None.

**General Information:**

Applicants will apply to staff who will ensure that all requirements listed in this section have been met. Applicants will complete a snowmobile safety certificate application form which can be obtained from the Home Office in Lincoln. A record will **NOT** be created on the IDLS. The application form will have the applicants' vision readings on it. The applicant will be responsible for sending the application form to the Home Office in Lincoln so that the Snowmobile Safety Certificate can be issued.

## SECTION 2 – STATE IDENTIFICATION CARD

### **State Identification Card**

Any Nebraska resident may apply for a State ID Card.

#### **Age, Eligibility, and Issuance Periods:**

No minimum age requirement or maximum age requirement. Applicant cannot hold a valid Nebraska driving document and a valid Nebraska ID card at the same time.

State Identification Cards issued to individuals under 21 years of age will expire in the 5<sup>th</sup> year after issuance OR the 21<sup>st</sup> birthday, whichever comes first.

State ID Cards issued to applicants 21 years of age and older expire on the license holder's birthday in the fifth year after issuance.

Applicants under 21 years of age may apply for a renewal 60 days prior to their 21<sup>st</sup> birthday. The applicant will receive a 30-day temporary receipt which will become valid 30 days prior to their 21<sup>st</sup> birthday. The permanent ID Card will be processed and mailed on their 21<sup>st</sup> birthday.

Applicants 21 years of age and over may apply for and be issued a renewal 90 days prior to their birthday.

The expiration date of limited term State ID Cards will vary. An ID Card issued to a person with lawful status 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.

#### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Applicants under 18 years of age who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

If an applicant requests a State ID Card and the record shows they have previously been issued a license, request the license as proof of identification. If the applicant is unable to furnish you with the license, use any other acceptable identification documents they may have, or the DIP on file as proof of identification.

#### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

## SECTION 2 – STATE IDENTIFICATION CARD

### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address, can use their parents or guardians' principal address documents.

Once the applicant's address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

There are no medical or vision requirements for the State ID Card.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

### **Written and Drive Test Information:**

There are no written or drive test requirements for the State ID Card.

### **General Information:**

Applicants applying for a State ID Card may not retain their out-of-state license and/or State ID Card. The out-of-state license and/or State ID Card must be surrendered prior to the State ID Card being issued, except for State ID Cards from the following states: Arizona, California, Minnesota, Nevada, New York, and Texas. These states do not require applicants for State ID Cards to be residents of their states, so we cannot force them to surrender these cards to us. *Note: This includes applicants who are exempt from obtaining Nebraska licenses in Nebraska Statute 60-488 (military personnel and spouses of such, full time students and non-resident CLP holders).*

If a Nebraska State ID Card is issued and the person moves to another state, and does not obtain a license or ID card in the other state, then moves back to Nebraska, they can be issued a replacement State ID Card. If a person moves out of state and does obtain either a license or ID card in the other state, they cannot be issued a replacement, they will need to be issued a NEW document.

There is no limit on the number of replacements that can be issued.

State ID's will be issued at no cost to U.S. citizens regardless of age. Non-US citizens will be charged based on period of validity. Refer to the table in section 17 for specific prices.

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

### **Operator’s License (Class O)**

The Nebraska Class “O” Operators license authorizes an applicant to operate any motor vehicle except a motorcycle or commercial motor vehicle.

#### **Age, Eligibility, and Issuance Periods:**

Must be 17 – applicants under the age of 18 may not apply until: (1) they have held a Provisional Operator’s Permit (POP) for at least 12 months and (2) have not accumulated three or more points on their driving record during the immediately preceding 12-month period.

Applicants may apply for a renewal 60 days prior to their 21<sup>st</sup> birthday. The applicant will receive a 30-day interim license (30-day receipt), which will become valid 30 days prior to their 21<sup>st</sup> birthday. The new license will be processed and mailed to them on their 21<sup>st</sup> birthday.

Applicants 21 and over may apply for and be issued a renewal 90 days prior to their birthday.

Licenses issued to applicants under the age of 21 expire on the license holder’s 21<sup>st</sup> birthday. If the applicant is within 60 days of their 21<sup>st</sup> birthday, the license will expire on the applicant’s birthday in five years. If the applicant is within 60 days, but not 30 days of their 21<sup>st</sup> birthday and need a replacement of their license, you will need to change the action from R (renewal) to 3 (replacement) to ensure the document they receive that day will be valid. They may return as early as the next business day or after to renew their license.

Licenses issued to applicants 21 and older expire on the license holder’s birthday in the fifth year after issuance.

The expiration date of limited term license will vary. A license issued to a person with lawful status 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.

#### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Applicants under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under Age 18.

#### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parent’s or guardian’s principal address documents.

Once the applicant’s address has been verified, they will not be required to verify during future visits, unless their address has changed.

### **Vision/Medical Requirements:**

Applicants must meet DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

### **Written and Drive Test Requirements (Class O):**

- 1) Applicants under the age of 18 meeting the POP criteria above; written and drive test waived.
- 2) Applicants ages 18-21 who have held a POP; written and drive test waived.
- 3) Applicants 18 years of age or older applying for a first-time license, who have never held a POP: vision, written and drive tests. Written test will be waived for applicants who have been issued a learner’s permit (LPD) that is valid or expired less than one year.
- 4) Applicants under the age of 18, surrendering a valid out-of-state license, must meet all POP eligibility and testing requirements and be issued a POP.
- 5) New residents 18 years of age or older presenting a valid out-of-state license: written test waived, drive test waived or administered as per Section 16.
- 6) New residents 18 years of age or older presenting a less than one year expired out-of-state license: written test required, drive test waived or administered as per Section 16.
- 7) Applicants renewing their Nebraska license prior to or within one year after expiration: written test waived, drive test waived or administered as per Section 16.
- 8) Nebraska or out-of-state licenses expired over one year or any license that has been revoked or cancelled: written and drive test required.
- 9) New residents 18 years of age or older presenting a valid license from Mexico, Germany, Canada, or a U. S. Territory: written test required, drive test waived or administered as per Section 16.

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

### **General Written Test Information (Class O):**

The CDL general knowledge test cannot be used in lieu of the Class O test.

If an applicant fails the Class O written test, it cannot be taken again the same day. The CDL General Knowledge test can be taken the same day as the Class O failure if the applicant decides to apply for a Commercial Learner’s Permit. Non-domiciled applicants must pass the written and drive Class O tests before they can test for a CLP.

Class O Written Test	25 Questions	can miss 5 questions
Non-Verbal Picture Test	24 Questions	can miss 4 questions
Special Restricted Written Test	20 Questions	can miss 4 questions

Applicants must score a minimum of 80% on all written test to pass. The written test is valid for 6 months after passed.

Tests are available in the following formats: written (on a testing tablet), audio and non-verbal. The written and audio version is available in English, Spanish and American Sign Language.

The non-verbal written test is designed for applicants whose primary language is not English or Spanish or individuals who have difficulty understanding or reading English or Spanish, may request and be administered the non-verbal test.

The use of a foreign language dictionary (paper or electronic) by an applicant is permissible after an examiner has reviewed it for notes, etc.

If an applicant is caught cheating on a test, this will be considered a failure and the normal retesting policy must be followed.

### **Written Test Procedures:**

Every effort shall be made by staff to assist the applicant throughout the written test process. Staff need to monitor the applicant’s progress (or lack of progress) especially when the applicant repeatedly fails the written test. Ask appropriate questions (Has the applicant been on the website and taken the practice test? Have they reviewed the manual? Do they have difficulty reading? Have they used the “help” or “skip” button?). Involve your supervisor early in the process when dealing with unusual situations.

The following instructions for the test are printed on the Security Code test sheet. These instructions will be read to EVERY applicant on EVERY visit.



## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

- 1) Please proceed to any available automated testing machine to begin testing.
- 2) This is your security code, you will need to type it in, and it will take you through a few screens before getting to your test.
- 3) There is a **help** button in the upper right corner of the screen. If you have a question or need assistance, just press the button and we will come over to you.
- 4) There are **headsets** available that read the test questions orally to you. If you would like to use this feature, just put on the headset, and press the “PLAY” button
- 5) You can choose to skip a question by hitting the “**SKIP**” button. You may be asked to answer this question later during the test.
- 6) “DO YOU HAVE ANY QUESTIONS?” If so, please ask.

Remind applicants they are not to have any cell phones on or in use during their test.

Remind applicants that ALL belongings need to be placed on the floor.

Applicants who are unsure whether to take the test in English or Spanish should be given the test in Spanish. If the test is started in Spanish, the applicant will have the ability to “toggle” between Spanish and English. Once the test is started in English, it must be completed in English. NOTE: If the applicant is testing in Spanish and needs a question explained, the questions and answers will be displayed in English below the Spanish version. If an applicant touches the “**help**” button, the examiner who presses the “reset” must be the one to help the applicant with their question. If that examiner is too busy with another applicant, they must request another examiner to go help the applicant with the question.

Retest on the written test is as follows:

- Tests 1-3 – one day between tests.
- Test 4 – the current date plus 7 days.
- Prior to the 4<sup>th</sup> test, this question will display on the system “Has the applicant been informed of all options available?”
- After a failure on the 5<sup>th</sup> test, the system will instruct you to contact your Supervisor/Driver License Manager for test 6 instructions.

After failure of the 6<sup>th</sup> test, the applicant will be required to attend an approved driver training course or wait 90 days from the date of the last test failure before any further testing.

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

Staff can shorten intervals between written tests, but not lengthen them. If the interval is shortened, staff must make sure the appointment date on the system is the same as the date chosen.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

Applicants may take the written test and return later for the drive test.

### **General Written and Drive Test Information (Class O):**

If an applicant presents an expired out of state license but is active duty military or recently discharged, staff should check the ID Checking Guide military information on the “X” drive (This is located in the Examining folder, Examiners Misc. Folder/ID information.) to see if that state extends their military licenses. If so and the applicant can provide a valid military ID card or discharge papers (DD214) dated within the last 60 days from the date of discharge or return to Nebraska, then the written and drive tests can be waived.

When an applicant has lost their license (prior to the renewal period), they may be eligible to apply for a replacement online or go to a driver licensing office to apply for the replacement.

Temporary licenses can be used to waive the written test (if the temporary is valid) and drive tests (if valid or expired less than one year). Some temporary licenses have the expiration date of the permanent license on them. Use the expiration date of the temporary license (usually 30 or 60 days) and not the permanent license since the applicant is not providing the permanent license.

Some temporary licenses have, “don’t accept as proof of ID” indicated on the license. They can be used to waive the written and drive tests.

If an applicant fails the written and/or drive test in Nebraska, obtains a valid license in another state, then reapplies for a Nebraska license, staff will have to check the dates of the last Nebraska test and the issue date on the out-of-state license. If the out-of-state license was issued **AFTER** the most recent test failure in Nebraska, staff can EDW the written and/or drive test(s). Staff will still need to obtain supervisor approval and place a notation in the (F1) History why the test(s) was EDW’d (i.e. valid out of state license presented).

### **General Drive Test Information (Class O):**

A drive test is required for:

- First time applicants.
- Applicant with a bilateral vision reading of 20/50 or worse.
- Peripheral vision of 119 degrees or less.
- Adding or renewing a license that has the G, X or V restrictions.

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- Changing or removing the X or V restrictions.
- Reinstatements (when system requires).
- Recalls (when required by home office).
- Licenses expired over twelve months.
- Special restricted test.
- Out-of-state license not presented. *Note: An out-of-state driving record provided by the applicant (dated within the past 30 days) can be used to waive the drive test if the driving record shows the license is valid or expired less than one year (result for this would be DRW) or verify validity of out of state license using function 30/20 PDPS History request (result for this would be CDW).*
- Bioptic or telescopic restricted licenses. *Note: during the drive test these lenses should be used for spotting purposes only.*

Applicants presenting a license from a foreign country will be required to take the drive test except applicants whose license is from:

- Mexico. (License must be valid).
- Germany. (License must be valid).
- Canada. (License must be valid).
- U.S. Territories: American Samoa (Islands), Caroline Islands, Guam, Johnston Island, Mariana Islands, Midway Islands, Puerto Rico, U.S. Virgin Islands and Wake Island. (License must be valid or less than one year expired.)

The foreign licenses shall be returned to the applicant and will not be attached to the issuance certificate. US Territory license will be attached to the issuance certificate.

Drive tests can be administered to applicants based on staff observation. Refer to the DMV medical and vision sections for additional information.

If staff determines a person needs to be administered a drive test, another staff member will NOT override that decision. The drive test will be given.

Drive tests should be distributed as equally as possible between staff members. If an applicant fails a drive test and more than one staff member works in that area/station, another staff member should take the repeat drive test whenever possible.

If you do not have time to give an applicant the drive test, an appointment will be offered. If the applicant refuses the appointment, indicate this on the drive test

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

screen. The date of the appointment will be the next working day (later if mutually agreed upon by staff/applicant) and the time shall be at the discretion of staff.

If the driver licensing office is open, drive tests will be administered. This includes administering drive tests in inclement weather.

Staff and the applicant must be the only persons riding in the car.

Under no circumstances will state vehicles be used to administer a drive test.

Staff should use due diligence in determining an applicant’s ability to safely handle the vehicle within the first few minutes of the drive test. In the event of an extremely dangerous drive test where the staff person feels their safety is in jeopardy, the staff person should instruct the drive test applicant to park the vehicle in a location off the roadway as soon as possible. It will be up to the staff person and the applicant to get their selves back to the driver licensing office. Under no circumstances should the staff person drive the applicant’s car or should the applicant be allowed to drive back to the driver licensing office without the staff person in the vehicle.

Staff should make all attempts to contact the person who came to the office with an applicant if during the administration of the drive test the applicant’s car becomes disabled or is involved in a crash. The examiner should not leave the applicant until contact has been made or in the case of a crash, a law enforcement officer has arrived on the scene. Another alternative would be for the applicant and examiner to walk back to the driver licensing office if the applicant is able.

Staff will notify their Supervisor, Driver Licensing Manager and Personnel Manager in writing any time they are involved in a crash while administering a drive test.

An applicant applying for a Class O license may only be administered three drive tests before appropriate follow up is required. Retest can occur as soon as the next day. Staff should encourage the applicant to improve their driving skills prior to returning for the next drive test.

The issuance of a learner’s permit should also be recommended for the purpose of legal driving practice.

If the individual fails the third drive test the applicant will be issued the Return for Services and Driver Training Information forms. The Return for Services form will indicate no more tests until successful completion of a driver training course (which will require obtaining a LPD for the behind the wheel portion of the course) or until holding a valid Nebraska LPD for 90 days after the failure of the third test. If applicant currently holds a Nebraska LPD that will be valid through the 90-day period, that will allow testing after the 90 days. If the Nebraska LPD

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

will expire prior to the 90 days, they will need to get the LPD renewed to cover the 90-day period.

Under no circumstances should an applicant’s retest date be extended because they were rude to staff or for any other reason not related to safe driving.

The drive test will be administered on a standardized route approved by the District Supervisor and the route must be on file in the Home Office. Each maneuver made during the test will be monitored closely. Staff will show and play the standardized instructions to each applicant prior to each drive test.

Each indication of poor driving skills during this test will be represented by a checkmark. Check off each “error” made during the test on the tablet. If the total amounts to more than 15 points, the applicant will fail and be asked to return another day for the retest.

All drive test score sheets are retained electronically and are reviewed periodically by your supervisor for completeness and to ensure that an approved route was used for the test.

Licenses are only restricted because of a physician's recommendation or after a driving test administered by DMV driver licensing staff.

Restrictions are placed on a license where there is a demonstrated need for these restrictions. Equipment restrictions may only be added to a license if equipment was in place at the time of the drive test.

Drive Test Tablets should have GPS on before leaving for drive tests. Drive test photos should be taken of the applicant’s face, and be taken outside of the vehicle, unless inclement weather. In that case, the photo may be taken inside the building, immediately before the drive test. Follow the photo compliant policy.

### **Class O Drive Test Cause for Failure:**

There are twelve instances for which an applicant should be failed at once on the drive test:

1. Crash or avoidable incident
2. Speeds 6 MPH or more over speed limit
3. Improper vehicle – after test has begun (i.e. speedometer does not work)
4. Failure to wear seatbelt
5. Stalls vehicle within intersection due to inexperience or lack of skill
6. Serious moving traffic violations or disobeyed signs and/or signals
7. Turning from wrong lane
8. Driving left of center
9. Unsafe Behavior
10. Poor control of vehicle
11. Drives over curb or over sidewalk
12. Miscellaneous

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

Purpose of the Drive Test:

The purpose of the drive test is to evaluate that the driver has a minimum level of skills to drive in most road conditions. You must plan and set up a route(s) where the drive test maneuvers can be tested. Every attempt should be made to incorporate the maneuvers listed on the drive test score sheet into the route. There will be times that not every maneuver will be able to be tested.

The most important thing is to have a route that tests the driver in as wide a variety of situations as possible.

There is no minimum or maximum length for a route. A route is acceptable when it allows the driver to be tested on the drive test maneuvers. Since the route will be used for many drivers, it is worth taking the time to make it a good, efficient test route.

Routes may be modified at any time if a more efficient route is identified. However, routes must be approved by your supervisor prior to use and forwarded to the Home Office when modified.

Administering the Drive Test:

All standardized instructions are required to be shown and played for the applicant via the drive test tablet. If the applicant has limited comprehension of the instructions, prior to the drive test a translator can be used to explain the directions.

Prior to beginning the Class O drive test the examiner will conduct a brake light check, if both brake lights are missing, broken or not functional the drive test will not be administered, and the test will be cancelled for improper vehicle.

Drive Test Instructions to the Applicant (Prior to the drive test show and play from the drive test tablet):

**“During the drive test, The Examiner will give you directions as we go along. The Examiner will always give directions as far in advance as possible. The Examiner will not ask you to do anything that is illegal or unsafe. Throughout the drive test, The Examiner will be making marks on the test form.**

**This does not mean you have done anything wrong. Please concentrate on driving and following the Examiner’s instructions. Do you have any questions?”**

When you and the driver are ready, give clear and audible directions for the drive test route. Arm and hand signals are acceptable. Avoid the use of slang when

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

giving drive test instructions. Examples of giving directions are: **“At the next intersection, turn right.”** Or **“At the traffic light, turn left.”**

If necessary, you can give combined directions. For example: **“Immediately after you complete your right turn, you will have to turn left. It is the first road to your left after turning the corner.”**

Avoid using local landmarks that may not be familiar to the driver. Do not assume that drivers will be familiar with the area.

Give directions well before the maneuver is performed, but not before the driver clearly understands where they will do the maneuver. For example, do not tell the driver to turn at the next intersection if there are several large driveways between you and where you want the driver to turn.

Try to give instructions at the same locations each time you give the test. Before you give an instruction check the traffic and check that the driver can pay attention to the instructions. It is more important to give instructions when the driver can pay attention than to rigidly give directions at standard locations.

Specific instructions should also be given for each of the required maneuvers. As an example, at the beginning of the urban straight section say: **“We will be driving on this street for several blocks, when it is safe to do so, move one lane to the left. When it is safe to do so, change lanes back to the right.”**

In general, give all instructions in a way that avoids distracting the driver. Also, avoid unnecessary conversation.

Drive Test Maneuvers:

**ENTERING, STARTING AND BACKING**-includes entering the vehicle, preparing to drive, starting the engine, and backing and/or driving from a parking space.

**ANGLE/PARALLEL/PERPENDICULAR PARKING**-includes preparing and safely maneuvering into a designated parking space.

**THREE LEFT AND THREE RIGHT TURNS**-includes turns at traffic lights, stop signs, and uncontrolled intersections. You should try to get a mixture of types of intersections so that they vary in complexity.

**STRAIGHT SECTION OF URBAN BUSINESS STREET**-includes a section several blocks long and should contain through intersections and intersections with traffic lights. It should have moderate traffic density. Try to have a section where the driver can make lane changes along it. The section should be one that lets you see how the driver copes with traffic in a typical business area.

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

**INTERSECTIONS**-select two intersections where a stop must be made and two through intersections. If possible, these intersections should be included in the urban section.

### **Scoring the Drive Test:**

The procedures that will normally be followed to score a driver on the road test are described next. However, first and foremost is the safety of the driver, staff, and the public. If the driver causes any concern for the safety of anyone, the test should end with an automatic failure.

The main heading in the shaded boxes gives the names of the different maneuvers. For each maneuver, there is a list of driver behaviors to be scored. In cases where a maneuver is done several times on the route, there are several columns of boxes, one for each time the maneuver appears on the route.

When scoring a maneuver, place a check mark in the green box above said maneuver to indicate the maneuver was performed. Mark the appropriate white box whenever the driver's performance is **unsatisfactory** for a specific maneuver.

For each maneuver, there is a box by the maneuver. If the driver is satisfactory on all aspects of the scored maneuver, leave the box blank. This will reflect that the driver has made no errors.

Some of the maneuvers have more than one aspect to them. If the driver fails to do one or all those aspects, place a check mark on the tablet. For example, the fourth item on the approach for a left or right turn is “decel, coast”. This scoring item covers several things a driver should do on approaching a turn. This is: decelerate smoothly, and don't coast with the clutch in. If the driver fails to do one or more of these items correctly, place a check mark in the box of each item that was not performed correctly. For example, if the driver did not signal, put a check mark in the box. At the completion of the turn, the tablet will calculate the total number of check marks for that maneuver.

When scoring a maneuver, please follow these steps:

1. Find the maneuver on the tablet and check the green box to indicate the maneuver is being performed.
2. Check the driver and the traffic. When the driver can pay attention, give the instructions for the next maneuver.
3. Watch the driver perform the maneuver.
4. Mark the tablet
5. Repeat the steps as needed for the test



## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

It is important to mark the driver’s score immediately after each maneuver or make a note in the remarks section. Do not try to remember what the driver did and mark the it later during the test, or when you get back from the drive test.

The following section describes how to mark the score form on the tablet for each test situation.

**INTERSECTIONS** – There are four columns for scoring the driver on intersections. The first two columns, both labeled “stop” are for intersections where the driver must make a legal stop (e.g. at a traffic light or a stop sign). The third and fourth column, “thru”, are for scoring a through intersection. Often it is not unusual that the urban straight section has plenty of intersections for scoring. Start scoring the intersections as soon as that section begins. Score stop and through intersections in the order that come up on the route. It does not matter if an intersection with traffic lights is sometimes scored as a stop intersection and sometimes scored as a through intersection.

**TURNS** - There are three columns of each for left and right turns. The columns are for the order in which the turns will be scored. For example, for the first scored left turn, use the first left turn column. A turn is marked as the driver approaches the turn, if the vehicle is required to stop, making the turn, and accelerating after the turn.

**URBAN** In most cases, mark the driver when they get to the end of the section. However, if the driver makes an error while driving in this section, such as not making regular traffic checks, mark the error as soon as it occurs. The "Urban" section includes spaces for marking lane changes.

**ERRORS AT NON-SCORING LOCATIONS** - There will be occasions when the driver makes an error at some place other than at one of the scored locations. Score the error in the "General Driving Behavior" section of the form if it is something that fits in this section or in the "Automatic Failure" section if it fits there. Otherwise, ignore the error. Research shows that if drivers make errors in places not scored, they will most likely make errors in places where it is scored. If, during a scored maneuver, an error is made that also is a major deduction, a check mark will be placed in the “8/16 points – General Driving Behavior” section as well as that particular scored maneuver section. If, during a scored maneuver, an error is made that also is a minor deduction, a check mark will **NOT** be placed in the “2 points-General Driving Behavior” section and will only be scored in that particular scored maneuver section.

**GENERAL DRIVING BEHAVIOR** - There are four areas of General Driving Behavior to be scored as two marks for each improper behavior. There are five

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

areas of General Driving Behavior to be scored as eight marks for each improper behavior.

**AUTOMATIC FAILURE** - There are twelve areas for automatic failures. When one of these items is marked, the test is failed and terminated as soon as possible.

**TOTAL MARKS** – Will be calculated automatically on the drive test tablet. A passing score is 15 points or less.

**REVIEWING RESULTS** – Always review the results of a drive test with the applicant inside the office. This is for the examiners protection if the applicant is upset by their results. Test results should be given in the office whether the applicant passes or fails for consistency. If the driver has not passed the drive test, explain the errors to the driver and tell the driver that it will be necessary to retake the drive test before a license or permit can be issued. Inform the driver when the next drive test can be retaken. or what procedures the driver needs to follow.

### **Drive Test Scoring Standards:**

#### **INTERSECTIONS-STOP, THRU**

Traffic check

\*\*head movements to left and right

\*\*eye contact with other drivers and pedestrians

\*\*uses mirrors to check traffic to the rear

Proper braking

\*\*brakes steadily

\*\*vehicle slows smoothly

\*\*does not coast (more than one length of vehicle)

Stop line, gap

\*\*front of vehicle should not be in intersection, over stop line or crosswalk, or past sidewalk

\*\*stops so you can see where the rear tire of the vehicle in front of you comes in contact with road surface

Traffic check, yield

\*\*check other traffic to see who has right of way

\*\*yield to other traffic if they have the right of way

Accelerate

\*\*does not stall engine

\*\*does not cause disruption in traffic flow

#### **URNS (LEFT OR RIGHT)**

## SECTION 3 – OPERATOR’S LICENSE (CLASS O)

Traffic check and right of way

\*\*look for indication that the driver is observing environment ahead, left, right and rear

\*\*head movements left and right

\*\*makes eye contact with other driver and pedestrians (yields right of way if required)

\*\*uses mirrors

Signal, decel/coast, lane

\*\*activates turn signal

\*\*takes foot off accelerator, brakes gradually and evenly

\*\*does not coast (more than one vehicle length)

\*\*slows smoothly

\*\*vehicle in proper lane to make turn, but not over lane markings

Stop line, gap, full stop

\*\*not over stop line on pavement or past sidewalk or crosswalk

\*\*see rear wheels of vehicle in front

\*\*vehicle comes to full stop, does not roll

Hand position, speed

\*\*has grip on wheel (no palming)

\*\*both hands must be on wheel

\*\*maintains smooth even speed

\*\*no unnecessary stops during turn

\*\*barely noticeable lateral acceleration

Wide/short, correct lane

\*\*turn not made wider than necessary

\*\*turn not cut off short

\*\*vehicle finishes in the proper lane

Traffic check, accelerate

\*\*makes eye contact with other drivers and pedestrians

\*\*makes head movements left and right to be aware of other traffic

\*\*accelerates smoothly, does not delay other traffic

### **URBAN DRIVING**

Regular traffic checks

\*\*watches for hazards at roadside or from entrances

Keeps vehicle in lane

\*\*keeps to center of lane

\*\*does not wander over lane markings

Speed, spacing

\*\*keeps with traffic flow, not over speed limit

\*\*maintains steady speed

\*\*keeps 3 second following distance

Hand position

\*\*has grip on wheel (no palming)

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

\*\*both hands on wheel

Defensive driving

\*\*pays close attention to all traffic on roadway

Lane changes: traffic check, signal

\*\*checks traffic to all sides

\*\*uses turn signal

Lane changes: check blind spot

\*\*check over shoulder

Lane changes: in intersection

\*\*does not change lanes in intersection

Lane changes: spacing, cancel signal

\*\*should not tailgate while waiting to change lanes

\*\*waits for safe gap

\*\*turns signal off

### **ANGLE/PARALLEL/PERPENDICULAR PARKING**

Signal

\*\*signals intention of parking location

Encroachments

\*\*crossing over another parking space

Final position

\*\*final parking position is within parking spot boundaries

Safety

\*\*turns vehicle off safely, vehicle is in gear or park when shut off

### **ENTERING**

Seat belt

\*\*driver properly uses seat belt

Seat, mirror position (points off after test has begun)

\*\*driver adjusts seat for comfort level

\*\*driver adjusts mirror for proper line of sight

### **STARTING**

Ignition, gear selection, clutch

\*\*driver properly starts vehicle

\*\*driver has clutch depressed while starting

\*\*driver selects proper gear

Mirror check, outside observation

\*\*driver checks mirror for other vehicles or pedestrians

\*\*indication that driver is observing traffic environment in all directions (head movements)

Pulling away

\*\*accelerates smoothly into traffic

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

### **BACKING**

Gear selection

\*\*selects proper gear for backing

Observation

\*\*checks mirrors for other vehicles or pedestrians

\*\*indication that driver is observing traffic environment in all directions (head movements), especially to the rear

Safety

\*\*backs only when safe to do so

Speed

\*\*accelerates to the rear smoothly and slowly

### **Special Restricted License:**

A special restricted license is a license that restricts an applicant to a specific geographic area.

When an applicant requests a special restricted license, the special restricted drive test will be administered. This can also take place during the recall process; in which case the special restricted written test may also be required.

If the applicant passed a special restricted written and/or drive test to have the V restriction placed on their license, they must pass the Class O written and/or regular drive test to have the V restriction removed.

The special restricted written test can be administered in all testing locations. Applicants renewing special restricted licenses will have the written test waived if they renew the license prior to expiration or within one year after expiration unless the license has been suspended, revoked, or canceled.

Before a special restricted license is issued or renewed, it will be necessary for the applicant to pass the drive test.

A special restricted license will always carry the V restriction and any other restrictions that staff feels necessary.

Retest of special restricted written tests:

- Test 1-2 – current day plus 7
- After test 3, a “No More Test” Return for Services form and Driver Training School list will be issued, and a No More Test indicator will appear on the applicant’s driving record.

You can shorten written test intervals but not lengthen them. If shortening the retest date, make sure the appointment date on the system is the same.

## **SECTION 3 – OPERATOR’S LICENSE (CLASS O)**

Refer to Section 18 for the proper end of the day written testing policy and procedure.

Retest of special restricted drive tests:

An applicant applying for a restricted license may only be administered three drive tests before appropriate follow up is required.

- Retest can occur as early as the next day. Staff should encourage the applicant to improve their driving skills prior to returning for the next drive test.
- The issuance of a learner’s permit should also be recommended for the purpose of legal driving practice.
- If the individual fails the third drive test, they will be issued the Return for Services and Driver Training Information forms. The Return for Services form will indicate no more drive tests will be administered until successful completion of a driver training course (which will require obtaining a LPD for the behind the wheel portion of the course) or until holding a valid learner’s permit for 90 days after the failure of the third test.
- Under no circumstances should an applicant’s retest date be extended because they were rude to staff or for any other reason not related to safe driving.
- The special restricted drive test will not be administered on a specific drive route on file. The Examiner should make a note on the drive test tablet and in history that a special restricted test is being administered and the Class O route was not followed.

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

### **Motorcycle License (Class M)**

Class "M" License or Class "O" License with "M" endorsement authorizes a person to operate a motorcycle or any type of three-wheeled motorcycle on any highway of the State of Nebraska.

Motorcycle shall mean every motor vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground excluding a tractor and/or autocycle.

Motor Scooter shall mean every motor vehicle having an engine size of 45 cc or larger, step through design, automatic transmission or hand operated clutch/shift mechanism may be acceptable (does not shift like a MC).

### **Age, Eligibility and Issuance Periods:**

Must be 17 – individuals under the age of 18 may not apply until: (1) they have held a Provisional Operator's Permit (POP) for at least 12 months and (2) have not accumulated three or more points on their driving record during the immediately preceding 12-month period.

Individuals who are 20 may apply for a renewal 60 days prior to their 21<sup>st</sup> birthday. The license can be issued within 30 days of the 21<sup>st</sup> birthday. Individuals 21 and over may apply for and be issued a renewal 90 days prior to their birthday.

Licenses issued to individuals under the age of 21 expire on the license holder's 21<sup>st</sup> birthday.

Licenses issued to individuals 21 and older expire on the license holder's birthday in the fifth year after issuance.

### **U.S. Citizenship/Identification Requirements:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file. Individuals under the age of 18 who are unable to provide a certified birth certificate will be required to have a parent or guardian complete a Certification Stating the Identity of a Child Under 18.

### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

A non-domiciled CLP/CDL holder is not eligible for an M endorsement or to test for a Class M LPD.

## **SECTION 4 - Class “M” Motorcycle License/Endorsement**

### **Vision/Medical Requirements:**

Must meet DMV minimum vision and medical requirements.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable) checks during the application process.

### **MHL Waiver**

If an applicant wishes to remove the helmet requirement when operating a motorcycle or moped, they can submit their course completion information in person or on our online portal. If the applicant was issued their Class M License or M endorsement prior to May 01, 2024 is only required to complete the 3 hour basic rider eCourse provided by MSF to waive the helmet requirement. However, any person that was issued their Class M License or M endorsement on or after May 1, 2024 is required to complete the entire basic rider course to waive the helmet requirement. Further guidance can be found on the x:drive under examining>Manuals and Guides > MHL Verify Procedures.

### **Written and Drive Test Requirements (Class M):**

- 1) An applicant who holds a valid Nebraska license, POP or School Permit and wants to add endorsement “M”: motorcycle written test required, motorcycle drive test required ((MIT/RST)
- 2) Individuals 18-21, who have held POP with an “M” endorsement – motorcycle written and drive test waived.
- 3) Individuals 18 or older applying for a first time license, who have never held a POP: vision, written and drive tests. Written tests will be waived for individuals who have been issued a learner’s permit (LPD) M that is valid or expired for no more than one year.
- 4) Individuals under 18 surrendering a valid out-of-state motorcycle license must meet the POP requirements and be issued a POP.
- 5) New residents 18 or older presenting a valid out-of-state motorcycle license/endorsement – motorcycle written test waived, motorcycle drive test waived or administered as per Section 16.
- 6) New residents 18 or older presenting an up to one year expired out-of-state motorcycle license/endorsement – motorcycle written test required, motorcycle drive test waived or administered as per Section 16.
- 7) Individuals renewing their valid or up to one year expired Nebraska license – motorcycle written test waived, motorcycle drive test waived or administered as per Section 16.
- 8) Motorcycle licenses/endorsements expired over one year or any Nebraska license that has been revoked or canceled – motorcycle written and drive test required.

### **Written Test General Information:**



## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

If an applicant fails the motorcycle written test, it cannot be taken again the same day.

Motorcycle Written Test                      25 Questions                      can miss 5 questions

A passing score on the written test is 80%. The written test is valid for 6 months after passed.

The motorcycle written test is only available in English.

The use of a foreign language dictionary (electronic or paper) by an applicant is permissible after staff has reviewed it for notes, etc.

If an applicant is caught cheating on a test, this will be considered a failure and the normal retesting policy must be followed.

Retest on the written test is one day between examinations. There will be no limit on the number of examinations given.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

Applicants may take the written test and return at a later date for the drive test.

### **Written and Drive Test General Information (Class M):**

The motorcycle written and drive test may be waived if the applicant can show successful completion of a Motorcycle Safety Foundation (MSF) approved motorcycle safety education program within the past 24 months. The motorcycle rider course completion card (Basic, Experienced, Scooter or 3-Wheel Rider Course) may waive both the written and drive tests. The course must be completed after any failed tests to waive testing. If an applicant completes the motorcycle rider course while under suspension/revocation, the completion card cannot be accepted to waive the written and drive test once an applicant is reinstated. An Experienced Rider Course card that has boxes to check on it for "Skills Practice" and "Skills Plus" should not be accepted.

The motorcycle rider course completion card must be signed by a certified instructor with their instructor number. This information needs to be verified through Option 85 and the instructor number entered. If an applicant presents an out of state MC Rider Course Card, call the home office to verify the validity of the card, then enter 999999 for the instructor number. Scan the Rider Course Card.

The list of Nebraska Motorcycle Safety Education Sponsors to Teach Rider Courses can be found on the DMV website and on Option 51.

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

If an individual presents an expired out of state license, but is active duty military or recently discharged, staff should check the [ID Checking Guide](#) to see if that state extends their military licenses. If so and the applicant can provide a valid military ID card or discharge papers (DD214) dated within the last 60 days from the date of discharge or return to Nebraska, then the written and drive test can be waived.

Applicants will make application for a replacement license online or at any driver licensing office.

### **Drive Test General Information (Class M):**

The MIT (motorcycle in traffic) drive test must be passed for a Class M license. Permanent stations will be required to contact their supervisor to set up an appointment for the M.I.T. unless a relief examiner is going to be at the driver licensing office with a state vehicle.

The Motorcycle Safety Foundation recommends that the MIT or Rider Skill Test (RST) tests not be conducted during a rainstorm, with puddled water, ice or snow pack on the test area or if state personnel determine the safety of the rider or examiner is at risk.

A drive test is required for:

- first time applicants.
- applicant with a bilateral vision reading of 20/50 or worse.
- peripheral vision of 119 degrees or less.
- adding or renewing a license that have the G, X or V restrictions.
- removing V and/or X restrictions.
- reinstatements.
- recalls.
- licenses expired over twelve months.
- when an out-of-state license is not presented. *Note: An out-of-state driving record provided by the applicant (dated within the past 30 days) can be used to waive the drive test if the driving record shows the license is valid or expired less than one year (result for this would be DRW) or verify validity of out of state license using function 30/20 PDPS History request (result for this would be CDW)*
- bioptic or telescopic restricted licenses. *Note: during drive test these lenses should be used for spotting purposes only.*

Applicants presenting a license from a foreign country will be required to take the drive test except applicants whose license is from:

- Mexico. (License must be valid.)
- Germany. (License must be valid.)
- Canada. (License must be valid.)

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

- U.S. Territories: American Samoa (Islands), Carolina Islands, Guam, Johnston Island, Mariana Islands, Midway Islands, Puerto Rico, U.S. Virgin Islands and Wake Island. (License must be valid or less than one year expired.)

The foreign licenses shall be returned to the applicant and will not be attached to the issuance certificate. US Territory licenses will be attached to the issuance certificate.

Drive tests can be required based on observation of the applicant by staff. Refer to the vision and medical sections for additional information. Under no circumstances should applicants be pulled for drive tests because they were rude or for any other punishment reasons.

If staff determines a person needs to be administered a drive test, another staff member will NOT question why. The drive test will be given.

Prior to administering the drive test, three photos must be taken on the drive test tablet: applicant's face, the license plate and the side view of the motorcycle.

Drive Test Tablets should have GPS on before leaving for the MIT drive tests.

A motorcycle that is equipped with a MC convertible kit (converts the motorcycle to four wheels) cannot be used for a drive test. The applicant would be required to remove the conversion kit prior to testing or bring in a different motorcycle.

A DOT (Department of Transportation) approved helmet must be worn for all motorcycle drive tests. You will need to verify the DOT sticker is on the helmet prior to administering all RST and MIT motorcycle tests.

Staff will notify their supervisor, the driver license manager and personnel manager in writing any time they are involved in a crash while administering a drive test.

The issuance of a learner's permit should also be recommended for the purpose of legal driving practice.

An applicant applying for a Class M license or Class M endorsement may only be administered three drive tests before appropriate follow up is required. Retest can occur as soon as the next day. Staff should encourage the applicant to improve their driving skills prior to returning for the next drive test. If an applicant wants to continue skills testing for a Class O or CDL document, the M endorsement must be removed from the system.

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

If the individual fails the third drive test, they must accompany the examiner back to the driver licensing office. The applicant will be issued a Return for Services and Driver Training Information forms. The Return for Services form will indicate no more tests until successful completion of a driver training course (which will require obtaining a Class M LPD for the behind the wheel portion of the course) or until a Class M LPD has been held for 90 days after the failure of the third test.

### **MIT (Motorcycle in Traffic) Drive Test:**

The MIT test will be administered by one staff person via radio communication to the applicant. An explanation of how the equipment works will be done first so the applicant knows what to expect.

The applicant will be given directions by radio receiver and followed by staff in their state vehicle.

Ask if the applicant has any questions before beginning the test.

Directions on the MIT test will be given twice. This way if the applicant cannot hear the directions the first time, they will be repeated. At some point during the drive test, staff will turn on the state vehicle's 4-way flashers. When the applicant sees the 4-way flashers on, they are to nod their head indicating they see the 4-way flashers are on. The flashers should then be turned off.

The MIT test will be given on the same standardized course as a car drive test and each action, which the applicant makes during the course, should be monitored closely. Staff will play the standardized instructions to each applicant prior to each drive test. The score sheet should be marked only when it is safe to do so (i.e. when vehicle is stopped for a traffic light, at a stop sign or at the completion of the test).

Each indication of poor driving practices during this test will be represented by a deduction. Each of these deductions is numbered on the drive test scoring form and must be checked. Scoring for using the front brake will be placed under "Intersections – Proper Braking". Scoring for the head nod will be placed in "Urban Driving – Regular Traffic Checks". If the total amounts to more than fifteen (15) points, the applicant will be failed and asked to reappear for an examination.

### **Cause for Failure:**

There are eight circumstances for which an applicant should be failed at once on the drive test:

13. Avoidable crash or incident
14. Unsafe behavior (i.e. drives over curb or sidewalk, poor control of vehicle)
15. Speeds 6 MPH or more over speed limit

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

16. Improper vehicle
17. Stalls vehicle within intersection due to inexperience or lack of skill
18. Serious moving traffic violations or disobeyed signs and/or signals
19. Turning from wrong lane
20. Driving left of center

The applicant must be the only person riding on the motorcycle.

Inform the applicant what you expect them to do in sufficient time for them to complete your instructions without causing danger to themselves, other traffic or pedestrians.

Please advise the applicant a drive test on a motorcycle with no front brake will be given, but applicant will receive points for not using the front brake. This is for M.I.T. (motorcycle in traffic) only.

Applicants applying for a motorcycle endorsement/license who take the M.I.T. or RST on a scooter or a 3-wheeled scooter or motorcycle, will be restricted accordingly. The Z restriction will be used as appropriate: Scooter Only, 3 Wheeled Scooter Only, 3 Wheeled MC Only.

MIT testing will be done by appointment only in some locations. Refer to the DMV website for specific information.

The driver licensing stations that require appointments for MIT are staffed by traveling employee(s) at non permanent locations. If you have an applicant who inquires about making an appointment at one of the above listed locations, please provide the applicant the appropriate phone numbers of where to contact the traveling employee(s) on a daily basis.

If for some reason staff are unable to schedule and administer MIT tests (i.e. county fair, town celebration, etc.) they must first contact their supervisor before denying an appointment.

### **2 Wheeled RST & 3 Wheeled RST Testing:**

Any examiner who conducts the RST motorcycle skills test shall wear a DMV issued neon vest for safety reasons.

### **Cause for Failure:**

There are seven circumstances for which an applicant should be failed at once on the RST test:

1. Falls or drops the motorcycle (except 3W-RST)
2. Commits an unsafe act
3. Fails to understand instructions repeatedly

## **SECTION 4 - Class "M" Motorcycle License/Endorsement**

4. Point accumulation
5. Excessive time- reasonable time 7-10 minutes
6. Applicant ends testing
7. Stalls engine 4 times or more

RSTs are administered on a standardized course. Locations that offer the 2 Wheeled and 3 Wheeled RST can be found on the DMV website.

### **Exercises for RST**

#### **Stalling**

**Exercise #1 (Stalls engine) – points are assessed each time the applicant stalls the engine while attempting any exercise.**

Refer to page form samples below.

### **Exercises for 2 Wheeled RST**

Exercise #1- Cone Weave, Normal Stop

Exercise #2- Turn From A Stop, U-Turn

Exercise #3- Quick Stop

Exercise #4- Obstacle Swerve

### **Exercises for 3 Wheeled RST**

Exercise #1- Left Turn, Normal Stop

Exercise #2- Cone Weave, Turn From a Stop

Exercise #3- Quick Stop

Exercise #4- Obstacle Swerve

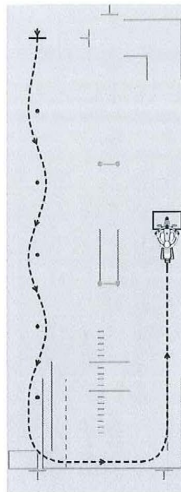
# SECTION 4 - Class "M" Motorcycle License/Endorsement

## 2W-RST

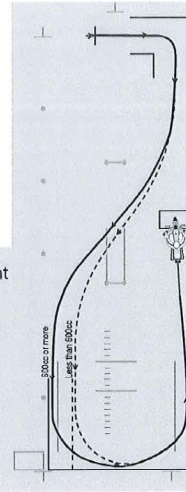
### MOTORCYCLE RIDER SKILL TEST INSTRUCTIONS

This test consists of four riding exercises that measure your motorcycle control and hazard response skills. The final two exercises involve speeds of about 15 mph. You will be scored on time and distance standards as well as path and foot down violations. The test may be ended for point accumulation, committing an unsafe act or failure to understand or follow instructions. You may stop the test at any time, but you must complete the entire test to pass it. Do you understand the instructions I have just read?

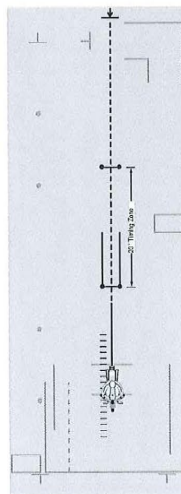
**Engine Stalling** – Points are assessed if you stall your engine at any time during any exercise. Stalling the engine four times during this test is an automatic failure. Do you understand the instructions on Engine Stalling?



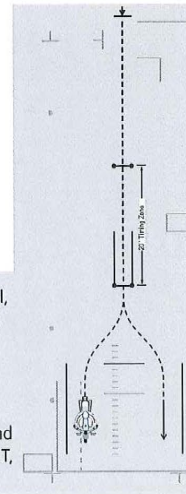
**Cone Weave, Normal Stop** – When signaled, ride to the right of the first cone, to the left of the second, and so on. Weave past all five cones without touching or skipping a cone or putting a foot down. Turn left and ride toward that side of the course. Make a smooth, non-skidding stop with your front tire inside that box. When stopped, your front tire must not touch the painted lines. Remain stopped. Do you understand the instructions for the Cone Weave and Normal Stop? Wait for my signal to begin.



**Turn From A Stop, U-Turn** – When signaled, make a right turn between the boundary lines. Do not touch either line or put a foot down. Diagonally, cross to the opposite side of the range and make a left u-turn inside the painted box at the far end of the range. Do not touch the solid line or put a foot down (motorcycles 600cc or more). Do not touch the dashed line or put a foot down (motorcycles less than 600cc). Stop with your front tire inside that box and wait for further instructions. Do you understand the instructions for the Turn From a Stop and U-Turn? Wait for my signal to begin.



**Quick Stop** – Position your motorcycle on that T. On my signal, accelerate straight up this path. Stabilize your speed between 12-18 mph by the time you reach the first line. Maintain a steady speed. When your front tire crosses the second line, stop as fast as you safely can. You will not lose points if you skid. Once stopped, do not allow your motorcycle to roll in either direction. Do you understand the instructions for the Quick Stop? Proceed to the start T, and wait for my signal to begin.



**Obstacle Swerve** – Start at the same start T. On my signal, accelerate straight up this path. Stabilize your speed between 12-18 mph by the time you reach the first line. Maintain a steady speed. When your front tire passes the second line, swerve to the (right/left). Avoid the obstacle line and stay to the inside of the sideline. Do not touch either line. Stop smoothly and wait for further instructions. Do you understand the instructions for the Obstacle Swerve? Proceed to the start T, and wait for my signal to begin.

03/2012

# SECTION 4 - Class "M" Motorcycle License/Endorsement

## RIDER SKILL TEST SCORE SHEET (MOTORCYCLE)

This test consists of four exercises that measure your motorcycle control and hazard-response skills. The final two exercises involve speeds of about 15mph. You will be scored on time and distance standards as well as path violations. The test may be ended for point accumulation, committing an unsafe act or failure to understand or follow instructions. You may stop the test at any time, but you must complete the entire test to pass it. Do you understand the instructions I have just read?

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner: \_\_\_\_\_

<b>EXERCISE 1</b>	<b>CONE WEAVE</b>					Cone Weave
	Tire Skips or Hit Cone(s)		3	5		
	Foot Down		3	5		
	▲ ▲ ▲ ▲ ▲ Remarks (Maximum 10 points)					Points
<b>EXERCISE 2</b>	<b>NORMAL STOP</b>					Normal Stop
	Skid		3			
	Stopped Position			5		
	[ ] Remarks (Maximum 8 points)					Points
<b>EXERCISE 3</b>	<b>TURN FROM A STOP</b>					Turn from a Stop
	Path		3	5		
	Foot Down	1				
	[ ] Remarks (Maximum 6 points)					Points
<b>EXERCISE 4</b>	<b>U-TURN</b>					U-Turn
	Path			5		
	Foot Down			5		
	[ ] Remarks <input type="checkbox"/> less than 600cc <input type="checkbox"/> 600cc or more (Maximum 10 points)					Points
<b>EXERCISE 3</b>	<b>QUICK STOP</b>	<b>TIME</b>	<b>RE-RIDE TIME</b>	<b>STOPPING DISTANCE</b>	<b>DISTANCE ALLOWED</b>	Quick Stop
				1 2	3 4 5	
	Remarks (Maximum 5 points)					Points
<b>EXERCISE 4</b>	<b>OBSTACLE SWERVE</b>	<b>TIME</b>	<b>RE-RIDE TIME</b>			Obstacle Swerve
	Path			5		
	[ ] Remarks Speed Standard for Swerve is 0.72 - 1.15 Seconds (Maximum 5 points)					Points
<b>EXERCISE 3</b>	<b>ENGINE STALLING</b>					Stalling
	Stalling Engine During Any Exercise		1	3	5	
	Remarks 4th occurrence, automatic failure					Points
Timing/Distance Chart - 20-Foot Timing Zone			<b>TEST TERMINATION</b>			<b>TEST TOTAL</b>
Seconds	Maximum Stopping Distance		<input type="checkbox"/> Stalls engine four times <input type="checkbox"/> Falls or drops the motorcycle <input type="checkbox"/> Commits an unsafe act <input type="checkbox"/> Fails to understand or follow instructions <input type="checkbox"/> Point accumulation <input type="checkbox"/> Excessive time <input type="checkbox"/> Applicant stops test			<b>TOTAL POINTS</b> 0-10 = PASSING
.72 - .75	20 Feet					
.76 - .79	18 Feet					
.80 - .84	16 Feet					
.85 - .90	14 Feet					
.91 - .97	13 Feet					
.98 - 1.05	11 Feet					
1.06 - 1.14	9 Feet					
1.15	8 Feet					





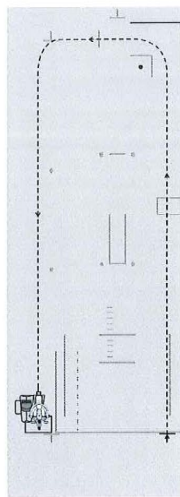
# SECTION 4 - Class "M" Motorcycle License/Endorsement

## 3W-RST

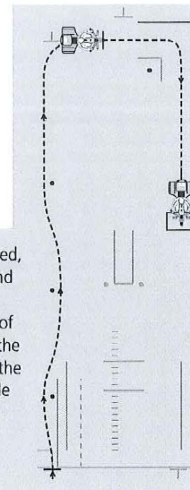
### 3-WHEEL VEHICLE RIDER SKILL TEST INSTRUCTIONS

This test consists of four riding exercises that measure your vehicle control and hazard response skills. The final two exercises involve speeds of about 15 mph. You will be scored on time and distance standards as well as path violations. The test may be ended for point accumulation, committing an unsafe act or failure to understand or follow instructions. You may stop the test at any time, but you must complete the entire test to pass it. Do you understand the instructions I have just read?

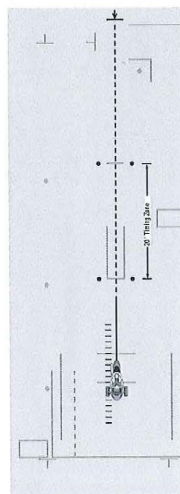
**Engine Stalling** – Points are assessed if you stall your engine at any time during any exercise. Stalling the engine four times during this test is an automatic failure. Do you understand the instructions on Engine Stalling?



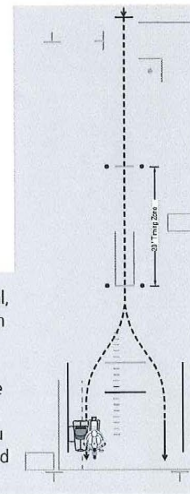
**Left Turn, Normal Stop** – Accelerate straight ahead and make a sharp left turn between the outside boundary line and the cone marker. Do not touch the outside line or the cone. Then ride toward this end of the course. Make a smooth, non-skidding stop with your front tire inside that box. (Left front tire on vehicles with two front tires.) When stopped, your front tire must not touch the painted lines. Remain stopped. Do you understand the instructions for the Left Turn and Normal Stop? Wait for my signal to begin.



**Cone Weave, Right Turn From a Stop** – When signaled, ride to the left of the first cone, to the right of the second, and to the left of the third. Weave past all three cones without touching or skipping any of the cones. Turn right at the end of the course and stop at the Start "T" facing the other side of the course. On my next signal, make a right hand turn between the outside boundary line and the cone. Do not touch the outside boundary line or the cone. Make a smooth, non-skidding stop with your front tire inside that box and wait for further instruction. Do you understand the instructions for the Cone Weave and Turn From a Stop? Wait for my signal to begin.



**Quick Stop** – Position your vehicle on that T. On my signal, accelerate straight up this path. Stabilize your speed between 12-18 mph by the time you reach the first line. Maintain a steady speed. When your front tire/overhang crosses the second line, stop as fast as you safely can. You will not lose points if you skid. Once stopped, do not allow your vehicle to roll in either direction. Do you understand the instructions for the Quick Stop? Proceed to the start T, and wait for my signal to begin.



**Obstacle Swerve** – Start at the same start T. On my signal, accelerate straight up this path. Stabilize your speed between 12-18 mph by the time you reach the first line. Maintain a steady speed. When your front tire/overhang passes the second line, swerve to the (right/left). Avoid the obstacle line and stay to the inside of the sideline. Do not touch either line. Stop smoothly and wait for further instructions. Do you understand the instructions for the Obstacle Swerve? Proceed to the start T, and wait for my signal to begin.

# SECTION 4 - Class "M" Motorcycle License/Endorsement

## RIDER SKILL TEST SCORE SHEET (THREE WHEEL)

This test consists of four exercises that measure your vehicle control and hazard-response skills. The final two exercises involve speeds of about 15mph. You will be scored on time and distance standards as well as path violations. The test may be ended for point accumulation, committing an unsafe act or failure to understand or follow instructions. You may stop the test at any time, but you must complete the entire test to pass it. Do you understand the instructions I have just read?

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner: \_\_\_\_\_

<b>EXERCISE 1</b>	<b>LEFT TURN</b>					Left Turn	
	Path					3      5	
	▲	Remarks				(Maximum 5 points)	Points
<b>EXERCISE 2</b>	<b>NORMAL STOP</b>					Normal Stop	
	Skid					3      5	
	Stopped Position					3      5	
<b>EXERCISE 3</b>	<b>CONE WEAVE</b>					Cone Weave	
	Tire hits or skips cone					3      5	
	▲ ▲ ▲	Remarks				(Maximum 5 points)	Points
<b>EXERCISE 4</b>	<b>TURN FROM A STOP</b>					Turn from a Stop	
	Path					3      5	
	▲	Remarks				(Maximum 5 points)	Points
<b>EXERCISE 3</b>	<b>QUICK STOP</b>	<b>TIME</b>	<b>RE-RIDE TIME</b>	<b>STOPPING DISTANCE</b>	<b>DISTANCE ALLOWED</b>	Quick Stop	
						1   2   3   4   5	
	Remarks					(Maximum 5 points)	Points
<b>EXERCISE 4</b>	<b>OBSTACLE SWERVE</b>	<b>TIME</b>	<b>RE-RIDE TIME</b>			Obstacle Swerve	
	Path					5	
	Speed Standard for Swerve is 0.72 - 1.15 Seconds					(Maximum 5 points)	Points
<b>EXERCISE 4</b>	<b>ENGINE STALLING</b>					Stalling	
	Stalling Engine During Any Exercise						1      3      5
	Remarks					4th occurrence, automatic failure	Points
<b>Timing/Distance Chart - 20-Foot Timing Zone</b>		<b>TEST TERMINATION</b>				<b>TEST TOTAL</b>	
Seconds	Maximum Stopping Distance	<input type="checkbox"/> Stalls engine four times <input type="checkbox"/> Excessive tip or lost control of trike <input type="checkbox"/> Commits an unsafe act <input type="checkbox"/> Fails to understand or follow instructions <input type="checkbox"/> Point accumulation <input type="checkbox"/> Excessive time <input type="checkbox"/> Applicant stops test				<b>TOTAL POINTS</b>	
.72 - .75	20 Feet					0-10 = PASSING	
.76 - .79	18 Feet						
.80 - .84	16 Feet						
.85 - .90	14 Feet						
.91 - .97	13 Feet						
.98 - 1.05	11 Feet						
1.06 - 1.14	9 Feet						
1.15	8 Feet						



**Document to document test waiver information can be found in Section 16**

# SECTION 5 – COMMERCIAL DRIVER’S LICENSE (CDL)

## **Commercial Driver’s License**

A CDL allows an individual to drive a commercial motor vehicle.

### **CDL Classes:**

Class A – Combination of vehicles with Gross Combination Weight Rating of 26,001 or more pounds provided the Gross Vehicle Weight Rating of vehicle(s) being towed is in excess of 10,000 pounds.

Class B – Single vehicle with GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds.

Class C – Single vehicle less than 26,001 pounds GVWR, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR comprising of vehicles required to be placarded for hazardous materials and any bus designed to transport 16 or more passengers including the driver.

Class A license holder may also operate Class B, C, and O.

Class B license holder may also operate Class C and O.

Class C license holder may also operate Class O.

### **CDL Endorsements:**

M = Motorcycle

N = Tank Vehicle

H = Hazardous Material\*

X = Both Tank Vehicle and Hazardous Material

T = Double/Triple Trailers

P = Passenger Vehicle

S = School Bus\*\*

\*The Department will not issue any CDL with the hazmat endorsement until we have received a “Determination of No Security Threat” from the TSA.

\*\*All individuals operating school buses, MFSABs (Multi-functional school activity buses) and coach buses with a GVWR of 26,001 or more pounds or carrying 16 or more passengers including the driver are required to have the school bus “S” endorsement on their CDL. The only exception to this is if a school hires a common carrier to transport school students on a one-time or very occasional basis. In those instances, the school bus “S” endorsement is not required.

### **CDL Restrictions :**

<u>Restriction</u>	<u>Description</u>
E	No Manual Transmission
K	Intrastate Only – Drivers who have self-certified as Category C and D
L	Drivers of CMVs not equipped with Air Brakes
M	Except Class A Bus**
N	Except Class A and B Bus**

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

- O Except Tractor Trailer
- V Operation of a commercial motor vehicle for drivers with medical variance documentation.
- Z No Full Air Brakes

\*\*Any individual presenting an out of state Class A CDL with the "P" endorsement will not have the "M" or "N" restriction placed on the Nebraska CDL unless the restriction appeared on the out of state CDL. Additionally, any Class B CDL holder with a P endorsement without the M or N restriction who is renewing, replacing, adding an endorsement, or changing a braking restriction to their CDL will have an M restriction added to their CDL. Any Class C CDL holder with a P endorsement without the N restriction who is renewing, replacing, adding and endorsement or changing a braking restriction to their CDL will have an N restriction added to their CDL.

### **School Bus Endorsement:**

Applicants for a School Bus Endorsement must pass the S endorsement written test, obtain a CLP with P and S endorsements and pass all three segments of the CDL Skills tests.

If an individual is using a MFSAB or coach bus for a skills test to add the "S" endorsement, staff should list the vehicle type as SB, not CB on the mainframe's VEH (vehicle) screen. Otherwise, the S endorsement cannot be added.

For MFSAB and Coach Buses that are brought in for CDL Skills Tests and the driver is seeking the S endorsement, the Student Discharge maneuver cannot be administered since these vehicles do not have stop arms or emergency lights. However, if the driver passes the skills tests, put the following Z restriction on the CDL: "NO SCHOOL BUS ROUTE OPERATION". This goes as a REGULAR RESTRICTION and is not the same as the CDL Z restriction.

### **Hazmat Endorsement:**

Applicants renewing their Nebraska Commercial Licenses (CDL) with the hazardous materials endorsement are required to obtain a Transportation Security Administration (TSA) security threat assessment prior to the issuance of the renewed CDL.

New and renewal applicants may start the security threat assessment process at any time.

If drivers have questions about beginning the security threat assessment and fingerprint locations, direct them to the following URL:

<https://universalenroll.dhs.gov/locator>

## SECTION 5 – COMMERCIAL DRIVER’S LICENSE (CDL)

Renewal CDL applicants with the hazmat endorsement who have not completed their security threat assessment process will be granted a one-time 90-day extension per renewal period. The extension will be a letter sent from DMV to the applicant on the actual expiration date of their current CDL. This letter must accompany their expired CDL. The DMV computer record will reflect the updated expiration date.

For the typical CDL renewal applicant holding a hazmat endorsement who has NOT completed their threat assessment when they come in to take the hazmat written test during their renewal period, the applicant should get a Return for Services form after passing the hazmat written test. The applicant will receive an extension letter in the mail upon expiration of their current CDL. Once the threat assessment has been completed, the applicant should return to the driver licensing office and have the Issuance Certificate for the CDL renewal with hazmat endorsement printed.

In most instances, the Interactive Driver’s License System will allow you to issue the CDL with the hazmat endorsement pending if the applicant needs the CDL immediately. Applicants who renew their CDL without the hazmat endorsement prior to expiration will not receive the 90-day extension. Once again, to avoid misunderstandings between DMV and the applicant, explain the cost and expiration of the CDL without the hazmat endorsement and what the applicant must do to add the hazmat endorsement later. The applicant should also be reminded that any passed written tests are valid only for six months.

When applicants renew a CDL with the hazmat endorsement, the license will expire the date the security threat assessment expires. If that same applicant should opt to drop their hazmat endorsement two years later, the expiration date will revert back to the applicant’s birth in the fifth year after issuance.

If a CDL holder with the hazmat endorsement has had a security threat assessment approved and gets their CDL revoked, upon reinstatement, the original expiration date will not change when the new CDL is issued.

When an individual presents an out-of-state CDL with the hazmat endorsement and wants to transfer to a Nebraska CDL with the hazmat endorsement, the expiration date of the Nebraska CDL will be identical to the out-of-state CDL.

Expiration dates and the fees for CDLs with the hazmat endorsement are complicated and dependent upon a number of factors. The expiration date and fees of all CDLs with the hazmat endorsement will be printed on the Issuance Certificate.

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

For Nebraska drivers who have never previously held a hazmat endorsement and are taking the hazmat knowledge test for the first time, those drivers must submit a request to the Nebraska DMV to have the TPR checked for proof of ELDT. Once a DMV employee in the home office has checked the TPR, the driver will be contacted via the email address they provided to let them know if they are approved to take the hazmat knowledge test. To submit a request to have the Nebraska DMV check the TPR for proof of Hazmat ELDT, drivers should send their name and driver license number in an email to:

[DMV.HazTPRCheck@nebraska.gov](mailto:DMV.HazTPRCheck@nebraska.gov)

If a driver wants to take the hazmat knowledge test and didn't previously submit a request to have the TPR check, send an email with the driver's name and the Nebraska DLN to the email address above. Have the driver take a seat in the lobby while the home office checks the TPR.

### **Certification Information:**

To help you better understand what restrictions will be placed on the license when certain boxes in the certification area are completed, please read the information below:

- A. Interstate-Non-Excepted: Subject to federal medical/vision requirements – must provide DMV with current medical examiner's certificate (card – NOT long form) and keep current with DMV.
- B. Interstate-Excepted: Subject to DMV medical/vision requirements – No medical and vision documentation required. *Individuals marking this box should fall into one of the following categories: employee of a government or political subdivision, custom harvester, bee keeper, private motor carrier of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.).*
- C. Intrastate-Non-Excepted: Subject to federal medical/vision requirements – When on-duty, must have original or a copy of a current medical examiner's certificate on his or her person. Not required to provide medical examiner's certificate to the DMV.
- D. Intrastate-Excepted: Subject to DMV medical and vision requirements. No medical and vision documentation required. *Individuals marking this box include those who previously held and/or holds a Nebraska CDL prior to 7/30/96, employees of a government or political subdivision, custom harvesters, bee keepers, and private motor carriers of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.).*

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

### CDL Exemptions:

- a. Covered farm vehicle (as defined in 60-465.02).
- b. Recreational vehicles.
- c. Emergency vehicles operated by a public or volunteer fire department. *(Legal interpretation allows individuals to drive emergency vehicles in parades without a CDL.)*
- d. Military vehicles driven by active duty military personnel.
- e. Vehicles driven by members of the military reserves, other than military technicians.
- f. Vehicles driven by active duty United States Coast Guard personnel.
- g. Vehicles driven by members of the National Guard on active duty including:
  - 1) Personnel on full-time National Guard duty;
  - 2) Personnel on part-time National Guard training; and
  - 3) National Guard Military Technicians required to wear military uniforms.

### **Age, Eligibility, and Issuance Periods:**

Intrastate (within Nebraska) – Class A, B or C – 18 years of age or older.

Interstate (across state lines) - Class A, B or C – 21 years of age. \*)

\*Custom harvesters and beekeepers may be issued a Class A, B or C license at age 18.

Individuals who are 20 may apply for a renewal 60 days prior to their 21<sup>st</sup> birthday, but we recommend they renew 30 or less days prior to their 21<sup>st</sup> birthday, due to the S2S check requirement. The license can be issued within 30 days of the 21<sup>st</sup> birthday.

Individuals 21 and over may apply for and be issued a renewal 90 days prior to their birthday.

Licenses issued to individuals under the age of 21 expire on the license holder's 21<sup>st</sup> birthday.

Licenses issued to individuals 21 and older expire on the license holder's birthday in the fifth year after issuance except for CDLs with the hazmat endorsement. These expire when the security threat assessment expires.

Applicants who are upgrading their CDL class when not in the renewal period will retain the expiration date of the original license.

### **U.S. Proof of Citizenship or Lawful Status:**

An applicant for a CDL document must provide proof of U.S. Citizenship or Lawful Status. Once U.S. citizenship has been verified, proof need not be presented again. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

Refer to Section 8 of this manual for the list of acceptable documents to prove U.S. Citizenship or Lawful Status.

### **ID Requirements:**

Proof of identification must be presented for each CDL document applied for. The digital image photo- (DIP) retained by DMV cannot be used as identification for CDL documents. Applicants must present one U.S. Based document to prove identity.

Refer to Section 8 of this manual for the list of acceptable documents to prove U.S. Based Identity.

### **Vision/Medical Requirements:**

Whether an applicant is required to meet Federal or DMV medical and vision requirements is based on how they self-certify. Refer to self-certification chart and sections 11-14 of this manual for regulatory criteria.

Refer to certification information to determine what, if any, restriction codes should be placed on the license.

Individuals presenting federal exemptions (vision, hearing, etc.) must meet Part 391 for that exemption reason.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV, SAVE and US Passport verifications (if applicable). The record checks shall be performed no earlier than 24 hours prior to issuance if the license is issued to a driver who does not currently possess a valid CLP or CDL from Nebraska and within ten days if renewing or upgrading a Nebraska CLP or CDL. Any applicant who is denied shall be given a Return for Services form providing the reason for denial.

### **Entry Level Driver Training (ELDT) Requirements:**

Any driver who will be taking a skills test for a new CDL, taking a skills test to upgrade their CDL (including adding the P and/or S endorsements) or taking the hazardous materials (hazmat) knowledge test for the first time will be required to first complete ELDT.

ELDT training requirements do not apply to individuals holding a valid CDL or an S, P, or H endorsement issued prior to February 7, 2022 or holding a valid CLP issued prior to February 7, 2022.

Once a Nebraska driver obtains a CDL, their record on the mainframe system will show they are grandfathered from ELDT requirements for the class/endorsements they have obtained and will stay on their record in the future.

If a driver is applying for a CLP and states they don't need ELDT because they previously held a CDL in another state, DMV examining staff can mark the driver as grandfathered (G) on the mainframe if the driver provides proper proof. An



## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

example of proper proof would be a driver's abstract from another state, a letter from another state on letterhead or a photocopy of a previous CDL from another state. DMV staff would enter G in the proper location on the mainframe (Option 89), scan the proof and make a note on the F1 HIS screen on the mainframe.

If drivers have questions not related to how Nebraska checks the TPR, they should be directed to the FMCSA website: <https://tpr.fmcsa.dot.gov>

### **CDL Data Form:**

CDL applicants applying for a new, renewal, replacement, upgrade, adding an endorsement or changing/removing a restriction must fill out a CDL Data Form.

The CDL Data Form must have all areas completed and be signed and dated by the applicant. If the applicant changes their mind about any information on the CDL Data Form and you change it on the mainframe system, have the applicant change it on the CDL Data Form.

The CDL Data Form (both front and back) must be scanned.

### **Written Test Requirements:**

Any applicant applying for a CDL will be required to take all necessary written tests to add endorsements that don't require a skills test. The written tests shall be waived for applicants moving into Nebraska and presenting a **VALID** out of state CDL. Only those written tests not previously passed will be required (this includes endorsements). The hazardous materials endorsement is the only endorsement in which the written test is required of a driver exchanging a valid out-of-state CDL. *Note: this includes valid out-of-state temporary CDLs if they are on S2S but does **not** include CDLs issued from Canada or Mexico.*

Written tests for renewal of a Nebraska CDL shall be waived if the applicant renews the CDL prior to the expiration or up to one year after the expiration date if the license has not been suspended, revoked, canceled, or disqualified. Only those written tests not previously passed will be required (this includes endorsements). The hazardous materials written test will be required for every

CDL renewal to keep the endorsement. It is the only endorsement that requires written testing for every renewal.

The CDL written tests can be taken by a CDL applicant in any order as long as the General Knowledge Test has been passed or is waived.

Any test that is failed cannot be retaken the same day.

Refer to Section 18 for the proper end of the day written testing policy and procedure.

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

### **CDL Written Tests:**

Doubles/Triples	20 questions	can miss 4 questions
Tank Vehicle	20 questions	can miss 4 questions
Hazmat	30 questions	can miss 6 questions

Applicants must answer at least 80% of the questions correctly to pass each written test. Passed written test results are valid for six months.

The maximum written tests allowed for any one test is ten. Once an applicant fails ten written tests of the same type, they will be required to complete a driver training course (written CDL) or wait 30 days from their date of last failure.

If applicant is unable to read, they can use the audio feature on auto test, which is available at all Driver Licensing Services offices. EXCEPTION: Applicants taking the Hazmat test do not have an option to use the audio feature for this test.

Retest on each individual written test is one day.

The use of a foreign language dictionary (paper or electronic) by an applicant is permissible after it has been reviewed by staff (except for the CDL Hazmat written test).

New DMV staff are prohibited from assisting CDL applicants or administering CDL written tests until they have passed the Certified Commercial Knowledge (CCK) Test Examiner final test.

### **General Written and Skills Test Information:**

Individuals who drop their CDL license and obtain a Class "O" license, and later decide to obtain a CDL license, will be required to obtain a CLP, hold the CLP for a minimum of 14 days and pass the CDL skills tests.

Any individual adding an endorsement to their Nebraska CDL will be required to take the appropriate written test for that endorsement.

Adding the H, N, T and/or X endorsements only require a written test to be passed.

Adding the P and/or S endorsements requires passing the appropriate written tests, acquiring a CLP with those endorsements, holding the CLP for a minimum of 14 days, and passing all three segments of the CDL skills tests.

Applicants removing the L or Z restriction or changing the L to a Z restriction must pass the air brakes written test, obtain a CLP, hold the CLP for a minimum of 14 days and pass the vehicle inspection skills test only. The vehicle used for

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

the skills test must be the same class or lower as the CDL the applicant currently holds.

If an applicant with a valid out of state CDL returns to the state and reapplies for a Nebraska CDL, any previously failed written and/or skills tests in Nebraska can be waived (except for hazmat). To waive previously failed written and/or skills tests, home office staff must verify the out-of-state CDL was issued after the most recent test failure in Nebraska. Staff will need to make a comment on the history screen why the test(s) were EDW'd. Exception – hazmat written test must be passed. If the applicant is changing or adding endorsements when they apply for the Nebraska CDL, the appropriate test(s) must be administered.

If an applicant's out-of-state CDL is expired, their status on S2S will show as ELIG (Eligible). The written and skills test can't be waived for an out-of-state CDL holder who only has an ELIG status. Since the applicant will have to take the skills test, they will be required to first obtain a CLP and hold it for a minimum of 14 days. To obtain a CLP, the applicant must first have a valid Class O license in Nebraska. They'll have to pass written and drive tests for the Class O and then can take the written tests for the CLP.

### **Skills Test Requirements:**

CDL skills testing is required for first time CDL applicants (if not eligible for military waiver), reinstatements from revocation, recalls, expired licenses over 12 months, adding P and/or S endorsement(s) to current CDL, changing to a higher class of CDL, removing the L, M, N, O or Z restrictions, changing the L to a Z restriction, or drivers changing from the N to M restriction. No drive test will be given in a HAZMAT placarded vehicle unless it is empty or purged of any hazardous material. CDL skills tests cannot be administered in Class A or B HAZMAT placarded vehicles. Class C trucks MUST display the HAZMAT placard for CDL skills testing to make the vehicle representative of Class C vehicles.

Applicants who are unable to present their valid out of state CDL, but the CDL can be verified on S2S, shall have the skills test waived. Use the CDW code on the DRI screen to waive each segment of the skills test.

CDL applicants will be required to perform skills tests in a vehicle representative of the class of CDL. The L or Z restriction can be removed, or the L restriction changed to a Z restriction using a vehicle the same class or lower if the vehicle has air brakes (no restriction) or partial air brakes (Z restriction).

A CDL applicant with a P and S endorsement and a non-CDL Z restriction "NO SCHOOL BUS ROUTE OPERATION" who desires to remove the restriction must obtain a CLP (no written tests required), hold the CLP for a minimum of 14 days and pass the CDL Road Test only in a Class B or C yellow school bus capable of performing the Student Discharge

Applicants must pass the appropriate written test(s) and hold a CLP for at least 14 days before the skills tests are given.

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CDL skills tests are administered by appointment only. After the applicant has passed all the required written tests for a CLP, review the information on the Return for Services form regarding how to schedule an appointment for skills testing with driver licensing staff. All DMV skills test appointments are made through the home office in Lincoln.

Applicants making an appointment for a CDL skills test must wait one business day after obtaining the CLP. The CLP must exist on the mainframe system and it will not appear as valid until the overnight batch update.

A replacement CLP is not required to be purchased if the applicant is unable to present their CLP when prior to being administered skills tests. Another form of identification is required to be presented.

Any individual renewing a CDL issued by this state that has a G, X, or V restriction is required to take the skills tests in a vehicle representative of the class of license they hold.

Skills tests can be administered to applicants based on staff observation. Refer to the vision and medical sections for additional information. If staff have questions about the validity of 3rd party testing results or the driver's medical qualifications based on observation, they should contact their supervisor for guidance before allowing issuance of the CDL.

Skills tests should be distributed as equally as possible between staff members. The same staff person should not administer skills tests to applicants who they have failed if another staff member is available to administer the skills tests to the applicants who they haven't previously tested.

If staff determines a person needs to take the skills tests, another staff member will NOT question why. The skills tests will be given.

Skills test results are valid only during the period their CLP is valid. If the CLP expires and all applicable skills tests are not passed, a new or renewal CLP must be issued, and all applicable skills tests must be retaken.

Skills test results are valid for a maximum of six months. If all applicable skills tests were passed during the period in which a CLP was valid, and then it expires, the six-month rule comes into effect to determine if the results can be used toward CDL issuance.

The applicant must provide the vehicle they will be tested in.

Limit unnecessary conversation.

Staff and the applicant must be the only persons riding in the vehicle.

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

Do NOT begin any segment of the skills test without verifying the vehicle being tested matches EXACTLY with the vehicle characteristics the appointment was made for. The class, type of vehicle, transmission type and endorsements being tested appear on the tablet. If the vehicle being tested does not EXACTLY match that information, your test will be INVALID, and the applicant will have to re-test. Return inside the Driver Licensing Office and edit the vehicle characteristics on the mainframe system either on the DOC screen and/or the VHL screen and upload the new test(s) so it matches the vehicle being tested.

The following characteristics of each vehicle used MUST be checked prior to beginning any CDL Skills Test:

Tractor or Truck GCWR (if listed, make sure it is recorded. Most vehicles will NOT have this listed. In these cases, N/A should be recorded.)

Tractor or Truck GVWR (if not listed and you feel the vehicle meets the minimum requirements, contact your supervisor for approval. For example, a truck-tractor in a tractor-trailer combination that does not have the GVWR listed in most cases will be approved by your supervisor for testing.)

Tractor or Truck License Plate Number (if a plate doesn't exist, N/A should be recorded.)

Coupling System: Fifth-Wheel Y/N (only for combination vehicles)

Transmission: Manual/Automatic

Drive Unit Axles: 2 or 3

Trailer Axles: 1 or 2 (combination vehicles only)

Air Brakes: Y N or Partial

Skills testing must be administered sequentially in the following sequential order: Vehicle Inspection, Basic Control Skills, Road Test. For offices in which the Basic Control Skills test area is administered in the middle of the Road Test route, it is permissible to begin the Road Test at the conclusion of the Vehicle Inspection.

Drive Test Tablets should have GPS on before leaving for drive tests. Drive test photos should be taken of the applicant's face, and be taken outside of the vehicle, unless inclement weather. In that case, the photo may then be taken inside the building, immediately before the drive test.

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

### **CDL Procedures for Vehicle Inspection:**

Any staff who conducts the pre-trip vehicle inspection shall wear the DMV-issued neon vest for safety reasons.

The form of vehicle inspection you will administer is randomly assigned by the DMV computer system.

The standardized instructions are required to be shown on the scoring tablet to all applicants. The corresponding recorded audio instructions are required to be played for applicants.

If you are given permission to use a paper score sheet for the CDL skills test, the standardized instructions are required to be read to all applicants. Read the instructions for the correct Form of Vehicle Inspection randomly assigned and printed on the score sheet (Form A, B, C or Full).

All vehicle inspections in Nebraska begin with the external light's inspection. You are allowed and encouraged to assist the applicant with this by standing outside and signaling if the lights the driver turns on are operational. Let the driver direct you to where you should stand to assist. Don't prompt the driver which lights to check by standing in a specific location until directed and asked by the driver.

All vehicle inspections in Nebraska follow the external lights inspection with the Engine Start section. You **MUST** complete the entire Engine Start section.

For vehicles equipped with full air brakes, if the applicant does not receive credit for performing the three-step air brake check properly, it is an automatic fail of the entire vehicle inspection. The score for the vehicle inspection will be the number of correct elements checked through the Engine Start. Do not under any circumstances continue the vehicle inspection outside the vehicle if the air brake check is failed.

For vehicles not equipped with full air brakes, the vehicle inspection may continue even if the driver doesn't receive credit for the hydraulic brake check or partial air brakes check. This is only a one-point deduction and is **NOT** an automatic fail of the entire vehicle inspection.

If an applicant is performing the CDL Vehicle Inspection brake check and asks to restart the brake check, before the brake check is complete, they should be able to restart as many times as it takes.

Complete details on how to conduct this test can be found in the CDL Examiner's Manual, Section 4.

### **Basic Control Skills Testing:**

Staff who conducts the basic control skills testing shall wear the DMV-issued neon vest for safety reasons.

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The standardized instructions are required to be shown on the scoring tablet to all applicants. The corresponding recorded audio instructions are required to be played for applicants. The corresponding animated video demonstrating each individual exercise must be played and shown to the applicant.

If you are given permission to use a paper score sheet for the CDL skills test, the standardized instructions are required to be read to all applicants.

All DMV courses are pre-painted or pre-marked, but in the event the markings wear off or are not present, staff is required to use a tape measure to accurately set up the course for each exercise.

The three Basic Control Skills test exercises you will administer are randomly assigned by the DMV computer system.

Basic Control Skills Passing Scores  
12 points or less

Complete details on how to conduct this test can be found in the CDL Examiner's Manual, Section 5.

### **Road Test:**

Staff will use seat belts in any commercial vehicle (except buses not equipped with seat belts) manufactured prior to 1973 if equipped with seat belts. Seat belt usage is required in all commercial vehicles 1973 and newer.

This road test shall be given on a standardized course required by the Department of Transportation and developed by the American Association of Motor Vehicle Administrators. All road test routes used must be approved by the Department and be on file in the main office in Lincoln and uploaded to the CDL Database. Staff should monitor each action, which the applicant makes during the course, closely.

The standardized instructions are required to be shown on the scoring tablet to all applicants. The corresponding recorded audio instructions are required to be played for applicants.

If you are given permission to use a paper score sheet for the CDL Road Test, the standardized instructions are required to be read to all applicants.

**Class C vehicles used to transport hazardous materials will be required to be placarded during the drive test. Under normal circumstances, regulations do not permit vehicles to display placards unless HAZMAT is being transported. However, Carrier Enforcement will not enforce this regulation while staff is present in the vehicle. Before and after the test, vehicles that are not transporting hazardous materials must not display placards. The vehicles being used must be empty or purged of any hazardous material residue. Applicants testing in a Class C vehicle placarded for hazmat must have a valid Class B CLP and have passed the hazmat written test within the past six months.**

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

Each indication of poor driving practices during this test will be represented by a point deduction. Each of these point deductions is numbered on the CDL score sheet on the tablet and will be checked. If the total amounts to thirty-one (31) points or more, the applicant will fail and be asked to reappear for another road test.

Inform the applicant what you expect them to do in sufficient time for them to complete your instructions without causing danger to themselves, other traffic, or pedestrians.

The CDL Road Test must contain certain elements. Refer to the CDL Examiner's Manual Section 6

### **Cause for Failure:**

There are nine circumstances for which an applicant should be failed at once on the drive test:

1. Failure to use safety belt
2. Moving Traffic Violation or Disobeyed Signs and Signals
3. Failure to Yield to Others
4. Avoidable Crash or Incident/Dangerous Act
5. Put Vehicle Over Sidewalks or Curbs (unnecessarily)
6. Failure to cooperate with or follow examiner's instructions
7. Poor control of vehicle\*
8. Turning from wrong lane\*
9. Speeding 6 MPH or more over speed limit\*

\* - Nebraska statutes list these as automatic failures, but these are not listed in the AAMVA CDL Examiner's Manual.

Carry the tablet with you while the road test is being given; score and make notes as they occur.

If the applicant fails any portion of the skills testing, the applicant will be given a Return for Services form in the driver licensing office

Retest – an applicant may retest for failures by appointment one working day or later. There is no limit to the number of CDL skills tests an applicant may take.

CDL skills tests are administered in the following counties:: Adams, Buffalo, Cherry, Dakota, Dawes, Dawson, Dodge, Sarpy, Fillmore, Gage, Hall, Holt, Lancaster, Lincoln, Madison, Otoe, Phelps, Platte, Red Willow, Saunders, Scotts Bluff, York.

### **General Information:**

Individuals holding a CDL can also operate a Class O vehicle.

A social security number is required for a CDL.



## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

CDL holders may get an online renewal or replacement if the hazmat endorsement is not on the license.

CDL holders may not renew while out of state.

CDL holders may apply for early renewal, but the hazmat endorsement may not be on the license.

CDL holders may be disqualified – refer to Section 18.

CDL holders are not eligible for military renewals.

Individuals applying for a new Nebraska CDL and turning in an expired CDL from another state shows as status ELIG (eligible) on S2S (in the CDLIS field). Thus, the expired out-of-state CDL won't be eligible to waive ANY written or skills testing in Nebraska. These applicants will have to pass Class O written and drive tests, obtain a Nebraska Class O license, then take all applicable written tests and obtain a CLP, hold the CLP for a minimum of 14 days and then pass all three segments of the skills tests to obtain a new Nebraska CDL.

If an applicant has previously passed the Vehicle Inspection test and/or is only taking the Basic Control Skills or Road Test, staff shall do an assessment of the vehicle before the test begins to make sure there aren't any air leaks, puddles or obvious safety problems with the vehicle. For vehicles equipped with air brakes, staff is required to walk the applicant through the air brake and parking brake

check (not for score) to insure the vehicle's braking systems are working properly prior to beginning the Basic Control Skills and/or Road Test.

Document to document test waiver information can be found in Section 16.

### **Military Skills Test Waiver:**

A CDL applicant that is eligible for the Military Skills Test Waiver needs to complete the form (print from Option 51 or available on the DMV website) to certify such and, waive the skills test portion of the CDL tests. The driver will still need to successfully pass all applicable written tests. Applicants using the Military Skills Test Waiver will not need to first hold a CLP to waive the skills tests.

Additionally, applicants using the Military Skills Test Waiver are exempt from ELDT requirements.

An applicant may use the Military Skills Waiver to waive the Vehicle Inspection, Basic Control Skills and/or Road Test if they are a service member who is currently licensed and who are or were employed within the past year (12 months) in a military position requiring the operation of a military motor vehicle equivalent to a Commercial Motor Vehicle.

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The waiver of Passenger (P) and/or School Bus (S) endorsements are prohibited under the Military Skills Test Waiver.

All information on the Military Skills Test Waiver form must be completed by the applicant and their commanding officer.

The applicant will be required to submit the Military Skills Test Waiver through e-mail to be approved by a compliance officer at the following email address: [dmv.cdcompliance@nebraska.gov](mailto:dmv.cdcompliance@nebraska.gov).

For a walk-in customer to a driver licensing office, staff should process the applicant to the REF screen, ask them to wait, scan the military waiver to the compliance officers’ email address: [dmv.cdcompliance@nebraska.gov](mailto:dmv.cdcompliance@nebraska.gov) and then contact the home office help desk to let them know there is a military skills waiver that has been sent. If a compliance officer is available to review it (i.e. not at lunch), they can then enter information and the applicant can be processed.

### **CDL Third Party Testing:**

Some companies may want the ability to administer skills tests. This is called “CDL Third Party Testing”. The home office handles the procedures for this.

- a. CDL Third Party Examiner (person who will ultimately administer skills test for the company) will attend and successfully complete the CDL class at Southeast Community College. All CDL Third Party Examiners must meet the same training and testing criteria as DMV staff.
- b. CDL Third Party Tester (company) fills out application forms, designs a road test route, contract is signed, and proof of insurance and \$25,000 surety bond is sent to the Department. The CDL Third Party Tester and CDL Third Party Examiner are then certified for a two-year period if all conditions are met
- c. Prior to administering the CDL skills tests, the CDL Third Party Examiner must have made an appointment for such test on the CDL Database at least two days in advance of the appointment.
- d. If a CDL Third Party Examiner tests an applicant while they are under suspension, DMV will not accept the test results.
- e. CDL Third Party Examiner skills test results are valid for six months from the date each individual test segment is passed.

CDL Third Party Examiners may only administer skills testing to an applicant that has held the proper CLP for a minimum of 14 days. Third Party Testers that are training schools may administer the skills test to out-of-state applicants if the applicant holds a valid CLP from their state of domicile.

A CDL applicant who has successfully completed the skills testing with a CDL Third Party Examiner or an out-of-state testing school will appear at a Driver Licensing Office with proper identification. The CDL Third Party Examiner’s or

## SECTION 5 – COMMERCIAL DRIVER'S LICENSE (CDL)

out-of-state testing school's passed results will be electronically transmitted and will appear on the mainframe DRI screen. The applicant will not have any paperwork from the CDL Third Party Examiner or out-of-state testing school. If the applicant indicates they have passed testing with a CDL Third Party Examiner or out of state testing school and the test results do NOT appear on the DRI screen, check the F1 HIS screen and look for results under DRI. Usually the reasons for the test results not appearing include the mainframe DOC screen not matching the vehicle the applicant tested in with the CDL Third Party Examiner, the results not matching what the applicant originally applied for on the DOC screen, or the state in which the applicant attended training school has not electronically transmitted the test results to Nebraska.

### **Non-domiciled applicants:**

A non-domiciled CDL will be issued to applicants who are:

- Domiciled in another country (other than Canada or Mexico) and have lawful status in the US;
- or
- Domiciled in a jurisdiction that is prohibited from issuing CDLs.

*(Exceptions: 1) holders of a valid, unexpired CDL from Canada or Mexico who have lawful status in the U.S. are forbidden from obtaining a Nebraska CDL, unless they obtain permanent residency or become a U.S. citizen; 2) applicants with Permanent Resident Cards are not eligible for a non-domiciled CDL.)*

An applicant domiciled outside of the state of Nebraska seeking a Nebraska foreign non-domiciled CDL is not required to provide proof of address. They must provide a Nebraska mailing address and his/her employer's mailing address.

Applicants domiciled in the United States and seeking a Nebraska non-domiciled CDL due to their state being out of CDL compliance are only required to provide a mailing address in their home state and are not required to provide proof of address.

An applicant applying for a new foreign non-domiciled CDL must first hold a non-domiciled CLP for 14 days. These applicants must pass Class O requirements but cannot be issued a Class O license to obtain the non-domiciled CLP.

Applicants who obtain a foreign non-domiciled CLP or CDL will have the card marked NON-DOMICILED CLP or CDL and LIMITED TERM.

Non-domiciled CLP or CDL holders must notify the DMV of any adverse action taken by any jurisdiction or governmental agency, foreign or domestic, against his or her driving privileges, including disqualifications. Notification must be made by the end of the next business day following the day the license holder received notice of a suspension, revocation, cancellation, lost privilege, or disqualification.

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Applicants for a non-domiciled Nebraska CDL from a state that has been prohibited from issuing CDLs must apply for a CLP or CDL and surrender any licensing document issued by the other state or pass the Class O written and drive tests. In both instances, the Class O license must be issued in conjunction with the CLP. These applicants must provide a mailing address, but proof of address is not required. However, we will capture the out-of-state residential address in the residential address field. These individuals will have cards marked NON-DOMICILED CLP or CDL but will not have the LIMITED TERM verbiage on their documents.

Applicants must surrender any CLP or CDL from another state. An applicant for a non-domiciled CLP or CDL is not required to surrender his or her foreign license.

An applicant for a non-domiciled CLP or CDL is not eligible for an M endorsement or to test for a Class M LPD.

Applicants with Legal Permanent Residency (i.e. valid, unexpired I-551 or Temporary I-551) are NOT considered to be non-domiciled.

# **SECTION 6 – RESTRICTED COMMERCIAL DRIVER’S LICENSE (RCDL)**

## **Restricted Commercial Driver’s License (RCDL)**

The Restricted Commercial Driver’s License (RCDL) allows a Nebraska resident to drive a Class B commercial motor vehicle for purposes of farm related or farm related service industry within 150 miles of employer’s place of business or the farm or ranch currently being served during the seasonal period of validity on the back of the RCDL.

Employees working for the following farm related or ranch related service industries may be issued RCDLs.

1. Custom Harvesters.
2. Retail Agricultural Outlet or Supplier: any retail agricultural outlet or supplier that transports either agricultural products, farm machinery, farm supplies, or both, predominately to or from a farm or ranch.
3. Agricultural Chemical Business: any business that transports agricultural chemicals predominately to or from a farm or ranch.
4. Livestock Feeders which operate 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.

The holder of an RCDL cannot obtain any CDL endorsements but can transport (1) diesel fuel in quantities of 1,000 gallons or less, (2) liquid fertilizers\* with total capacities of 3,000 gallons or less or (3) solid fertilizers that are not transported or mixed with any organic substance. *Note: per the U. S. DOT Office of Motor Carrier Safety, anhydrous ammonia is transported as a liquid.*

### **Seasonal Period of Validity:**

Beginning January 1, 2022, the seasonal period of validity will be indicated on the back of the Nebraska RCDL. The seasonal period of validity will be valid for no more than 180 consecutive days in any twelve-month period. The driver will designate the seasonal period of validity when making application for the RCDL. The holder of the RCDL may change the seasonal period of validity by renewing or obtaining a replacement of the RCDL.

### **Age, Eligibility, and Issuance Periods:**

Must be 18 or older, shall possess a valid operator’s license (Nebraska or out-of-state) or Nebraska POP. The document or combination of documents must have been held during the 12 months immediately preceding application date or two years if license/POP has been held that long and must meet all driving record requirements as outlined in Nebraska Statute 60-4,146.01 which are found below. *Note: out-of-state driving records may be required to meet the one or two year requirement. These out-of-state driving records must be dated within the last 30 days.*

## SECTION 6 – RESTRICTED COMMERCIAL DRIVER’S LICENSE (RCDL)

Have possessed a valid operator’s license for two or more years, and that in the immediate two-year period:

**OR**

Have possessed a valid operator’s license for more than one year, but less than two years and that for the **entire** driving history:

1. Have not possessed more than one operator’s license at any one time;
2. Have not had any operator’s license suspended, revoked or cancelled;
3. Have not been convicted in any type of motor vehicle for any of the following offenses:
  - Driving under the influence of alcohol or a controlled substance;
  - Leaving the scene of an accident;
  - Commission of a felony involving the use of a motor vehicle;
  - Refused a chemical test of blood, breath or urine or had a .04 alcohol concentration (in a CMV).
  - Driving a CMV while CDL is revoked, suspended, cancelled or disqualified.
  - Causing a fatality through the negligent operation of a CMV.
4. Have had no (0) conviction, in any type of vehicle, for any of the Serious Traffic Violations listed below:
  - Speeding at or in excess of 15 miles per hour over the legally posted speed limit;
  - Willful reckless driving or reckless driving;
  - Improper lane change;
  - Following the vehicle ahead too closely;
  - 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;
  - Driving a CMV without obtaining a CDL;
  - Driving a CMV without a CDL in the driver’s possession;
  - Driving a CMV without the proper class of CDL and/or endorsements;
  - Violating a state or local law or ordinance on motor vehicle traffic control prohibiting texting while driving.
  - Violating a state or local law or ordinance on motor vehicle traffic control restricting or prohibiting the use of a hand held mobile telephone while driving a CMV.
5. Have not been convicted of any violation of state law or local ordinance related to motor vehicle traffic control arising in connection with any traffic accident and have no record of fault accidents.

Individuals who are 20 may apply for a renewal 60 days prior to their 21st birthday, but we recommend they renew 10 or less days prior to their 21st birthday, due to the S2S check requirement. This license can be issued within

## **SECTION 6 – RESTRICTED COMMERCIAL DRIVER’S LICENSE (RCDL)**

30 days of the 21st birthday.

Individuals 21 and over may apply for and be issued a renewal 90 days prior to their birthday.

Licenses issued to individuals under the age of 21 expire on the license holder’s 21<sup>st</sup> birthday.

Licenses issued to individuals 21 and older expire on the license holder’s birthday in the fifth year after issuance.

### **U.S. Proof of Citizenship or Lawful Status:**

An applicant for a CDL document must provide proof of U.S. Citizenship or Lawful Status. Once U.S. citizenship has been verified, proof need not be presented again. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

Refer to Section 8 of this manual for the list of acceptable documents to prove U.S. Citizenship or Lawful Status.

### **ID Requirements:**

Proof of identification must be presented for each CDL document applied for. The digital image (photo) retained by DMV cannot be used as identification for CDL documents. Must present one U.S. Based document to prove identity.

Refer to Section 8 of this manual for the list of acceptable documents to prove U.S. Based Identity.

### **Certification Information:**

To help you better understand what restrictions will be placed on the license when certain boxes in the certification area are completed, please read the information below:

- A. Interstate-Non-Excepted: Subject to federal medical/vision requirements – must provide DMV with current medical examiner’s certificate (card – NOT long form) and keep current with DMV.
  
- B. Interstate-Excepted: Subject to DMV medical/vision requirements – No medical and vision documentation required. Individuals marking this box should fall into one of the following categories: employee of a government of political subdivision, custom harvester, bee keeper, private motor carrier of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.)

## SECTION 6 – RESTRICTED COMMERCIAL DRIVER’S LICENSE (RCDL)

- C. Intrastate-Non-Excepted: Subject to federal medical/vision requirements – When on-duty, must have original or a copy of a current medical examiner’s certificate on his or her person. Not required to provide medical examiner’s certificate to the DMV.
- D. Intrastate–Excepted: Subject to DMV medical and vision requirements. No medical and vision documentation required. *Individuals marking this box include those who previously held and/or holds a Nebraska CDL prior to 7/30/96, employees of a government or political subdivision, custom harvesters, bee keepers, and private motor carriers of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.)*

### **Vision/Medical Requirements:**

Whether an applicant has to meet Federal DOT or DMV medical and vision requirements are based on how they self-certify.

The only endorsement placed on an RCDL is “M”. Refer to Page 5-1 (Certification Information) for when the “K” restriction can be placed on a RCDL. This is the only CDL restriction that should be placed on an RCDL.

### **Record Check Requirements:**

Every record will go through S2S, PDPS, SSOLV and SAVE (if applicable).

### **Written and Drive Test Requirements:**

None

### **General Information:**

Individuals holding a RCDL can also operate a Class O vehicle.

An RCDL is recognized nationally and the holder can drive across state lines.

A social security number is required for the RCDL.

RCDL holders must apply for replacement RCDLs at any driver licensing office.

RCDL holders may not renew while out-of-state.

RCDL holders may apply for early renewal.

RCDL holders may be disqualified. See disqualification and reinstatement process in section 18. The applicant will not be eligible to reinstate their RCDL for two years from the date of the disqualification.

**Document to document test waiver information can be found in Section 16.**



## Section 7 – Interactive Driver’s License System

### Interactive Driver’s License System

This section will give you a general overview on policy and procedure requirements related to the Interactive Driver’s License System. A detailed explanation of the Interactive Driver’s License System can be found in *The Interactive Driver’s License System Computer Manual*. Staff is expected to understand and follow all guidelines in the computer manual.

#### **Data Form:**

Staff must take all applicants through the first stopping point (vision and medical screen) on the Interactive Driver’s License System when they visit a driver licensing office.

All applicants should complete a data form unless the individual has been previously issued a Return for Services form. If the applicant doesn’t present their previously issued Return for Services form, do not require them to fill out another data form as they only need to present acceptable identification to continue. Staff should have the data forms available to applicants prior to them calling the applicant’s number.

Yellow data forms are for commercial applicants, white forms are for English non-commercial applicants and gray forms are for Spanish non-commercial applicants. The data form may be completed outside of the driver licensing office. Copies of the blank data forms are available in the *Nebraska Driver’s Manual* and on the DMV homepage.

Data forms should be shredded after issuing a Return for Services form or issuance certificate to the applicant. All data forms will be scanned prior to shredding.

#### **Renewal Notice:**

Renewal notices are sent to all applicants reminding them that their Commercial Driver’s License, Operator’s License or State ID Card will be expiring. These notices are sent to the applicant’s last known mailing address approximately 30 days prior to the expiration of their document (age 21 and over), 30 days (under age 21). If the applicant does not have a mailing address on their record, the renewal notice will be sent to their residential address.

The renewal notice shall not serve as proof of identification, but if presented it shall be scanned to bring up the APP screen rather than the Nebraska digital document, since we keep statistics on the number of renewal notices presented.

#### **Return for Services form:**

Applicants who have previously visited a driver licensing office and were refused for some reason (other than ID) may present a Return for Services form upon their return to the office. A Return for Services form shall serve as proof of identification. However, additional documents can be required to prove authenticity of identification.

## Section 7 – Interactive Driver’s License System

Applicants who are unable to provide a Return for Services form will be processed if they can present acceptable proof of identification.

### **Identification/Digital Image Photo:**

If an applicant is unable to present any form of identification and no DIP is on file, they will not be started, and a Return for Services form will not be issued to them.

The DIP shall be viewed **each** time an applicant appears – even if they were at the station earlier the same day or later with a Return for Services form.

If staff feels confident that the digital image is the applicant, “DIP” should be entered on the Nebraska Doc Seen line of the application screen (for non CDL type documents). You can only use “DIP” for proof of Identification if a document has been issued. If no document was issued, then you cannot use that “DIP” for identification purposes.

If staff can’t determine if the digital image is the applicant, “RID” should be entered on the Nebraska Doc Seen line and a Return for Services form issued. Additional identification documents can be required to prove authenticity of identification.

If an applicant presents insufficient or unacceptable identification documents (including potentially fraudulent documents), start them and issue a Return for Services form. The Return for Services form for the applicant presenting possible fraudulent documentation will look much differently than the non-fraud Return for Services form.

Acceptable forms of identification can be found in Section 8.

### **Digital Image Access with Other States (DIA):**

The system will retrieve, and staff will review all digital images from other States when an out-of-state driver’s license number appears on the photo capture process.

### **Social Security Number:**

All applicants have been advised to bring proof of their social security number to the driver licensing office. However, the only time proof will be required is if for some reason we can’t verify the number thru the Social Security Administration. See Section 15 for additional information.

### **Address:**

Refer to Section 8 for address information.

The Secretary of State’s Office does allow abuse victims to use their PO Box 98921 as their address. These individuals will have an authorization card to present to staff. This card must be presented and must also be valid on the date of application. If both of those requirements are met, you may use the PO Box 98921, Lincoln, NE 68509 as the applicant’s residential address. When using

## Section 7 – Interactive Driver’s License System

this box number, the system will ask you if the SOS Card is Valid on the Application Screen. The applicant cannot have a different mailing address. These cards are laminated blue card stock, have the state seal and identification information on them. If you indicate that the card is not valid, a refusal will be issued informing the applicant that either a valid card or a corrected residential address is required. If you are concerned about the validity of this card, contact your supervisor who will verify the information. If the applicant wants information on how to obtain a card, they are to apply for these at their local shelter. Shelter information is on the Secretary of State website.

### **Stopping Points:**

There are three stopping points on the Interactive Driver’s License System.

- 1<sup>st</sup> – refusal screen (identification and address, record checks, motor voter, organ donation, vision and medical).
- 2<sup>nd</sup> – written test(s)
- 3<sup>rd</sup> – drive test (s)

These stopping points were established to avoid repeat trips to the driver licensing stations by applicants.

The only way to get permanently out of the Interactive Driver’s License System when you are working with an applicant is to issue a Return for Services form or an issuance certificate.

### **Comments:**

Staff can enter comments on an applicant’s record that are retained and viewed by others. It is important that all comments be informational, understandable, and appropriate in nature. Always remember that all comments made are public information.

### **“Like” Documents:**

The Interactive Driver’s License System will not allow an individual to hold “like” documents. For instance: LPE with SCP, Class O SCP with Class O LPD or Class O LPD with Class O License. *Exception: applicants will not be required to surrender “like” documents when the document currently being held has the “M” endorsement on it and the one being applied for does not.*

### **Multiple Documents:**

If multiple documents are held by the applicant, certain identifying information must be consistent on all documents. If not, the individual must either apply for a replacement to correct the outdated document or surrender the document prior to the issuance of the new document. Changes requiring this are: name, date of birth and residential address. *Note: if an applicant is in their renewal period for the document currently being held and does not intend to renew it, then no action need be taken.*

## **Section 7 – Interactive Driver’s License System**

### **Surrender of Documents:**

If an individual wants to voluntarily surrender their license, permit or ID Card in conjunction with obtaining another document OR if the system forces the applicant to surrender a document before obtaining another document, the surrender will be completed upon issuance of the new document. The surrender language will appear on the issuance certificate for the new document and the document being surrendered will be attached to the issuance certificate once it is produced. The applicant will take the issuance certificate to the County Treasurer/Service Center who will issue the new document and void the surrendered document and return to the applicant.

### **Issuance Certificate:**

Staff should carefully review all information on the application screen prior to printing the issuance certificate. Staff are to review the issuance certificate carefully with the applicant. If documents are required to be attached, an indicator of such will appear directly under the bar code on the upper right-hand corner of the issuance certificate.

Tape the required documents to the issuance certificate.

If you reprint an issuance certificate for any reason, the security code on the original certificate becomes invalid.

### **Attachments to the Issuance Certificate (county treasurer locations):**

The only items that will be attached to issuance certificates are permits, licenses and State ID Cards.

Other documents to be scanned by staff are: (Under 18 Certificate, CDL Military Waiver, SCP/POP waiver, 50-Hour Certificate, Medical Examiners Certificate, Certification of Sex Reassignment, Out of State Driving Documents, Out of State MC Waiver Cards, Data Forms, Driver Record Requests, Head Covering form and Identification/USCIS documents.) These are scanned under the separator and divider: DLS History.

Mail in DMV medical and vision statements and voluntary surrender forms so they can be processed and scanned by the home office. Remember to separate documents that need to be scanned only from those that need to be evaluated prior to scanning when mailing them in.

### **Errors on the System:**

At times, corrections need to be made to the computer record. Contact your supervisor, and the home office Help Desk for assistance.

### **Issuance by County Treasurer/Service Center:**

When an applicant presents an issuance certificate to the County Treasurer/Service Center and the document is issued, it is updated on the State’s mainframe computer system at 7:00 p.m. each evening. The reason for

## Section 7 – Interactive Driver’s License System

the time delay is so County Treasurers/Service Center have the capability to void documents throughout the course of the day.

The Interactive Driver’s License System will tell you that a document has been issued if the applicant comes back into the driver licensing office and attempts to obtain another document the same day. However, if you look at the actual driving record, the document issued earlier that day will not be updated since that doesn’t happen until that evening.

### **Same Day Corrections After Issuance:**

Keeping in mind that the State’s mainframe system is not updated until 7:00 p.m. each evening, if an individual comes back and says that the document issued to them that day is incorrect, you will not be able to run that thru the corrections process. In that instance, the correct thing to do is 1) have the County Treasurer/Service Center (same location and counter originally issued from) void the document, the applicant returns to the driver licensing office where staff makes appropriate changes and produce a new issuance certificate so a document that includes the correct information can be reissued, OR 2) inform the individual that they will have to wait until the next working day to have the correction made.

### **Scanning for Authenticity of Document:**

All licensing documents (Nebraska and out-of-state) and USCIS documents should be authenticated through the M500 scanner.

If the status of the scanned document continually shows “Caution...No ID Marc Security Feature is Present,” check the document for wear or cracks. A worn card or card which has been taped will affect the scanning of the watermarks. If the document continues to read “No ID Marc Security Feature is Present,” even when inserted through the scanner horizontally and vertically, call your supervisor, and then the home office before proceeding. The state will need to be contacted to verify the license is authentic.

If the document reads as “suspect” because the primary or secondary watermark is not reading, proceed as normal **unless** there are other problems with the applicant’s documents (the primary or secondary may not read through a hologram).

If the status of the scanned document shows “Invalid”, call your supervisor, and then the home office before proceeding. The home office will need to contact the state to verify the license is authentic.

Below is the updated digital watermark spreadsheet that includes the states that are using the watermark and when they began doing so. This information is CONFIDENTIAL and should not be shared outside of Driver Licensing Department.

## Section 7 – Interactive Driver’s License System

<u>State</u>	<u>DWM Inception Date (estimated)</u>
Alabama	06/01/2005
Arkansas	08/28/2018
Arizona	06/01/2014
California	01/22/2020
Connecticut	06/13/2017
Delaware	06/01/2018
Florida	11/01/2005
Georgia	01/01/2010
Idaho	05/01/2011
Illinois	2014
Indiana	06/01/2007
Iowa	07/01/2006
Kansas	05/01/2004
Kentucky	09/01/2012
Louisiana	02/03/2014
Maine	07/01/2008
Massachusetts	09/01/2004
Michigan	07/01/2003
Minnesota	01/01/2005
Mississippi	09/06/2016
Missouri	12/01/2012
Montana	12/01/2015
Nebraska	01/01/2004
Nevada	10/01/2008
New Jersey	01/01//2004
New Mexico	05/01/2008
North Carolina	01/01/2016
Oklahoma	04/30/2020
Oregon	06/01/2007-2019
Rhode Island	07/19/2016
South Dakota	01/012010
Tennessee	04/01/2011
Texas	05/012009-2019
Utah	11/01/2006
Vermont	01/01/2004-2017
Washington	01/01/2006-2017
West Virginia	01/2021

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

### **Identification and Address Requirements**

**Non-Commercial Permit, Licensing and State ID Card Applicants must provide the following:**

#### **U.S. Citizenship/Identification:**

All new applicants (first time Nebraska applicant or applicants presenting valid out of state documents) are required to provide proof of citizenship one time. Once proof of citizenship has been presented, proof will not be required on subsequent visits to the driver licensing office, only proof of identification will be required. Typically, this proof of identification will be the DIP on file.

#### **Proof of Lawful Status:**

Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

#### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

#### **Proof of Social Security Number:**

Applicants must disclose their valid social security number which can be verified through the social security administration or show proof of exemption from this requirement by presenting a valid, unexpired record of arrival and departure in a valid foreign passport (I-94 or I-94A).

#### **General Information:**

- Documents must be certified with a raised seal or stamp. Documents that indicate that they are “NOT TO BE USED FOR PROOF OF IDENTIFICATION” or “NOT TO BE USED FOR PROOF OF CITIZENSHIP” will not be accepted.
- Faxed or photocopied documents will NOT be accepted.
- Staff will not print off U.S. citizenship, lawful status, address, or social security number documents for applicants.
- Documents are subject to departmental review and approval. Additional information may be required.
- In some cases, document approval may not occur on the same day and may require an additional visit to the driver licensing office.
- Staff may request translation of any foreign based document by a DMV approved translator.
- The Department may retain copies of any document presented.
- Individuals under the age of 18 will be required to provide a certified birth certificate as proof of identity. Individuals under 18 presenting foreign

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

based birth certificates will be required to present an accompanying document from the Identity Verification list below.

- Individuals under 18 who are unable to provide a certified birth certificate will be required to provide another document from the Identity Verification list below and have their parent or guardian complete a Certification Stating The Identity Of A Child Under Age 18.

### **U.S. Citizenship/Identity Verification:**

Present ONE document to establish name and date of birth.

In the event of a name change, applicants must present document(s) (certified marriage license(s), certified divorce decree(s) or a court order) that links the new name to the name that currently exists on the permit, driver's license or State ID Card. Other documents **may** be used upon approval by the home office for the name change: certified petition for name change, foreign marriage license with translation and other documents as approved by the home office.

1. A certified birth certificate issued by a State Government Office. Individuals presenting city or county birth certificates may be asked to provide additional identification documents. Hospital issued birth certificates cannot be accepted nor can Puerto Rican birth certificates issued prior to September 30, 2010.
2. A valid, unexpired U.S. passport or passport card.
3. A valid, unexpired Record of Arrival and Departure in a valid foreign passport (I-94 or I-94A). If status is F1, F2, J1, J2, M1 or M2, an I-20 and/or DS2019 will also be required to provide SEVIS information. If the I-94 or I-94A is stamped "Refugee" or the place of origin is Canada, the valid foreign passport is not required. If the I-94 or I-94A is stamped "Refugee" an I-797 may be required. If you have a current I-797 for any I-94 status, you may want to show this to help simplify the process. Visas, Form I-151, I-94W or I-94 Border Crosser will not be accepted.
4. A valid, unexpired Permanent Resident Card (I-551).
5. A valid, unexpired ADIT stamp "Processed for I-551, temporary evidence of lawful admission for permanent resident until \_\_\_\_\_" in a valid foreign passport. After June 28, 2004 printed statement "Upon Endorsement Serves as Temporary I-551 Evidencing Permanent Resident for 1 Year" in a valid foreign passport, providing the proper placement of an admission stamp.
6. A valid, unexpired Employment Authorization Card (I-766).
7. Certificate of Naturalization, Form N-550 or Form N-570.
8. Certificate of Citizenship, Form N-560 or Form N-451.
9. Consular Report of Birth Abroad (CRBA) issued by the U.S. Department of State, Form FS-240, DS-1350 or FS-545.

Exception may be made by Home Office for those applicants having difficulties providing the above documents



## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

Proof of Identity Only:

10. A valid Nebraska Digital Image Photo (DIP) retained in the DMV computer system.

**Commercial Applicants, Includes CLP and RCDL must provide the following:**

### **U.S. Citizenship/Identification:**

All commercial motor vehicle applicants (first time Nebraska CDL applicants or applicants presenting valid out of state documents) are required to provide proof of U.S. Citizenship one time. Once U.S. citizenship has been verified, proof need not be required on subsequent visits to the driver licensing office, only proof of identification will be required on all subsequent visits. The digital image (DIP) retained by DMV cannot be used as proof of identification.

### **Proof of Citizenship or Lawful Status:**

An applicant for a Nebraska document must provide proof of U.S. Citizenship or Lawful Status. Proof of lawful status is required to be presented upon the initial visit to a driver licensing office and all subsequent visits.

### **Address Verification Requirements:**

All applicants must initially present two documents from the approved Document Verification Form, with their Nebraska principal address listed. Individuals under the age of 21 who are unable to provide proof of Nebraska principal address can use their parents or guardians' principal address documents.

### **Proof of Social Security Number:**

Applicants must disclose their valid social security number which can be verified through the social security administration or show proof of exemption from this requirement by presenting a valid, unexpired record of arrival and departure in a valid foreign passport (I-94 or I-94A).

### **General Information:**

- When possible, documents/information presented will be verified for authenticity before being accepted.
- Documents must be certified with a raised seal or stamp.
- Faxed or photocopied documents will NOT be accepted.
- Staff will not print off U.S. citizenship, lawful status, address, or social security number documents for applicants.
- Documents are subject to departmental review and approval. Additional information may be required.
- In some cases, document approval may not occur on the same day and may require an additional visit to the driver licensing office.

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

- Any document which states “NOT TO BE USED FOR PROOF OF IDENTIFICATION” or “NOT TO BE USED FOR PROOF OF CITIZENSHIP” will not be accepted. The Department may retain copies of any document presented.

### **Valid U.S. Citizenship or Proof of Lawful Status and U.S. Based Identity:**

Present ONE document to establish name and date of birth.

In the event of a name change, applicants must present document(s) (certified marriage license(s), certified divorce decree(s) or a court order) that links the new name to the name that currently exists on the permit, driver’s license or State ID Card.

Other documents **may** be used upon approval by the home office for the name change: certified petition for name change, foreign marriage license with translation and other documents as approved by the home office.

1. A certified birth certificate issued by a State Government Office. Individuals presenting city or county birth certificates may be asked to provide additional identification documents. Hospital issued birth certificates cannot be accepted nor can Puerto Rican birth certificates issued prior to September 30, 2010.
2. A valid, unexpired U.S. passport or passport card.
3. A valid, unexpired Record of Arrival and Departure in a valid foreign passport (I-94 or I-94A). If status is F1, F2, J1, J2, M1 or M2, an I-20 and/or DS2019 will also be required to provide SEVIS information. If the I-94 or I-94A is stamped “Refugee” or the place of origin is Canada, the valid foreign passport is not required. If the I-94 or I-94A is stamped “Refugee” an I-797 may be required. If you have a current I-797 for any I-94 status, you may want to show this to help simplify the process. Visas, Form I-151, I-94W or I-94 Border Crosser will not be accepted.
4. A valid, unexpired Permanent Resident Card (I-551).
5. A valid, unexpired ADIT stamp “Processed for I-551, temporary evidence of lawful admission for permanent resident until \_\_\_\_\_” in a valid foreign passport. After June 28, 2004 printed statement “Upon Endorsement Serves as Temporary I-551 Evidencing Permanent Resident for 1 Year” in a valid foreign passport, providing the proper placement of an admission stamp.
6. A valid, unexpired Employment Authorization Card (I-766).
7. Certificate of Naturalization, Form N-550 or Form N-570.
8. Certificate of Citizenship, Form N-560 or Form N-451.
9. Consular Report of Birth Abroad (CRBA) issued by the U.S. Department of State, Form FS-240, DS-1350 or FS-545.

Exception may be made by Home Office for those applicants having difficulties providing the above documents

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

Proof of Identity Only:

10. A valid Real ID compliant Nebraska or out-of-state permit, operator's license, or State ID Card (must have Real ID indicator on it), if the document is not mutilated or altered.

Identification documents that are left behind at driver licensing offices should always be kept in a locked cabinet. Staff needs to put a note on the record immediately indicating what ID document was left behind and in which county. Pat Klaumann, in the Home Office, needs to be emailed the same day on what was left behind, what location it was left behind at and the driver license number of the applicant. Within three business days a letter will be sent to the applicant alerting them the document is at the driver licensing office where they left it. That document should then be held in the locked cabinet for six months at that location before it's given to your immediate supervisor to be brought to the home office. If individuals leave non-identification documents such as bills or other paperwork items at the driver licensing locations, those can be shredded.

### **Principal Address Verification:**

(Applicants must present TWO documents which lists their Nebraska principal address listed if they have not previously presented proof of address documents or if they have changed their address since the issuance of their last permit, license or State ID Card.

A P.O. Box will not be accepted as proof of principal address. Proof of principal address must be from two different issuing sources. Individuals requesting an address exception (live in an RV or commercial motor vehicle) should contact the home office for additional information. Individuals under 21 who cannot provide proof of principal address may present address verification documents from their parent or guardian.

1. Account statement from a bank or other financial institution issued within the last 90 days.
2. Pay stub or earnings statement issued within the last 90 days with the name and address of the employer.
3. Federal, state or local government documents, issued within the last 90 days such as receipts.
4. Magazines issued within the last 90 days.
5. Any envelope, box or postcard that has been sent indicating a postmark or stamped date within the last 90 days.
6. Any correspondence, receipt, invoice dated within the last 90 days.
7. Valid Nebraska vehicle registration.
8. Valid life, health, auto or home insurance policy or card.
9. Valid real estate tax statement or receipt.
10. Any valid license (driver's, nursing, law, teaching, hair, fishing, etc.).

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

11. Nebraska voter registration card.
12. Mortgage, lease or rental agreement. (Lease and rental agreements must include the landlord's name and contact information.)
13. Nebraska DMV Renewal Notice.
14. Blank check or deposit slip.

Regarding proof of address for a foster child, staff may accept proof of address for a foster child under the age of 21 from foster parents and group homes. The foster child will have to prove to the DMV that they are a ward of the state and who their placement is with (foster parents or group home).

### **Social Security Number or Exemption:**

Proof of social security number may be required and must include complete social security number. Proof of exemption will be required. All social security numbers and all documents issued by the U.S. Citizenship and Immigration Services will be verified. Commercial motor vehicles operators are not eligible for a social security number exemption and must provide a social security number.

1. Social Security Card.
2. W-2 form.
3. SSA-1099 form.
4. Pay stub showing applicant's name and social security number.
5. A valid, unexpired Record of Arrival and Departure in a valid foreign passport (I-94 or I-94A).

If the supervisor directs you to ask for additional proof of identification from an applicant, enter RID on the Nebraska Document Seen line on the application screen, notate the specifics of the document on F1 History that was presented to you, mark the refusal screen "More Proof of ID" and issue a Return for Services form to the applicant. Do not mark "Possible Fraud" on the refusal screen unless directed by your supervisor.

Note: When accepting a Social Security Card, It is only to be signed at the time the applicant is 18 or is employed at their first job whichever comes first. If an applicant is under 18 and does not have their Social Security card signed do not have parent or guardian sign the card.

### **Name Rules:**

You can enter one-word names, names with apostrophes, names with spaces and or multiple dashes. This includes if applicant has 2 middle names and wants to use both or just the initials from the 2 middle names, you will enter with a space between the 2 middle names or the 2 initials.

The only edits for name fields are:

- No periods or slashes
- First character cannot equal a comma

## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS

No spaces before and after a comma  
 No more than 3 commas  
 No 2 spaces in a row  
 Middle names cannot equal Jr, Sr, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>

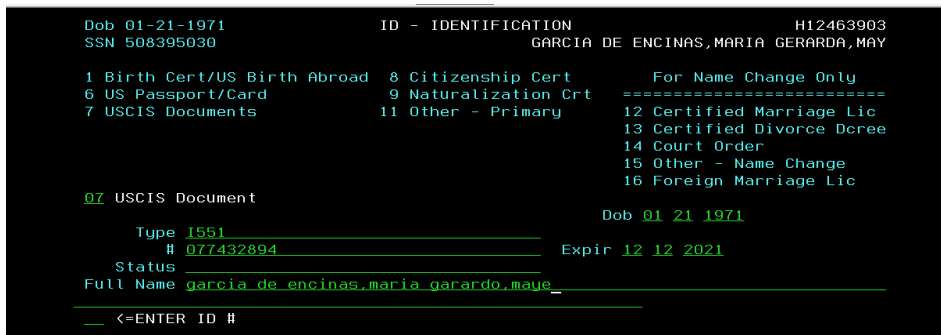
First byte cannot equal space  
 Maximum 35 characters

**Acceptable Suffixes:** Jr, Sr, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>  
 I, II, III, IV, V, VI, VII, VIII, IX

**\*NOTE:** It is very important that you type name in correctly (lastname,firstname,middle,suffix). If you do not type these in the correct order, they will be stored on our Nebraska file incorrectly and trying to bring up the correct record in the future will be extremely difficult.

**CORRECT SPELLING AND COMMAS are also imperative to be in the proper place.**

- An applicant may choose to drop a name if the person has two or more: first, middle, or last names. (E.g. lastname lastname, firstname firstname, middlename middlename) (Can also drop a suffix at any time)
- If only one first and/or middle name, applicant can choose to use an initial for the first or middle name (no initials for the last name) or drop the middle name completely. Full name needs to include all names.
- We need to be sure we are capturing the full name on the APP screen so we can create the correct AKA



Due to above rule of allowing applicant to drop a name or go to initials, Maria can choose to use a variety of names on the issue line here are a few samples, (but be sure to put the full name on the Full Name line):

## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS



GARCIA,MARIA,M  
 GARCIA DE ENCINAS,MARIA,M  
 DE ENCINAS,MARIA  
 GARCIA DE ENCINAS,MARIA GERARDA  
 GARCIA DE ENCINAS,M,MAYE  
 GARCIA,M GERARDA,MAYE

- Now, on the F9 screen we would need to use the **full name as it appears in the MRZ zone.** (For SAVE applicants, be sure to put full name as appears on the MRZ zone as long as full name separated with ">>" defining names, do not put partial name. If partial name is showing on MRZ zone just use that initial, as well as double checking spelling, commas, etc...as this will help the SAVE verification clear the first time and not force to a second or third level check):

```

Dob 01-21-1971          ID - IDENTIFICATION          H12463903
SSN 508395030          GARCIA DE ENCINAS,MARIA GERARDA,MAYE

1 Birth Cert/US Birth Abroad  8 Citizenship Cert          For Name Change Only
6 US Passport/Card           9 Naturalization Cert      =====
7 USCIS Documents           11 Other - Primary         12 Certified Marriage Lic
                               15 Other - Name Change     13 Certified Divorce Dcree
                               16 Foreign Marriage Lic    14 Court Order
                               15 Other - Name Change     15 Other - Name Change
                               16 Foreign Marriage Lic    16 Foreign Marriage Lic

07 USCIS Document

Type 1551
# 077432894
Status
Full Name garcia_de_encinas,maria_garardo,maye_
<-ENTER ID #
    
```

- We would enter the name in the same format as we do on the APP screen (lastname,firstname,middle) using commas to separate the names.
- If the applicant needs to change a name OR tie names together, they will also need to show documentation.

### **Specifically, for USCIS documents and SAVE:**

If the applicant presents a USCIS document with one name and the SAVE response comes back with parts of that name, the same name, or additional names, we use the name on the document and we are ok to override the name mismatch. When the SAVE response returns a completely different first or last name, we need documentation of where the new name came from before we can proceed (**unless the new name in response is already a verified AKA**).

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

For example, if a USCIS document shows the name (on above sample F9 screen) Garcia de Encinas, Maria Gerarda, Maye. But the SAVE response comes back with RAMIREZ, MARIA GERARDA, MAYE. We must see some document that shows the Ramirez before we can proceed. (this is often a marriage certificate from their country of birth bearing some sort of certification. If you can read or have translated to show the link between the names and what type of document it is, proceed with applicant.) The applicant does not have to use that name on their Nebraska document, but does have to show where it came from.

If there is a difference in name order between the VLS screen and the document or data form, (which is what is entered on the APP screen), that is not an issue. If the response from VLS shows those names and verifies, do not go back to the APP screen and change the name order or by changing commas. Use the name that is on the document and name order that is on the data form and continue.

If the differences in name order cause a name mismatch resulting in a non-verified response, those will go to second level and the home office will follow up. Do not go back to APP screen and modify it to get the VLS screen to match, let the second level process take care of that.

**FNU** – Applicant comes in with USCIS paperwork that shows FNU (this stands for first name unknown) for their first name, **we do not put this on the APP screen to use as a name for their Nebraska document**. However, you will have to put this on the F9 screen when running the VLS search. You may also have to do the jump 30 to run the social security verification, if FNU appears on the social security card as well.

When processing an applicant with only one name (Madonna) , first name unknown (FNU), or last name unknown (LNU), When verifying through SSOLV, type the missing name as Unknown and it should verify. For example: Madonna,Unknown

If an applicant wants to use a nickname that does not appear on their document, they will need to provide proper documentation of that name.

### **NAME RULE CHANGES ALL COMMERCIAL AND NON-COMMERCIAL**

1. Always consider the full legal name and issue name VERIFIED names on a Nebraska record if a licensing document or State ID Card has been issued.

## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS

2. Use verified AKAs, digital images, USCIS document numbers and other tools to assist you in linking different derivatives of an individual's name together.
  
3. Unverified AKA's cannot be used by field staff. However, if an individual is having a difficult time obtaining documentation and they have an unverified AKA in the name they want to use, please refer this individual to your supervisor or the home office. Identification information will need to be entered as "Other" on F9 and supervisory approval will be required.
4. All documents acceptable as proof of identification can be used to change names.
5. Always make sure to capture the complete name in the full legal name field.
6. Individual may use their maiden name as their middle name with documentation on license or State ID Card. Example: No previous NE record established -marriage license indicates Susan Kay Smith married Mark Allen Martin or name on NE driving record is Susan Kay Smith and name on certified birth certificates Susan Smith Martin – in both cases, name on record can be Susan Smith Martin using marriage license or *Birth certificate*.

**In the example above, the full legal name should be entered as: Last – Martin, First – Susan and Middle – Kay Smith, and the issue name as: Last – Martin, First – Susan and Middle – Smith.**

No middle name can be used as a first name.

7. When a person has been married and divorced several times, it will no longer be necessary in some situations to have the entire trail of documents tying the birth name to the name currently used by the applicant. See below for guidance:
  - If an individual presents a valid, unexpired Nebraska or OOS non-compliant license or State ID Card in a name other than what is on the Nebraska record – require only the birth certificate and current marriage license or divorce decree – use the digital images to tie the names together.



## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS

- The trail of documents is required in cases when the OOS license or State ID Card presented is not valid or expired or when there is not a NE record to assist you in tying the names together.
8. We will continue to allow individuals to drop portions of their name – no change in policy. Example: Frederick John Rhodes can be Fred J. Rhodes in issue name field but must be Frederick John Rhodes in full legal name field. However, Margaret Jean Johnson cannot be Peggy J. Johnson since Peggy **isn't a part of the name Margaret**. Another example: Stephen cannot be Steve but can be Steph. **Exception: If a Nebraska record exists where a license or State ID Card has been issued under the name of Dick A. Smith and is considered verified (see point #1) and proof of citizenship or identification shown is**
    1. **under the name Richard Allen. Smith – accept. Enter Richard Allen Smith as the full legal name and update the issue name to also reflect what is on the proof of citizenship document.** See paragraph above.
    2. The name in the MRZ on USCIS documents or U.S. passports can be used to tie names together and can also be used as the issue name if desired. Run the name on the front of the card for USCIS documents through SAVE initially. If that doesn't work and the name is different in the MRZ, then try running that name through SAVE. **Enter the entire name in the full legal name field (or the maximum that can fit), whether that be the name on the document or the name in the MRZ.** If you are unsure what name should go in which field (last, first, and middle) ask the applicant.
    3. Individuals who have taken names (step-parent, mother or father's significant others, etc.), but never got their names legally changed will continue to have to obtain a court order if they cannot present another identification document with the name they want to use.
    4. Individuals who do not have their complete name listed on their birth certificates will be required to obtain amended birth certificates. Example would be Baby Boy Smith.

When processing applicants with name changes that require entry on the F9 screen as an "other" document, you must contact your supervisor for authorization. Supervisor will "OK" the F9 screen if they are able to do so, otherwise, once supervisor has given approval, driver licensing staff will have to contact the home office for "OK" on the F9 screen before they can proceed with processing the applicant.

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

Incomplete names should not be “fixed” on the record unless the applicant requests it. Previously shown documents that are scanned should not be used to add full legal name unless approved by your supervisor. F1 comments should be made if approval is given.

### **Requirements on Birth Documents**

Raised Seal or Stamp

Certificate (File) #

Name of Person

Date of Birth of Person

Name of City/County (City/County Birth Documents only)

Mom/Dad Name (City/County Birth Documents only)

It is OK to begin accepting birth documents that say “FOR GOVERNMENT PURPOSES ONLY”

### **Do Not Accept:**

- Iowa newborn birth certificate cards issued between May 1993 and October 2009 will not be accepted since Iowa has stated they do not contain enough information to be used for identification purposes.
- Fax copies or photocopies
- Documents that indicate that they are ‘NOT TO BE USED FOR PROOF OF IDENTIFICATION’ or ‘NOT TO BE USED FOR PROOF OF CITIZENSHIP’.
- Hospital issued birth certificates
- Puerto Rico birth certificates issued prior to September 30, 2010

As long as the document (any size) has all of the fields listed above, you are not concerned about the authenticity of the document or the person presenting it and you have used all fraud tools at your disposal, then the document can be accepted without your supervisor’s approval. This includes any city, county, or state birth documents of various names such as birth certificates, birth registrations, birth abstracts, etc. from any state. If you feel any inkling of suspicion about the document or the person presenting it, contact your supervisor.

When entering identification/citizenship documents on F9 Screen, DO NOT COPY and PASTE from the APP screen. Type the information in on the F9 Screen from the documents you are presented.

### **Electronic Certified Divorce Decree:**

If an applicant has an electronic version of a certified divorce decree it can be accepted under the following criteria;

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1. The applicant must bring a physical, printed copy of the certified electronic decree to the exam office so it can be scanned. We cannot accept a digital version of the certified electronic divorce decree.
2. A cover sheet certifying the electronic divorce decree must accompany the electronic divorce decree. A physical copy of this cover sheet should be presented by the applicant and scanned with the necessary pages from the electronic divorce decree.

If an applicant has had a document previously issued and the full name line includes the complete spelling of their name but are now presenting a citizenship or USCIS document that has a partial or abbreviated name on it, the name should be corrected on the Issue Name and Full Name lines to reflect what is on the most recent citizenship or USCIS document presented. The previous name will be a verified aka.

### Basic Address Rules:

- All Caps (system will convert to all caps)
- No Punctuation (no periods, commas—use one or 2 spaces instead)
- No Symbols (#,-,/) )
- Use abbreviations when possible, except for cities.
- When individual has both a street address and a P.O. Box enter the PO Box in the mailing address.
- When the address includes “county road” or “CR”, spell county out: i.e. 12340 COUNTY RD 40
- Route and box number are as follows:  
RR 1 Box 285 or may be HC71 Box 285
- If a street name is a number (i.e.: First Street) then you would type that as 1<sup>st</sup> St.

### Standard Abbreviations:

Apartment	APT				
Building	BLDG	Court	CT	Springs	SPGS
Department	DEPT	Cove	CV	Square	SQ
Floor	FL	Creek	CRK	Station	STA
Lot	LOT	Drive	DR	Street	ST
Room	RM	Expressway	EXPY	Terrace	TER
Space	SPC	Fort	FT	Trail	TRL
Suite	STE	Grove	GRV	North	N
Trailer	TRLR	Heights	HTS	East	E
Unit	UNIT	Highway	HWY	South	S
Alley	ALY	Junction	JCT	West	W
Avenue	AVE	Landing	LNDG	Northeast	NE
Boulevard	BLVD	Lane	LN	Southeast	SE
Branch	BR	Parkway	PKY	Southwest	SW
		Place	PL	Northwest	NW
		Plaza	PLZ		
		Point	PT		
		Road	RD		

## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS

Circle

CIR

### **Fraud Guidance:**

Before an applicant is processed, it is the responsibility of the Driver Licensing Services staff to determine if the customer is who they are claiming to be and that the documents that are being presented are legitimate and valid documents.

### **Human Factor:**

Detecting fraudulent applicants requires much more than mere document inspection. To be routinely successful in detecting fraud, you must have an appreciation of the human element.

### **Red Flags:**

Fraud warning “red flags” are present every day. The following are examples of red flags:

- Abnormal behavior, extreme defensiveness, even aggression.
  - Extreme nervousness-lack of eye contact (note: In some cultures, looking a person in the eye is a sign of disrespect. Keep this in mind if the applicant is from a foreign country).
  - Watch the eyes. A person who is recalling data (remembering) will roll their eyes to their left. A person who is creating data (lying) will roll their eyes to their right.
  - Overly talkative
  - Hesitation, false starts, or misspellings of their name/signature.
  - A person who repeats information back to you.
  - A person of legal driving age, especially “middle aged” who state he-she has never been licensed.
- 
- Any information provided by the applicant that contradicts computer records of information on the identification documents.

These behaviors do not necessarily constitute fraud. However, they should set off a “red flag” to check the documentation and/or record more closely. At the same time, be careful not to assume that all applicants are “guilty until proven innocent”.

### **Examination of Identification Documents:**

All documents that are presented for identification should be reviewed for validity.

- Examine the ID. All identification documents presented must be examined with the M500, microscope, magnifying glass and/or UV light.

## SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS

- Check for security features.
- Check for any alterations to the document.
- Check to see if watermark is on document if it should be.

Review the previous Digital Image on file if there is one. Use all tools provided such as: Fraud training documents on EDC, the ID Checking Guide, the INS Document Guide, etc.

### **Sample Questions:**

For individuals presenting birth certificates, the following sample questions *may be helpful* in assisting you in establishing authenticity of the identification documents and/or the applicant:

- What is your date of birth?
- In what city were you born?
- In what county were you born?
- What hospital were you born in?
- What is your mother's name, including maiden name?
- What is your father's name?
- When is your father's/mother's birthday?
- Middle initial of parents?
- How many brothers/sisters were born before you?

On documents other than birth certificates, staff should ask document appropriate questions to establish authenticity of the document. Review the computer record, if one already exists, to help you in determining whether to proceed. Example: physical description of applicant, ask them what their previous address was, etc.

Most people who rehearse anticipated answers don't expect to have the same question asked more than once. Go back and re-ask a previously asked question.

**If questions cannot be answered to staffs' satisfaction or if the document appears to be altered or fraudulent, additional identification shall be required.** If you are suspect of the applicant and/or documents presented, scan the suspicious documents under "general correspondence" as both the divider and separator with correct date formats. Call or email Mary Mangels in the DMV Fraud Unit at [mary.mangels@nebraska.gov](mailto:mary.mangels@nebraska.gov) or 402-471-0060.

Give her the applicant's license number and a description of what the situation is. Specific comments need to be made on the F1 history screen regarding identification that was seen but not accepted, and the reasons why. Be as specific as possible so that this information is helpful to Mary or the next staff person that may assist this applicant. Remember not to put any fraudulent

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detection information on F1 since it is considered public information. These documents should NOT be entered on the F9 ID Screen.

### **Possible Fraudulent Documents and/or Identity Theft/Law Enforcement Involvement:**

Any individual presenting suspected fraudulent documents will be denied and a Return for Services form will be issued. Licensing staff has not been given the same statutory authority as those given to law enforcement officials or USCIS agents.

You do not have the authority to **CONFISCATE** identification documents or escort individuals to local law enforcement offices. However, you may ask law enforcement officers to come to the driver licensing station to further investigate your concerns. *Under no circumstances should staff be part of the interrogation process between law enforcement officials and applicants.*

### **Documents Left Behind (Possible Fraud):**

In the event documents are “left behind” when an individual is questioned about their identification, please complete the Fraudulent Document Property Form (Option 51, #24) and forward it along with any documents left to the DVR Fraud Unit. The documents should be paper clipped – not stapled – to the form and may be sent in with your usual mailing to the main office. This form should only be sent in along with documents that were left behind. When the documents are received by the DVR Fraud Unit, a note will be made on the F1 screen.

### **Law Enforcement Requests for Records:**

If a law enforcement officer **who is not one of the DVR investigators** is assisting you with a possible fraud investigation **at your request**, and the investigator requests the data form, F1 History or a Digital Image/Signature, direct them to the DMV Fraud Division: [mary.mangels@nebraska.gov](mailto:mary.mangels@nebraska.gov)  
402-471-0060

**If you have requests from law enforcement or individuals for data forms, issuance certificates, F1 history or digital images that are not the result of an investigation, the law enforcement officer or individual should be directed to the Driver and Vehicle Records Division at 402-471-3918.**

### **Documents Fraudulently Obtained:**

If an applicant comes in and it is discovered that someone else has obtained a license/ID card under his/her name fraudulently, the applicant should be referred to the DVR Fraud Unit. Provide the applicant a phone number to call Mary Mangels at (402) 471-0060. You may provide the applicant with the ID Theft Complaint (available from the website – click on Document and Identity Theft Info under Individuals- Driver’s License, ID & Permits, and scroll down on the righthand side to the highlighted “Identity Theft Complaint.” Click on this and

## **SECTION 8 – IDENTIFICATION and ADDRESS REQUIREMENTS & FOREIGN LANGUAGE TRANSLATORS**

print it out for the applicant.) Please note on the F1 screen if the applicant has been provided with an ID Theft Complaint.

If there is a record set up and a history on F1, but **no document has been issued**, please refer the situation to your supervisor. The supervisor may decide if a document should be issued or if an appointment should be made with the supervisor or one of the DVR investigators.

### **Foreign Language Translations:**

Translations must be typed or printed on letterhead (if an agency is represented), dated and signed (a notary public is not required).

Only translations of marriage licenses can be used.

The customer should retain the translated document.

The translator does NOT have to be present when the applicant is using a translated document as proof of identification.

Both the original document and the translation must be presented to staff and scanned.

## SECTION 9 – MOTOR VOTER

### **Motor Voter**

Voter Registration is offered to those individuals who are doing so in conjunction with applying for/obtaining any license, permit, or ID card. If an individual wishes to register to vote and not make application for a DMV document, he/she should be referred to the Secretary of States online voter registration site at <https://www.nebraska.gov/apps-sos-voter-registration/> or to the Election Commissioner or County Clerk in the county of residence.

Applicant will indicate on the data form whether they wish to register to vote and if so, what their party affiliation is and their last registration address (if applicable). Staff will enter “y” or “n” and if “y” the additional information on the Voter/Veteran/Organ Donor Screen. If a “y” is entered, the voter registration information will be sent to a DB2 file the Secretary of State’s Office picks up each evening and transmits electronically to local election commissioners or county clerks.

If an individual chooses to register to vote, he/she will receive a voter registration confirmation card from the Election Commissioner/County Clerk usually within 30 days from the date of application.

For an applicant to be old enough to register to vote he/she must be 18 years old by the first Tuesday after the first Monday in November of the year in which he/she is registering. It will not be your responsibility to ensure that the applicant meets this requirement; however, you need to be aware of it if someone should question you.

If the applicant has specific questions about completing the voter registration questions, inform him/her to answer to the best of their knowledge and that if any further information or a correction is needed, the Election Commissioner/County Clerk will contact them.

If any follow up questions are asked (i.e. why didn’t I receive my confirmation card, etc.?) refer them to the Election Commissioner/County Clerk in their county of residence.



## SECTION 10 – ORGAN DONATION/ANATOMICAL GIFT

### **Organ and Tissue Donation**

Applicants who are within 60 days of their 16<sup>th</sup> birthday applying for a POP as well as all applicants 16 years of age and older will be given the option of answering organ and tissue donation questions on the data form when applying for a license, permit or State ID Card.

An informational brochure is provided by the Nebraska Organ Retrieval System for applicants. Staff and all county treasurers shall make the brochure available to applicants.

A heart will be placed on the license, permit or State ID Card to indicate an individual has elected to be an organ and tissue donor.

Any person who wishes to change their organ and tissue donor information status may apply for a replacement document.

If an individual desires to donate his/her entire body, a bequeathal form is needed from the State Anatomical Board. The address and phone number for the Board is:

Anatomical Board of the State of Nebraska  
986395 Nebraska Medical Center  
Omaha, NE 68198 – 6395  
Voice: 402-559-6249  
FAX: 402-559-3400

The name and address of those applicants who have indicated that they desire additional specific information regarding organ and tissue donation will be forwarded to the Nebraska Organ Retrieval System (NORS) by Driver and Vehicle Services. NORS will then send the information directly to the individuals.

## SECTION 11 – VISION REQUIREMENTS - DMV

### Vision Requirements – Department of Motor Vehicles

Applicants for Class “O”, “M” and all non-commercial permits must meet the Department’s minimum vision requirements. In addition, commercial applicants self-certified in Categories B & D are required to meet DMV minimum vision requirements.

The Statement of Vision forms received by the DMV for the purpose of assisting the director in determining whether a person is qualified to be licensed shall be for the confidential use of the director and any designees of the director and may not be divulged to any person other than the applicant or licensee or used in evidence in any legal proceeding, except that a report may be admitted in an appeal of an order of the director based on the report.

A minimum acuity level of vision is required to issue a licensing document in Nebraska as per Nebraska Revised Statute 60-4,118. Such level of vision may be obtained through the use of corrective lenses (eyeglasses or contact lenses), bioptic or telescopic lenses, which are specially constructed vision correction devices which include a lens system attached to or used in conjunction with a carrier lens, and requiring a minimum field of vision.

#### **Visual Acuity:**

<u>Both</u> With/Without Corrective Lens	<u>Left</u>	<u>Right</u>	<u>Restrictions</u> Corrective Lens: Code B Without Corrective Lens: None
20/40	20/40-50-60	20/40	None
20/40	20/40	NR	F
20/40	20/60	20/40	None
20/40	20/70 or worse	20/40-50-60	F
20/40	20/40-50-60	20/70 or worse	F
20/50	20/40-50-60	better than 20/70	G
20/50	20/70 or worse	not applicable	F, G
20/50	blind	20/40 or 50 (only possible reading)	F, G
20/60	20/60	20/60	G
20/60	20/70 or worse	20/60	F, G
20/60	20/60	20/70 or worse	F, G
20/60	blind	20/60	license denied
20/60	20/60	blind	license denied
20/70	20/40-50-60	20/40-50-60-70-80	F, G, X

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20/70	20/70	20/70 or worse, but not blind	F, G, X
20/70	20/70 or worse, but not blind	20/70	F, G, X
20/70	blind	20/70	license denied
20/70	20/70	blind	license denied
20/70	20/70	20/70	F, G, X
20/80	any reading	any reading	license denied

### Restriction Codes:

Restriction codes – instructions printed on a license or permit limiting the driving privileges of the licensee. The restriction codes used by the Department include the following:

<u>Code</u>	<u>Restriction</u>	<u>Description</u>
B	Corrective Lenses	Glasses/Contact Lenses
C	Mechanical Aids on Vehicle	Any aid(s) on the vehicle which will assist the driver in operating the motor vehicle (e.g. hand controls, gear shift, extension, spinner knob, etc.)
E	Automatic Transmission	Limits the driver to operating a vehicle with automatic transmission only
F	Outside Mirrors	Requires both left and right outside mirrors on vehicle
G	Limited to Daylight Driving	May drive only during daylight hours
K	Intrastate Only	May drive only in Nebraska
L	Vehicles without air brakes	Restricted to driving vehicles without air brakes
M	Except Class A Bus	Operation of a Commercial Motor Vehicle which is not a class A Bus
N	Except Class A & B Bus	Operation of a Commercial Motor Vehicle which is not a Class A or B Bus

## SECTION 11 – VISION REQUIREMENTS - DMV

O	Except Tractor Trailer	Operation of a Commercial Motor Vehicle which is not a tractor-trailer Combination
Q	No Interstate Driving	Not allowed to drive on the interstate system
U	Automatic Turn Signals Required	Driver is unable to do hand signals. Turn signals modified or adapted to enable driver to operate them.
V	Geographic Area (Specify)	Limited to specific number of miles as determined by driver licensing staff (maximum 35 spaces on computer). <b>Contact supervisor for specific guidance.</b>
W	No One-Way Streets or Roadways	Not allowed to operate a vehicle on a street or roadway where all vehicles are traveling the same direction.
X	Maximum Speed Restriction (Specify)	Restricted to maximum speed limits as determined by driver licensing staff (maximum 35 spaces on computer). <b>Contact supervisor for specific guidance.</b>
Y	Two Lane, Two Way Traffic only	Cannot operate a motor vehicle on a one-way street, four lane highway or the Interstate system.
Z	Special as Specified by DMV	Any other restriction not listed above, as determined by the driver licensing staff, which need to appear on the driver's license (i.e. telescopic lenses, prostheses, etc. – maximum 35 spaces on computer).

### **Peripheral Vision:**

Peripheral vision standards established by the Department are outlined below.

The required restriction codes for each value are shown on the right. An applicant may be issued a license or permit only when these standards are met as determined using vision testing equipment approved by the Department or as recorded on the Statement of Vision.

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Total Field of Vision Based on Visual Field Recognition Through an Uninterrupted Arc:

- 140 degrees or greater, no restrictions
- 120 to 139 degrees, restriction F
- 100 to 119 degrees, restrictions F, V, G, X
- Less than 100 degrees, license denied

Peripheral readings may be added together in the following ways:

1. Temporal to temporal
2. Temporal to nasal (same eye only). You may not add degrees together for nasal to nasal or temporal to nasal (both eyes).

### **Double Vision:**

A Statement of Vision indicating that the applicant has constant diplopia (double vision) will be a denial.

### **General Information:**

Minimum acuity and peripheral vision readings must be met.

Conduct vision screening tests in a systematic and efficient manner:

1. Be careful to ensure that applicant is not guessing or reading from memory.
2. Be sure head is positioned properly.
3. Be sure both eyes are open.

Inform the applicant whose license will be restricted what the restrictions are.

Applicants for a license or permit who fail to perform satisfactorily on the vision test administered by staff will be issued a Statement of Vision. If the applicant comes back later with corrective lenses and we can get acceptable vision readings, staff should call the home office to have the Statement of Vision requirement removed.

If removing a vision restriction when not in renewal period, staff should check to see if a Statement of Vision has been scanned. If so, then a statement shall be issued to applicant. If no statement is on file, then staff should administer the vision test and remove restrictions if a passing reading is obtained. If staff cannot get a passing reading, then the Statement of Vision should be issued.

The Statement of Vision is a form approved by the Director and shall be the only form accepted by staff for the recording of the results of an eye examination by an optometrist or ophthalmologist.

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The results of the eye examination of the optometrist or ophthalmologist as reported on the Statement of Vision will be used by staff in lieu of the results of staff's examination in determining the qualification of the applicant for a license or permit. Instead of a numeric reading (20/40, 20/50 etc.) a doctor may enter one of the following abbreviations.

CF (Count Fingers)  
HM (Hand Motion)  
NR (No Reading)  
LP (Light Perception)  
BLD/NLP (Blind/No Light Perception)

You can enter the abbreviations above in the appropriate line for the vision readings from the vision statement. Our system is programmed to accept the five abbreviations above in the vision fields. Any other abbreviations are not acceptable and will require a phone call to a supervisor.

If a Statement of Vision is required, the applicant must present a current statement (completed within the last 90 days). If this statement is accepted, then regardless of when an applicant finishes the process to obtain a license, this statement should be accepted.

If the process (where a Statement of Vision has been accepted or not) takes longer than 90 days, the system will clear the vision "both" field, which will require you to recheck their vision. If at this time the applicant does not get acceptable vision readings, please contact your supervisor prior to issuing a new Statement of Vision.

Once a document is issued, and the applicant comes back in for a different type of document (even the next day) the application will not show previous information. The vision will need to be rechecked and if necessary a Statement of Vision may be issued. Please call your supervisor prior to issuing a new Statement of Vision.

If the Statement of Vision indicates that the applicant meets minimum vision requirements, issue the license document. The statement must be completely filled out and signed by the doctor and the patient. Do not accept it if both of the signatures are not on the statement. Send the statement in to the home office at the end of each workday so that it can be scanned.

If the Statement of Vision indicates that new corrective lenses are required, staff should assume that the new corrective lenses have been dispensed, and not question the applicant. If the applicant makes it known that the new corrective lenses have not been dispensed, a Return for Services form should be issued and the applicant instructed to return to the driver licensing office once the new lenses have been received.

When a Statement of Vision is returned to staff and there is a question if a document should be issued, scan the statement and send it to the vis/med email

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group for review (dmv.vismed@nebraska.gov). If the applicant does not meet minimum vision requirements, a denial letter will be sent to them.

Any individual under the age of 18 who applies for an LPD and the vision readings obtained by staff requires a daytime only restriction (G), will be required to present a completed Statement of Vision prior to the issuance of the LPD. When the applicant returns and the completed statement indicates that the daytime only restriction is still required, then the LPD will be issued with the “G” restriction. Make a note on the history that the vision readings obtained by the eye doctor require the “G” restriction.

When the LPD holder returns to apply for the POP, the parent or guardian can write a disclaimer on the 50-hour drive certification (if presented) that the child was unable to drive the 10 hours at night. With or without the parent or guardian’s disclaimer, the 50-hour certification should be accepted.

### **Bioptic/Telescopic Lenses:**

When any bioptic or telescopic lenses system are attached to or used in conjunction with a carrier lens, the applicant’s acuity through the bioptic or telescopic lenses must meet the acuity standards. The applicant’s field of vision through the carrier lens must meet peripheral vision standards.

These licenses will expire on the licensee’s birthday in the second year after issuance, unless the optometrist or ophthalmologist on the Statement of Vision indicates a shorter expiration period. If such time period is less than two years, the license shall be valid for one year. The drive test must be administered each renewal period.

Any individual with this restriction who applies for a duplicate or replacement will need to have the most recent Statement of Vision readings re-entered by the home office staff. Contact the home office for assistance. A drive test will not be required until the next renewal period.

### **Appeal Process:**

If an applicant is denied or refused a certificate for license or a license is canceled, such applicant or licensee shall have the right to an immediate appeal to the director from the decision. It shall be the duty of the director to review the appeal and issue a final order, to be made not later than ten days after the receipt of the appeal by the director. The director shall issue a final order not later than ten days following receipt of the medical opinion if the applicant or licensee submits reports from a physician of his or her choice for the director’s consideration as provided in Neb. Rev. Stat. § 60-4,118.03. The applicant or licensee who files an appeal pursuant to this section shall notify the director in writing if he or she intends to submit records or reports for consideration. Such notice must be received by the director not later than ten days after an appeal is filed pursuant to this section to stay the director’s decision until after the consideration of such records or reports as provided in § 60-4,118.03. After consideration of evidence in the records of the applicant or licensee, including any records submitted by the applicant or licensee, the director shall make a

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determination of the physical or mental ability of the applicant or licensee to operate a motor vehicle and shall issue a final order. The order shall be in writing, shall be accompanied by findings of fact and conclusions of law, and shall be sent by regular United States mail to the last-known address of the applicant or licensee.

Whenever the director reviews the denial or cancellation of an operator's license because of mental, medical, or vision problems that may affect the person's ability to safely operate a motor vehicle as provided in §§ 60-4,114 and 60-4,118, the director may consider records and reports from a qualified physician. The

applicant or licensee may cause a written report to be forwarded to the director by a physician of his or her choice pursuant to an immediate appeal to the director under § 60-4,114. The director shall grant reasonable time for the applicant or licensee to submit such records. The director shall give due consideration to any such report.

Reports received by the DMV for the purpose of assisting the director in determining whether a person is qualified to be licensed shall be for the confidential use of the director and any designees of the director and may not be divulged to any person other than the applicant or licensee or used in evidence in any legal proceeding, except that a report may be admitted in an appeal of an order of the director based on the report. Any person aggrieved by a decision of the director made pursuant to this section may appeal the decision as provided in § 60-4,105 set forth below.

Unless otherwise provided by statute, any person aggrieved by a final decision or order of the director or the Department of Motor Vehicles to cancel, suspend, revoke, or refuse to issue or renew any operator's license, any decision of the director, or suspension of an operator's license under the License Suspension Act may appeal to either the district court of the county in which the person originally applied for the license or the district court of the county in which such person resides or, in the case of a nonresident, to the district court of Lancaster County within thirty days after the date of the final decision or order.

Summons shall be served on the department within thirty days after the filing of the petition in the manner provided for service of a summons in § 25-510.02. Within thirty days after service of the petition and summons, the department shall prepare and transmit to the petitioner a certified copy of the official record of the proceedings before the department. The department shall require payment of a five-dollar fee prior to the transmittal of the official record. The petitioner shall file the transcript with the court within fourteen days after receiving the transcript from the department.

The district court shall hear the appeal as in equity without a jury and determine anew all questions raised before the director. Either party may appeal from the decision of the district court to the Court of Appeals.



## SECTION 12 – VISION REQUIREMENTS - DOT

### **Vision Requirements – Department of Transportation (Part 391)**

Applicants for Commercial Driver's Licenses and Commercial Learner's Permits who medically certify as either Interstate Non-Excepted (Category A) or Intrastate Non-Excepted (Category C) must meet minimum Department of Transportation Part 391 vision requirements. Applicants for Commercial Driver's Licenses and Commercial Learner's Permits who medically certify as either Interstate Excepted (Category B) or Intrastate Excepted (Category D) are required to meet minimum Department of Motor Vehicles vision requirements.

#### **Exemptions to Part 391:**

- 1) Operators of commercial vehicles operated solely in intrastate commerce, who do not meet DOT medical/vision requirements and who hold or have previously held a Nebraska CDL issued prior to July 30, 1996.
- 2) An employee of a government or political subdivision.
- 3) Persons engaged in custom harvesting operations if the vehicle is used to  
1) transport farm machinery, supplies, or both, to or from a farm for custom harvesting operations on a farm; or 2) transport custom-harvested crops to storage or market. 3) Customer Harvesters operating solely in intrastate commerce. Note: this differs from the definition of RCDLs so retail agricultural outlet or suppliers, agricultural chemical business, and livestock feeders still need to meet Part 391.
- 4) Drivers operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.
- 5) A private motor carrier of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.).

Note: Drivers who meet these exemptions and are not restricted to intrastate operation should check with other states to make sure they are legal before crossing state lines.

#### **Part 391 Requirements:**

§391.41(b)(10) – A person is physically qualified to drive a commercial motor vehicle if that person:

Has a distant visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses;

And

Distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses;

And

Field of vision of at least 70 degrees in the horizontal Meridian in each eye;

And

The ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.

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The term “ability to recognize the colors of” is interpreted to mean if a person can recognize and distinguish among traffic control signals and devices showing standard red, green, and amber, he/she meets the minimum standard, even though he/she may have some type of color perception deficiency. If certain color perception tests are administered (such as Ishihara, Pseudoisochromatic, Yarn, etc.), and doubtful findings are discovered, a controlled test using signal red, green, and amber may be employed to determine the driver’s ability to recognize these colors.

For CDL applicants with Category C (intrastate non-excepted) medical self-certification: if an applicant is unable to pass the color blind screening with the DMV eye machine, it is permissible to screen using the traffic signal colors in the Class O Driver’s Manual (Section 3A-1Color and Types). Hold the page at eye level to the applicant from behind your desk/counter and cover the names/descriptions of the colors with a piece of paper such that the applicant can only see the colored circles along the left side. If the applicant can correctly identify the five colors correctly (red, yellow, green, red, yellow), they have successfully passed the colorblind screening.

Contact lenses are permissible if there is sufficient evidence to indicate that the driver has good tolerance and is well adapted to their use. Telescopic lenses are not acceptable for the driving of commercial motor vehicles in interstate commerce or for school bus operation.

If an individual meets the criteria using glasses or contact lenses, this information will be notated on the Medical Examiner’s Certificate.

### **Federal Vision Exemption:**

This program ended on March 22, 2023 and is no longer available. See Alternate Vision Standards (AVS) information below.

### **Alternate Vision Standards (AVS):**

Alternate Vision Standards allows individuals who do not satisfy, with the worse eye, either the existing distant visual acuity standard with corrective lenses or the field of vision (peripheral) standard, or both to be physically qualified to operate a commercial motor vehicle without obtaining a vision exemption and allows certified medical examiners, in consultation with an ophthalmologist or optometrist to evaluate and determine whether to grant a Medical Examiner’s Certificate for up to one year.

Any applicant wishing to obtain a CDL document using AVS needs to be approved by the CDL Program Manager in the Home office.

The approving manager needs to have all medical documentation including:

- a) Medical Examiner’s Certificate (MEC) (Form MCSA-5876)
- b) ‘Long Form’ Medical Examination Report Form (Form MCSA-5875)
- c) Vision Evaluation Report (Form MCSA-5871)
- d) Contact information for applicant (e-mail and cell phone).

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If already completed, the examiner should scan copies of any of the above listed items provided by the applicant and email them to the CDL Program Manager. The applicant should be instructed that they will be contacted by the CDL Program Manager.

After the initial approval by the CDL Program Manager, all future MEC documents do not need manager approval. Those MEC documents can be accepted and entered by exam staff. The MEC documents will have an expiration date that is less than one year from their issuance, and they will not have the exemption/waiver box marked.

### Additional information:

The driver should have monocular vision, meaning acceptable readings in only one of the two eyes. The AVS regulation means the driver will NOT get the F (outside mirrors) restriction. HOWEVER, if the driver has an existing Class O for the CLP, the M endorsement OR has an existing Class M LPD, Nebraska statute (Class O) requires the F restriction. The F restriction is 'global' and must go on all documents. Thus, a driver with a Class O with the F restriction will continue with the F restriction and the CLP will have an F restriction with AVS. However, once the CDL is issued, no F restriction will go on the CDL as no Class O/M document will exist. A driver with the M endorsement or Class M LPD who is approved for AVS will continue to have an F restriction on the CLP and CDL. They will, however, be allowed for Category A or C medical categories.

Category A and Category C drivers that qualify for AVS, will not have a vision screening at the counter by an examiner. This includes those AVS approved applicants that also have M endorsements and/or Class O licenses.

CLP holders with med cert category A/C in conjunction with a CDL will NOT get the F restriction (i.e., no Class O/RCDL license exists). *This assumes a Class M LPD/Class M endorsement doesn't exist.*

CDL holders with med cert category A/C will NEVER get the F restriction unless they also have the M endorsement or a Class M LPD.

If a driver had B/F restrictions on Class O license and now qualifies for AVS, the B can be removed if the AVS readings meet minimum AVS requirements without corrective lenses.

### **General Information:**

Minimum acuity and peripheral vision readings must be met. Applicant must be able to pass the colorblind test.

Peripheral vision readings must be listed separately – example – left temporal 70 degrees – right temporal 70 degrees.

Conduct vision screening tests in a systematic and efficient manner:

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1. Be careful to ensure that applicant is not guessing or reading from memory.
2. Be sure head is positioned properly.
3. Be sure both eyes are open.

Individuals certifying as Category A are required to present a valid Medical Examiner's Certificate (card – not long form) for their CLP or CDL.

Medical Examiner's Certificate –must be completed by an advanced practice nurse, doctor of chiropractic, doctor of medicine, doctor of osteopathy, physician assistant, or other medical professional authorized by applicable State laws and regulations to perform physical examinations and who are on the National Registry at <https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam>.

The Medical Examiner's Certificate should not be accepted without the medical examiner's signature on it.

If the Medical Examiner's Certificate indicates that corrective lenses are required, then all documents issued to this individual must carry the "B" restriction, regardless of the vision readings we got on our vision machine.

Statement of Vision can be accepted in conjunction with a Medical Examiner's Certificate, but not in lieu of.

Applicants self-certifying as Category A must present a current copy of their medical examiner's certificate (card – NOT long form) and keep this current with the DMV. Failure to do so or to self-certify as a different category (that does not require a medical examiner's certificate on file) will result in cancellation of the CDL.

## SECTION 13 – MEDICAL REQUIREMENTS - DMV

### **Medical Requirements – Department of Motor Vehicles**

Applicants for Class “O”, “M” and all non-commercial permits must meet the Department’s minimum medical requirements. In addition, commercial applicants self-certified in Categories B & D are required to meet DMV minimum medical requirements.

Under certain circumstances, careful medical review and evaluation of an applicant for an operator’s license or of a licensee is necessary to protect the interest of the applicant or licensee and the health, safety and welfare of the public. Neb. Rev. Stat 60-4,118.01(3). If there are concerns as to an applicant or driver’s mental or physical ability to safely operate a motor vehicle, the DMV may require a Statement of Physician. The Statement of Physician is a form approved by the director and is the only form accepted by the DMV for the recording of the results of a mental or physical examination by a medical professional. The results of the examination as reported on the Statement of Physician will be used by the DMV in determining the qualification of the applicant for a license or permit.

The Statement of Physician forms received by the DMV for the purpose of assisting the director in determining whether a person is qualified to be licensed shall be for the confidential use of the director and any designees of the director and may not be divulged to any person other than the applicant or licensee or used in evidence in any legal proceeding, except that a report may be admitted in an appeal of an order of the director based on the report.

If the applicant marks “yes” to any medical questions or staff marks “yes” to the medical questions due to observing conditions that may question the applicant’s capability to safely operate a motor vehicle, a Statement of Physician and/or testing may be required. Staff will make appropriate and descriptive comments in F1 History as to what they observed and why they determined that a Statement of Physician is needed. If a Statement of Physician is issued, please make sure the applicant is referred to the Nebraska Driver’s Manual on the DMV website, or refer to the home office for a Nebraska Driver’s Manual to be mailed to them, so they can be prepared for any testing that may be required.

#### **Medical Definitions:**

**Cognitive Skills** - Applicant has the ability to think, understand, perceive and remember.

**Physical Skills** - Applicant has upper body strength, range of motion, mobility and coordination to use foot operated vehicle controls.

Applicant has upper body strength, range of motion, mobility and coordination to use hand operated vehicle controls and the ability to turn the head and body to the left, right and rear to observe for other traffic and pedestrians or uses mirrors/adaptive aids to achieve the same purpose as physically turning.

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**Disability** - A physical or mental impairment that substantially limited one or more of the major life activities of an individual.

A "major life activity" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, and participating in community activities.

### **Statement of Physician Issuance/Drive Test Administration Information:**

All individuals applying for a Nebraska license or permit, except for commercial motor vehicle operators who meet Department of Transportation Part 391 medical requirements, are required to meet the Department's minimum medical requirements. Individuals applying for a learner's permit may be asked to provide the Department with a completed Statement of Physician, but they cannot be administered a drive test.

If the guidelines listed below indicate that a drive test need not be administered, but if the physician indicates on the Statement of Physician that one should be administered, follow the physician's recommendations.

The information listed below are guidelines on when staff shall issue a Statement of Physician and administer a drive test to applicants. They are not intended to be all-inclusive. If you feel there is reason to believe that an individual may not be capable of safely operating a motor vehicle and his/her impairment is not included in these guidelines, contact your supervisor immediately.

### **Loss of Consciousness or Voluntary Control:**

Loss of consciousness or voluntary control, three months or more, prior to the date of application: No Statement of Physician or drive test (renewal/replacement only) required.

Loss of consciousness or voluntary control, less than three months, prior to the date of application: Statement of Physician required.

When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office the statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if it was faxed or emailed to the home office.

If the statement confirms that there has been a loss of consciousness or voluntary control less than three months prior to the date of application, but the health care professional indicates that the individual can safely operate a motor vehicle, the statement will be accepted and the information will be entered on the VM screen. Comments will also be placed on the applicant's record if necessary.

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Refer questions from applicants regarding the status of the Statement of Physician to the Home office.

When faxing or emailing a Statement of Physician to the home office, contact the driver licensing help desk to make them aware an email is being sent for approval. Send to the driver licensing help desk contact so the home office gets the statement. This is required to be done for any medical condition where the applicant brings the statement back to the driver licensing office.

### **Vertigo, Dizziness or Fainting Spells:**

Vertigo, multiple episodes of dizziness, and/or fainting spells, three months or more, prior to the date of application: No Statement of Physician or drive test (renewal/replacement only) required.

Vertigo, multiple episodes of dizziness, and/or fainting spells, less than three months, prior to the date of application: Statement of Physician required.

When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office, this statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if they have been faxed or emailed to the home office.

If the statement confirms that there has been vertigo, multiple episodes of dizziness and/or fainting spells less than three months prior to the date of application, but the health care professional indicates that the individual can safely operate a motor vehicle, the statement will be accepted and the information will be entered on the VM screen. Comments will also be placed on the applicant's record if necessary. Refer questions from applicants regarding the status of the Statement of Physician to the home office.

### **Disorientation, Impairment of Memory or Memory Loss:**

Obvious disorientation, impairment of memory or memory loss: Statement of Physician required.

When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office, this statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if they have been faxed or emailed to the home office.

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If the statement confirms that there has been disorientation, impairment of memory or memory loss and the physician indicates that the applicant is capable of safely operating a motor vehicle, a drive test will be required. If the physician indicates on the statement that the individual is not capable of safely operating a motor vehicle, the document will be denied. Comments will also be placed on the applicant's record. Refer questions from applicants regarding the status of the Statement of Physician to the home office.

### **Epilepsy/Seizure Disorders & Etc.:**

Had seizure(s), three months or more, prior to the date of application: No Statement of Physician or drive test (renewal/replacement only) required.

Had seizure(s), less than three months, prior to the date of application: Statement of Physician required.

When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office, this statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if they have been faxed or emailed to the home office.

If the statement confirms that there has been a seizure(s), less than three months prior to the date of application, but the health care professional indicates that the individual can safely operate a motor vehicle, the statement will be accepted and the information will be entered on the VM screen. Comments will also be placed on the applicant's record if necessary. Refer questions from the applicant regarding the status of the Statement of Physician to the home office.

Loss of or Impairment of Foot/Leg, Upper Body Strength, Range of

Motion/Mobility, Hand/Arm:

Loss of or impairment of physical skills - Statement of Physician is not required.

If an individual has lost or has an impairment of physical skills, and the license is properly restricted – no drive test required.

If an individual has lost or has an impairment of physical skills, five years or more, and the license is not properly restricted: 1) offer to place appropriate restriction on the driver's license without administering a drive test or 2) administer the drive test to the applicant and place appropriate restriction(s) on the driver license.



## SECTION 13 – MEDICAL REQUIREMENTS - DMV

If within the past five years an individual has lost or has loss of physical skills: 1) administer the drive test to the applicant and 2) place any appropriate restrictions on the driver's license.

**Worsening Health or Medical Condition:**

If the applicant's health or medical condition has worsened since the issuance of the last license, Statement of Physician required. When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office, this statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if they have been faxed or emailed to the home office.

If the statement addresses the reason for the worsening medical condition, but the health care professional indicates that the individual can safely operate a motor vehicle, the statement will be accepted, the information will be entered on the VM screen and a drive test will be required. If the health care professional indicates on the statement that the individual is not capable of safely operating a motor vehicle, the document will be denied. Comments will also be placed on the applicant's record if necessary. Refer questions from the applicants regarding the status of the Statement of Physician to the home office.

If condition has not worsened since the issuance of the last license: No Statement of Physician required. If current license has no restrictions and none are needed or if all appropriate restrictions are already on the license: No drive test required. If current license has no restrictions, but some are needed: Drive test required.

### **Restriction Codes:**

Restriction codes – instructions printed on a license or permit limiting the driving privileges of the licensee. The restriction codes used by the Department include the following:

<u>Code</u>	<u>Restriction</u>	<u>Description</u>
B	Corrective Lenses	Glasses/Contact Lenses
C	Mechanical Aids on Vehicle	Any aid(s) on the vehicle which will assist the driver in operating the motor vehicle (e.g. hand controls, gear shift, extension, spinner knob, etc.)

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E	Automatic Transmission	Limits the driver to operating a vehicle with automatic transmission only
F	Outside Mirrors	Requires both left and right outside mirrors on vehicle
G	Limited to Daylight Driving	May drive only during daylight hours
K	Intrastate Only	May drive only in Nebraska
L	Vehicles without air brakes	Restricted to driving vehicles without air brakes
M	Except Class A Bus	Operation of a Commercial Motor Vehicle which is not a Class A Bus
N	Except Class A & B Bus	Operation of a Commercial Motor Vehicle which is not a Class A or B Bus
O	Except Tractor Trailer	Operation of a Commercial Motor Vehicle which is not a tractor-trailer combination
Q	No Interstate Driving	Not allowed to drive on the interstate System
U	Automatic Turn Signals Required	Driver is unable to perform hand signals. Turn signals modified or adapted to enable driver to operate them.
V	Geographic Area (Specify)	Limited to specific number of miles as determined by driver licensing staff (maximum 35 spaces on computer). <b>NOTE- must contact supervisor for specific guidance.</b>
W	No One-Way Streets or Roadways	Not allowed to operate a vehicle on a street or roadway where all vehicles are traveling the same direction.
X	Maximum Speed Restriction (Specify)	Restricted to maximum speed limits as determined by driver licensing staff (maximum 35 spaces on computer). <b>NOTE- must contact supervisor for specific guidance.</b>
Y	Two Lane, Two Way Traffic	Cannot operate a motor vehicle on a only one-way street, four lane highway or the Interstate system.

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- Z Special as Specified by DMV      Any other restriction not listed above, as determined by the driver licensing staff, which need to appear on the driver's license, i.e. telescopic lenses, prostheses, etc. (maximum 35 spaces on computer).

### **General Information:**

If a Statement of Physician is required, the applicant must submit a current statement (completed within the last 90 days). If this statement is accepted, then regardless of when the applicant finishes the process to obtain a license, this statement is still valid.

If the process takes longer than 90 days, the system will blank out the answers to the medical questions. The applicant will be required to complete a new data form answering the medical questions. Do not ask the applicant these questions verbally. If at this time the applicant indicates a medical issue, then a new Statement of Physician would be required. If not, then the applicant will just continue the examining process.

Once a document is issued and the applicant comes back in for a different type of document (even the next day), the application will not show previous information. The medical questions will again default to "N" and the applicant would again need to answer the questions.

Questions 1, 2, 3 and 4 under General Statements must be completed on the Statement of Physician for all applicants. The statement must be signed by the doctor to be accepted.

If a doctor marks "Only if appropriate tests as determined by DMV are passed" to question #1 a written test will be required or to #2, a drive test will be required. When the applicant returns, if the applicant seems to have cognitive problems where staff is concerned that the person may not be able to safely operate a motor vehicle, they should notate the concerns they have with applicant on history and then contact their supervisor to request that the person take a written test. The written test will serve as a screening device in these instances before staff administers the drive test.

All Statement of Physician forms must be reviewed by the home office. When the Statement of Physician is issued, instruct the applicant to mail the completed statement to the home office for review. The address is in the top, left portion of the statement. If the applicant brings the original completed statement back to a driver licensing office, this statement should be faxed or emailed to the home office for review at that time. If the statement cannot be reviewed while the applicant is in the driver licensing office, the applicant will be sent a letter from the home office once the statement has been reviewed. The original statements should not be mailed to the home office if they were faxed or emailed to home office.

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Statement of Physician – this statement must be completed by a Certified Nurse Practitioner, Advanced Practice Nurse, Doctor of Chiropractic, Doctor of Medicine, Doctor of Osteopathy, Physician Assistant, or other medical professional authorized by applicable State laws and regulations to perform physical examinations.

If the Statement of Physician indicates that the applicant meets minimum medical requirements, issue the license document.

If the physician indicates on the Statement of Physician that the applicant should operate a motor vehicle only under certain restrictions, staff may consider this recommendation along with the results of other parts of the examination in deciding whether to issue a license or permit subject to such limitation.

### **Appeal Process:**

If an applicant is denied or refused a certificate for license or a license is canceled, such applicant or licensee shall have the right to an immediate appeal to the director from the decision. It shall be the duty of the director to review the appeal and issue a final order, to be made not later than ten days after the receipt of the appeal by the director. The director shall issue a final order not later than ten days following receipt of the medical opinion if the applicant or licensee submits reports from a physician of his or her choice for the director's consideration as provided in Neb. Rev. Stat. § 60-4,118.03. The applicant or licensee who files an appeal pursuant to this section shall notify the director in writing if he or she intends to submit records or reports for consideration. Such notice must be received by the director not later than ten days after an appeal is filed pursuant to this section to stay the director's decision until after the consideration of such records or reports as provided in § 60-4,118.03. After consideration of evidence in the records of the applicant or licensee, including any records submitted by the applicant or licensee, the director shall make a determination of the physical or mental ability of the applicant or licensee to operate a motor vehicle and shall issue a final order. The order shall be in writing, shall be accompanied by findings of fact and conclusions of law, and shall be sent by regular United States mail to the last-known address of the applicant or licensee.

Whenever the director reviews the denial or cancellation of an operator's license because of mental, medical, or vision problems that may affect the person's ability to safely operate a motor vehicle as provided in §§ 60-4,114 and 60-4,118, the director may consider records and reports from a qualified physician. The applicant or licensee may cause a written report to be forwarded to the director by a physician of his or her choice pursuant to an immediate appeal to the director under § 60-4,114. The director shall grant reasonable time for the applicant or licensee to submit such records. The director shall give due consideration to any such report.

## **SECTION 13 – MEDICAL REQUIREMENTS - DMV**

Reports received by the DMV for the purpose of assisting the director in determining whether a person is qualified to be licensed shall be for the confidential use of the director and any designees of the director and may not be divulged to any person other than the applicant or licensee or used in evidence in any legal proceeding, except that a report may be admitted in an appeal of an order of the director based on the report. Any person aggrieved by a decision of the director made pursuant to this section may appeal the decision as provided in § 60-4,105 set forth below.

Unless otherwise provided by statute, any person aggrieved by a final decision or order of the director or the Department of Motor Vehicles to cancel, suspend, revoke, or refuse to issue or renew any operator's license, any decision of the director, or suspension of an operator's license under the License Suspension Act may appeal to either the district court of the county in which the person originally applied for the license or the district court of the county in which such person resides or, in the case of a nonresident, to the district court of Lancaster County within thirty days after the date of the final decision or order.

Summons shall be served on the department within thirty days after the filing of the petition in the manner provided for service of a summons in § 25-510.02. Within thirty days after service of the petition and summons, the department shall prepare and transmit to the petitioner a certified copy of the official record of the proceedings before the department. The department shall require payment of a five-dollar fee prior to the transmittal of the official record. The petitioner shall file the transcript with the court within fourteen days after receiving the transcript from the department.

The district court shall hear the appeal as in equity without a jury and determine anew all questions raised before the director. Either party may appeal from the decision of the district court to the Court of Appeals.

## **Section 14 - Medical Requirements – Department of Transportation (Part 391)**

### **Medical Requirements -Department of Transportation**

Applicants for Commercial Driver's Licenses and Commercial Learner's Permits who medically certify as either Interstate Non-Excepted (Category A) or Intrastate Non-Excepted (Category C) must meet minimum Department of Transportation Part 391 medical requirements. Applicants for Commercial Driver's Licenses and Commercial Learner's Permits who medically certify as either Interstate Excepted (Category B) or Intrastate Excepted (Category D) are required to meet minimum Department of Motor Vehicles medical requirements.

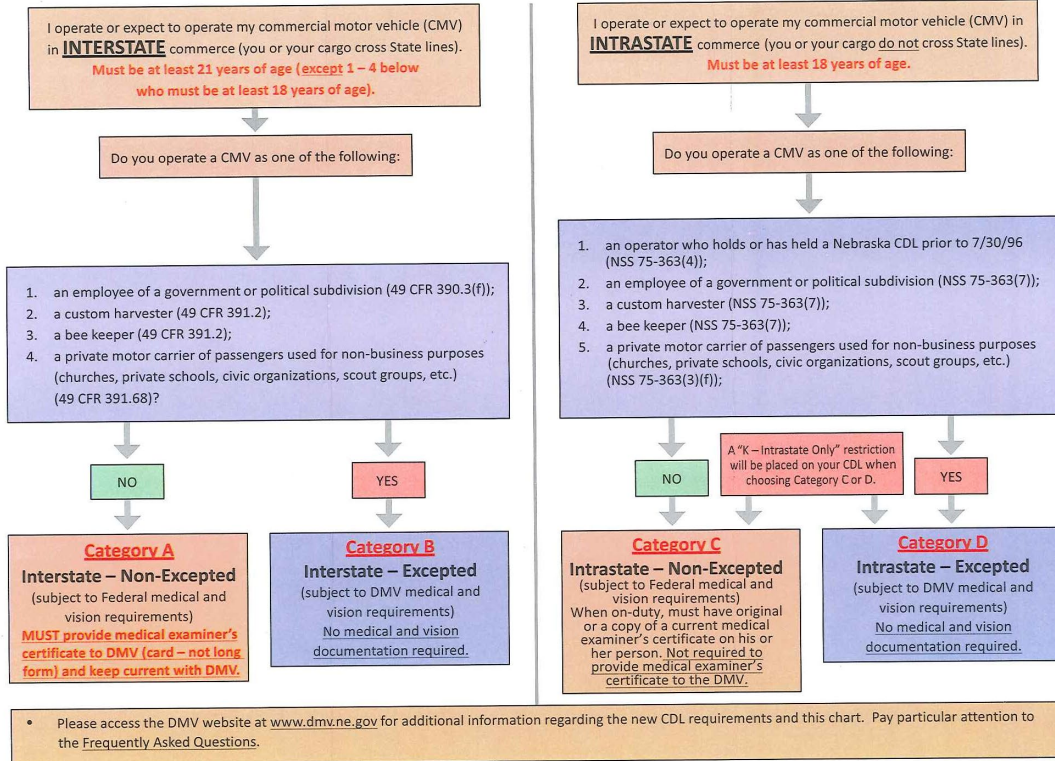
#### **Exemptions to Part 391:**

- 6) Operators of commercial vehicles operated solely in intrastate commerce, who do not meet DOT medical/vision requirements and who hold or have previously held a Nebraska CDL issued prior to July 30, 1996.
- 7) An employee of a government or political subdivision
- 8) Persons engaged in custom harvesting operations if the vehicle is used to
  - 1) transport farm machinery, supplies, or both, to or from a farm for custom harvesting operations on a farm; or 2) transport custom-harvested crops to storage or market. 3) Customer Harvesters operating solely in intrastate commerce. Note: this differs from the definition of RCDLs so retail agricultural outlet or suppliers, agricultural chemical business, and livestock feeders still need to meet Part 391.
- 9) Drivers operating a motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.
- 10) A private motor carrier of passengers used for non-business purposes (churches, private schools, civic organizations, scout groups, etc.).

Note: Drivers who meet these exemptions and are not restricted to intrastate operation should check with other states to make sure they are legal before crossing state lines.

# Section 14 - Medical Requirements – Department of Transportation (Part 391)

## CDL SELF CERTIFICATION CATEGORIES



**Note:** Unlike regulations which are codified and have a statutory base, the recommendations in this advisory (below) are simply guidance established to help the medical examiner determine a driver's medical qualifications pursuant to Section 391.41 of the Federal Motor Carrier Safety Regulations (FMCSRs). The Office of Motor Carrier Research and Standards routinely sends copies of these guidelines to medical examiners to assist them in making an evaluation. The medical examiner may but is not required to accept the recommendations. Section 390.3(d) of the FMCSRs allows employers to have more stringent medical requirements.

**§391.41(b)(1) – a person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no loss of a foot, leg, hand, or arm, or has been granted a skill performance evaluation certificate pursuant to Section 391.49.**

For any loss of a foot, leg, hand, or arm, a person who is otherwise qualified under the Federal Motor Carrier Safety Regulations (FMCSRs) must apply for a skill performance evaluation certificate.

**Section 14 - Medical Requirements – Department of  
Transportation (Part 391)**

If the driver is found otherwise medically qualified, the examining physician must include the statement “medically unqualified unless accompanied by a skills performance evaluation certificate” on the medical examiner’s certificate issued pursuant to §391.43(g).

**§391.41(b)(2) – A person is physically qualified to drive a commercial motor vehicle if that person has no impairment of:**

- (i) **A hand or finger which interferes with prehension or power grasping;**

**Or**

- (ii) **An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a motor vehicle;**

**Or**

**Any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a motor vehicle;**

**Or**

**Has been granted a skill performance evaluation certificate pursuant to Section 391.49.**

**§391.41(b)(3) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control, unless the person meets the requirements in 391.46.**

**§391.41(b)(4) - A person is physically qualified to drive a commercial motor vehicle if that person:**

**has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.**



**Section 14 - Medical Requirements – Department of  
Transportation (Part 391)**

**§391.41(b)(5) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his/her ability to control and drive a commercial motor vehicle safely.**

**§391.41(b)(6) – Hypertension**

**A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no current clinical diagnosis of high blood pressure likely to interfere with ability to operate a commercial motor vehicle safely.**

**Guidelines for Blood Pressure Evaluation**

Reading	Category	Expiration Date	Recertification
140-159/90-99	Stage 1	1 Year	1 year if less than 140/90. One-time certificate for 3 months if 140-159/90-99.
160-179/100-109	Stage 2	One-time certificate for 3 months.	1 year from date of exam if less than 140/90.
Greater than or Equal to 180/110	Stage 3	Disqualified	6 months from date of exam if less than 140/90, Then every 6 months if Less than 140/90.

**§391.41(b)(7) – A person is physically qualified to driver a commercial motor vehicle if that person:**

**Has no established medical history or clinical diagnosis of a rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his/her ability to control and operate a commercial motor vehicle safely.**

**§391.41(b)(8) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness; or any loss of ability to control a commercial motor vehicle.**

## Section 14 - Medical Requirements – Department of Transportation (Part 391)

**§391.41(b)(9) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with the driver’s ability to drive a commercial motor vehicle safely.**

**§3931.41(b)(11) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**First perceives a forced whispered voice in the better ear at not less than five feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 00 Hz, 1,000 Hz and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to the American Standards Association (Z24.5—1951).**

If an individual meets the criteria by using a hearing aid, the driver must always wear that hearing aid and have it in operation while driving. Also, the driver must be in possession of a spare power source for the hearing aid.

If an individual meets the criteria using a hearing aid, the following statement must appear on the Medical Examiner’s Certificate “Qualified only when wearing a hearing aid”.

**§391.41(b)(12) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Does not use a controlled substance identified in 21 CFR 1308.11 schedule I, an amphetamine, a narcotic, or any other habit-forming drug. *Exception:* A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who is familiar with the driver’s medical history and assigned duties; and has advised the driver that the prescribed substance or drug will not adversely affect the driver’s ability to safely operate a commercial motor vehicle.**

**§391.41(b)(13) – A person is physically qualified to drive a commercial motor vehicle if that person:**

**Has no current clinical diagnosis of alcoholism.**

DOT Physical Forms:

DOT medical examiner’s report (long form) and medical examiner’s certificate (card) are available on the web at [www.fmcsa.dot.gov/medical/driver-medical-requirements/medical-applications-and-forms/](http://www.fmcsa.dot.gov/medical/driver-medical-requirements/medical-applications-and-forms/).

## Section 14 - Medical Requirements – Department of Transportation (Part 391)

### **Training Skill Performance Evaluation and Skill Performance Evaluation Certificates:**

All Class A, B and C applicants who are missing a limb, part of a limb, or have an impairment of limb(s) will need to present a Skill Performance Evaluation certificate from the DOT, prior to the issuance of a CDL or RCDL, unless they are exempt from Part 391 requirements. A Training Skill Performance Evaluation certificate is required prior to the issuance of an CLP.

When staff is presented with either of these evaluations, contact the home office prior to proceeding if comments on history are unclear. If SPE has been entered and you have no questions, continue in processing the applicant.

#### Loss/impairment of foot, leg, hand, or arm:

If the examining physician determines that an impairment (e.g., partial hand or finger amputation, or paralysis) in any way interferes with the driver's ability to perform normal tasks associated with operating a commercial vehicle, then the driver becomes subject to the Skill Performance Evaluation program pursuant to Section 391.49. If the driver is found otherwise medically qualified {§391.41(b)(3) through (13)}, the examining physical must include the statement "medically unqualified unless accompanied by a Skill Performance Evaluation certificate on the medical certificate issued pursuant to §391.43(g).

The driver and the motor carrier are subject to appropriate penalty if the driver operates a motor vehicle in interstate commerce without a current certificate for his/her physical impairment.

Applicants should contact the following individual for procedures on how to obtain a Training Skill or a Skill Performance Evaluation certificate:

Federal Highway Administration  
Midwestern Service Center  
4749 Lincoln Mall Drive, Suite 300A  
Matteson, IL 60443  
708-283-3577

The application package is available on line at: <http://www.fmcsa.dot.gov/rules-regulations/topics/medical/spepackage.htm>.

FMCSA will send a copy of the evaluations to the home office. The home office will enter the information onto the applicant's record. Comments will be made as to what restrictions need to be placed on the CDL.

The applicant will present the Skill Performance Evaluation certificate to staff and complete all necessary tests to obtain a CDL license. All skills testing must be administered by a DMV examiner. Testing with a CDL Third Party examiner is not allowed. A Training Skill Performance Evaluation certificate should not be accepted in lieu of the Skill Performance Evaluation certificate prior to issuance

## Section 14 - Medical Requirements – Department of Transportation (Part 391)

of a CDL or RCDL. When a certificate has been accepted, the applicant meets Part 391. Any other individual who doesn't have a Training Skill Evaluation certificate prior to the issuance of an CLP must meet Part 391.

Driver Licensing staff will be responsible for placing all DOT restrictions on the applicants CDL and any additional restrictions deemed necessary. Only the following restrictions can be placed on a CLP:

- K – Intrastate Only;
- L – Vehicles Without Air Brakes;
- P – No passengers;
- X – No cargo in tank vehicle;
- V – Medical Variance;
- M – No Class A Passenger Vehicle;
- N – No Class A or B Passenger Vehicle

Return the original certificate to the applicant.

If a person has been issued a Skill Performance Evaluation Certificate, they should have this certificate with them to show staff when they renew their license. These certificates are renewed every two years.

### Federal Exemption Contact Information (Hearing, Defibrillator, Seizure & Vision):

Federal Motor Carrier Safety Administration  
Medical Program  
1200 New Jersey Avenue SE  
Washington, DC 20590-0001  
Phone: 703-448-3094  
Web Address:

<https://www.fmcsa.dot.gov/medical/driver-medical-requirements/driver-exemption-programs>

### **General Information:**

A person shall not drive a motor vehicle unless they are physically qualified to do so.

Medical Examiner's Certificate –must be completed by an advanced practice nurse, doctor of chiropractic, doctor of medicine, doctor of osteopathy, physician assistant, or other medical professional authorized by applicable State laws and regulations to perform physical examinations and who are on the National Registry at <https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam>.

## **Section 14 - Medical Requirements – Department of Transportation (Part 391)**

The Medical Examination Report should not be accepted without the medical examiner's signature on it.

Applicants self-certifying as Category A must present a current copy of their medical examiner's certificate (card – NOT long form) and keep this current with the DMV. Failure to do so or to self-certify as a different category (that does not require a medical examiner's certificate on file) will result in cancellation of the CDL.



# Section 14 - Medical Requirements – Department of Transportation (Part 391)



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

## Skill Performance Evaluation Certificate

SAMPLE

**Service Center:** MIDWESTERN SERVICE CENTER  
**Agency Address:** 19900 GOVERNORS DRIVE - SUITE 210  
 OLYMPIA FIELDS IL 60481  
**Telephone Number:** (708)283-3577

Issued Under Section 391.49 of the Federal Motor Carrier Safety Regulations

**DRIVER:** Joe Driver  
 SSN: 123-45-6789 DOB: 1/12/68  
**ADDRESS:** 123 Main  
Lincoln, NE 68508  
**DRIVER'S LICENSE:** NE 612345678  
 (State) (Number)

**EFFECTIVE DATE:** 04-18-2003  
**EXPIRATION DATE:** 04-18-2005  
**DRIVER DISABILITY:** ZONE 4 - RIGHT LEG  
 ABOVE KNEE AMPUTATION  
**CHECK ONE:**  NEW  RENEWAL  
**CHECK ONE:**  UNILATERAL  JOINT

In accordance with 49 CFR 391.49, subchapter B of the Federal Motor Carrier Safety Regulations (FMCSRs), the driver application for a Skill Performance Evaluation (SPE) certificate is hereby granted authorizing the above-named driver to operate in interstate or foreign commerce under the provisions set forth below. This certificate is granted for the period shown above, not to exceed 2 years, subject to periodic review as may be found necessary. This certificate may be renewed upon submission of a renewal application. Continuation of this certificate is dependent upon strict adherence by the above-named driver to the provisions set forth below and compliance with the FMCSRs. Any failure to comply with provisions herein may cause cancellation.

**CONDITIONS:** As a condition of this certificate, reports of all accidents, arrests, suspensions, revocations, withdrawals of driver licenses or permits, and convictions involving the above-named driver shall be reported in writing to the Issuing Agency by the **EMPLOYING MOTOR CARRIER** within 30 days after occurrence.

**LIMITATIONS:**

1. Vehicle Type(power unit): TRUCK TRACTOR / SEMI TRAILER
2. Vehicle Modification(s): NONE
3. Prosthetic or Orthotic device(s):  
 (Required to be Worn While Driving): RIGHT LEG ABOVE KNEE PROSTHETIC DEVICE MUST BE WORN WHILE DRIVING A COMMERCIAL MOTOR VEHICLE
4. Additional Provision(s): NONE

**NOTICE:** To all **MOTOR CARRIERS** employing a driver with an SPE certificate. This certificate is granted for the operation of the power unit only. It is the responsibility of the employing motor carrier to evaluate the driver with a road test using the trailer type(s) the motor carrier intends the driver to transport, or in lieu of, accept the trailer road test done during the SPE if it is a similar trailer type(s) to that of the prospective motor carrier. Also, it is the responsibility of the employing motor carrier to evaluate the driver for those non-driving safety-related job tasks associated with the type of trailer(s) utilized, as well as, any other nondriving safety-related or job-related tasks unique to the operations of the employing motor carrier.

The SPE of the above-named driver was given by an FMCSA Skill Performance Evaluation Program Specialist. It was successfully completed utilizing the above named power unit and HOPPER (trailer, if applicable)

The bus, tractor, or truck had a Conv/CCabw/SlprPwrStrAirBrks13SpdMnl transmission.  
 Please read **NOTICE** paragraph above.

Name: ELYSE MUELLER Signature: Elyse P. Mueller  
 Title: DIVISION ADMINISTRATOR - NEBRASKA Date: 04-14-2003

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Form MCSA 134 (Rev. 10-2000)

14-16 - Revised 11-30-05

## Section 14 - Medical Requirements – Department of Transportation (Part 391)



U.S. Department  
of Transportation

Nebraska Division Office  
Federal Building, Room 220  
100 Centennial Mall North  
Lincoln, NE 68508-3851  
FAX: 402-437-5146  
HMCNE.FHWA@FHWA.DOT.GOV

September 23, 2003

Ms. Sara O'Rourke  
Department of Motor Vehicles  
Driver License Examining Division  
301 Centennial Mall South  
Lincoln, NE 68509-4789

This letter serves as guidance for issuing licenses/permits to applicants requiring a Skill Performance Evaluation (SPE) from the Federal Motor Carrier Safety Administration (FMCSA). This letter supersedes all previous agreements and guidance on the subject.

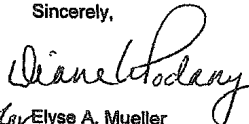
When an applicant does not meet the requirements of 49 CFR Part 391.41(b) and requests an SPE Certificate, FMCSA (currently Toni Harrigan) reviews the applicant's driving record and medical history and issues a Training SPE Certificate to the applicant. This Certificate is clearly marked "Training SPE Certificate" under the effective and expiration dates on the form. Although they look almost identical, this Training SPE Certificate is not to be confused with the SPE Certificate. The Training SPE Certificate is issued based on the applicant's driving and medical history and is only for the purpose of allowing an applicant to obtain a Learner's Permit so that he/she may obtain the necessary driving experience for the actual SPE test. For an applicant who obviously would not meet the requirements of 49 CFR Part 391.41(b), a Learner's Permit should not be issued unless and until the applicant has a Training SPE from FMCSA.

Once the applicant has a Training SPE from FMCSA and a Learner's Permit from their state of domicile, he/she can then gain the necessary driving experience as long as they are accompanied by a licensed CDL-holder. After such time and after other requirements are met, the applicant will undergo a SPE test during which a trained SPE specialist from FMCSA will accompany the applicant on a skills test. If the applicant passes the SPE, FMCSA will issue a SPE Certificate which authorizes the applicant to apply for a CDL. This SPE does not circumvent the CDL application process already in place. That is, the applicant must still take the knowledge and skills tests in accordance with normal application procedures.

For cases where an individual already has a CDL but now needs a SPE Certificate, please call our Lincoln office to discuss on a case-by-case basis.

If you have any questions regarding a SPE Certificate or the program itself, please don't hesitate to contact us.

Sincerely,

  
for Elyse A. Mueller  
Division Administrator

Enclosures

14-17- Revised 11-30-05



## **SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME**

### **Computer Checks Requirements and Downtime**

#### **State Computer Usage:**

Your state computer should be used for state business only. Refer to the DMV Personnel Manual for additional information.

Staff needs to understand that all written correspondence sent and received on state computers is public information. All e-mails must be appropriate in nature. Much of the information that we send and receive is privacy protected information which is not intended to be shared with anyone other than the recipient. Consequently, no privacy protected information should be posted in driver licensing offices (by your computer, on a bulletin board, behind your counter, etc.) for viewing by the public. Staff who violate this policy may be subject to disciplinary action.

Each employee of the Driver Licensing Division is required to read and sign the following forms/manuals:

- SSOLV Acknowledgement – (This is for select individuals)
- Acceptable Use of Business Computer Acknowledgement
- Security and Privacy Requirements Acknowledgement
- Policies and Procedures Manual Acknowledgement

Every applicant presenting any Citizenship/Identification document (acceptable or not) will be required to complete a data form and will be started on the Interactive Driver's License System up and through the first stopping point (which is after the Vision/Medical screen).

#### **Problem Driver Pointer System (PDPS):**

A PDPS record check shall be done on every applicant applying for a license, permit or State Identification Card.

In the event of an exact PDPS match or a probable match (refer to match criteria information in computer manual), staff may print the status information and give a paper copy to the applicant. No histories or any other computer information shall be given to an applicant.

If the PDPS record shows an "invalid" status for an individual in the state they are licensed in, once the suspension or revocation is cleared up and the record check goes thru, the written and drive test will be waived if the license has not expired.

## SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME

The statuses for PDPS are:

- ELG – eligible, driver currently has no license, but is eligible to apply
- LIC – licensed, driver has current, valid license
- NOT-Not clear, driver has something on record to prevent licensing
- RPD-Reported Deceased

Individuals requesting a search of the PDPS to determine accuracy of the data related to them should contact the National Driver's Register directly at 1-888-851-0436. Individual request forms to be sent to the National Driver's Register can also be obtained from the Department of Motor Vehicles, Driver and Vehicle Records, P. O. Box 94789, Lincoln, Nebraska 68509 or by calling 402-471-3918. A self-addressed stamped envelope should be included with all requests.

Employers and prospective employers may request information from PDPS concerning an employee or prospective employee. Employer/employee request forms can be obtained from the Department of Motor Vehicles, Driver and Vehicle Records, P. O. Box 94789, Lincoln, Nebraska 68509 or by calling 402-471-3918. Do not direct employers to the National Driver's Register for these types of searches. Please be aware that the employee must be licensed in Nebraska or be domiciled in Nebraska and not currently hold a license from any state or jurisdiction to have a record check conducted here. Companies who employ individuals with out-of-state licenses will be required to go to their home state for these searches.

### **PDPS Downtime:**

Individuals applying for anything other than CDLs, RCDLs, and CLPs, can be processed and issued an issuance certificate if PDPS is down. *Exception: for non-commercial applicants, if the individual has previously been in and has a previous "invalid" status on their record unless the applicant has a current clearance letter from the State in question.*

In those cases, a batch computer program will conduct PDPS checks for all documents that were issued when PDPS is down. This will identify applicants who have been issued permits or licenses while under suspension or revocation. If this is found, the home office staff will cancel those documents.

Under no circumstances will a Commercial Driver's License, Restricted Commercial Driver's License or Commercial Learner's Permit be issued unless a PDPS record check has been made and completed. A Return for Services form will be issued to the applicant and they will be required to return to a driver licensing office to have a PDPS check done prior to the license being issued.

An applicant can take the written and/or skills test if PDPS is down, but the CDL cannot be issued. If it is later found that the individual was suspended in another state, but now is reinstated, we will still honor the passing test results.

## **SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME**

### **State to State (S2S) System:**

A S2S record check shall be done on every applicant.

S2S uses the existing CDLIS system but involves pointers for ALL types of documents issued by participating states. A S2S pointer is indicated by a State of Record (SOR) Flag Y on the Nebraska record.

The S2S match will have a CDLIS field, that will need to be looked at to determine if a document from Nebraska or participating S2S indicates it a CDL type document or not. This will show as Y for any CDL type document in the CDLIS field. If the response on S2S has N in the CDLIS field, but the document being presented is a CDL type document, you will need to contact the home office Help Desk to assist with getting the old state of record contacted and that pointer updated.

**If the match on S2S is showing a negative status you will deny issuance of the Nebraska document. This information will print on the Return for Services form to give to the applicant. If the S2S status is negative in only the CDLIS field, then a non-CDL type documents can be issued.**

### S2S Downtime:

Under no circumstances will a Commercial Driver's License, Restricted Commercial Driver's License or Commercial Learner's Permit be issued unless a S2S record check has been made and completed and the CDLIS field has a status showing. If the CDLIS status field is missing, blank or shows Broken Pointer, you will attempt to get a history from the other state. If you are still unable to get a response on the CDLIS status field, we cannot issue a CDL type document. An applicant can take the written and/or skills test if S2S is down, but the CDL cannot be issued. A Return for Services form will be issued to the applicant and they will be required to return to a driver licensing office to have a S2S check done prior to the license being issued. If it is found that the individual was suspended in another state, but now is reinstated, the passing test results will be accepted.

### **Social Security Online Verification (SSOLV):**

All new and renewal applicants must provide valid social security numbers. A Social Security Online Verification shall be done on every applicant applying for a license, permit or State Identification Card.

The only exception to this requirement is for individuals who are not authorized to work in the U. S. and are therefore unable to obtain social security numbers. In this instance, if the applicant presents a valid original USCIS I-94 document accompanied by a valid foreign passport, the application process can continue with "none" as the social security number. The applicant will be required to

## SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME

present the valid I-94 document accompanied by a valid foreign passport each time they apply for a new document or make a change to the current document they hold. If the I-94 is stamped “Refugee”, the valid foreign passport is not required. If an applicant is presenting an I-94 and they are from Canada, they are not required to have a passport to enter the U. S. If the I-94 does not show Canada and the applicant is stating they are from Canada, then they would be required to provide a foreign passport or a birth certificate from Canada or a Canadian license. *Note: valid USCIS I-94 means expiration date has not passed or there is no expiration date listed on the document. When the status is D/S (duration of study), accept the I-94 and enter the expiration date as 12 months from issuance date of I-94.*

All applicants have been advised to bring proof of their social security number to the driver licensing office. However, the only time proof will be required is if we can't verify the number thru the Social Security Administration.

Acceptable proof of social security number:

- Social security card
- Military ID card
- DD214 discharge papers
- Official company issued payroll documents indicating name and social security number
- Medicare card with “A” following the social security number

Once the social security number has been marked “verified” on the applicant's record, no further social security number checks will be done unless the applicant's name, date of birth or social security number is changed.

Please be aware that the Social Security Administration is just like any other large organization, data entry errors are made. Be careful in making assumptions that it is always the applicant's error when an invalid response is returned from the Social Security Administration.

Below please find the possible responses that can come back from the Social Security Administration and guidance on how you should handle them:

- **SSN OK: VALID & NAME/DOB MATCH** – You won't normally see this response since the Interactive Driver's License System doesn't show you valid responses – this response means the record will be marked verified. (You will see this response if you run an independent social security number check thru Option 30.)
- **SSN UNVERIFIED: SSN FORMAT INVALID** - Check proof of social security number to make sure that you have entered it correctly. If so, deny the document and recommend that the applicant contact their local Social Security Administration Office to resolve the problem.

## SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME

Generally, this response means that the social security number is fraudulent.

- **SSN UNVERIFIED: NAME NON-MATCH** - Check proof of name to make sure that you have entered it correctly. If so, ask applicant if they have been issued a social security card in any other name. If they have and if you can tie that name to the name that will be on the permit, license, or ID Card, then manually run a social security number check by hitting F4 and jumping to option 30. After making changes to the appropriate fields, hit enter to send the social security check. This will take you to the “20 Check Responses” screen. If the response is: “SSN OK: VALID & NAME/DOB MATCH”, mark a “Y” (Yes) in “Verify SSN” field. A SSN comment will be written to F1 history showing name and social security number used to verify. The system will return you to the testing or certificate screen and will ultimately allow you to **issue the document**. If F9 doesn’t reflect how the names were tied together, make a comment indicating such on F1. Recommend that the applicant contact their Social Security Administration Office to resolve the problem. When you indicate “Y” (Yes), the record will be marked verified.

If you did not receive a valid response from SSA, hit F4 to jump back to the refusal screen and **deny the document**. If they are unable to tie their former name to the name they want on the permit, license or ID Card, **deny the document** and recommend that they either get documentation that can tie the names together so you can run a social security check thru Option 30 or get the name correction made thru the Social Security Administration Office.

- **SSN UNVERIFIED: DOB NON-MATCH** – Check proof of date of birth to make sure that you have entered it correctly. If so, **deny the document** and recommend that the applicant contact their local Social Security Administration Office to resolve the problem.
- **SSN UNVERIFIED: NAME/DOB NON-MATCH** - Check proof of name, date of birth and social security number to make sure you have entered it correctly. If so, **deny document** and recommend that they contact their local Social Security Administration Office to resolve the problem. It would be very rare that the SSA would have data entry errors on both the name and date of birth.
- **SSN UNVERIFIED: Deceased** – Check proof of name, date of birth and social security number to make sure you entered in correctly. If so, **deny document** and recommend that they contact their local Social Security Administration Office to resolve the problem. In this

## SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME

case, the record residing on the SSA database may indicate that the individual is deceased, etc.

- **SSN UNVERIFIED: Other Reason** – Check proof of name, date of birth and social security number to make sure you entered it correctly. If so, **deny the document** and recommend that they contact their local Social Security Administration Office to resolve the problem. In this case, the record residing on the SSA database may indicate that questionable activity may be associated with this record.

Note: When the SSA database is not responding, you will not be stopped on the refusal screen nor will you see any type of language indicating that the system is down. **Issue document** for both CDL and non-CDL applicants. A report will be produced for the home office staff each night listing which applicants were processed when the system was down so social security number checks can be done after issuance.

### **SSOLV Downtime:**

Individuals applying for any license, permit or State Identification Card can be processed and issued an issuance certificate if SSOLV is down. *Exception: if the individual has previously been in, has not made any changes to their name, date of birth or social security number and has a “invalid” status on their record, the system will deny the applicant.*

In those cases, a batch computer program will conduct SSOLV for all documents that were issued when SSOLV is down. This will identify applicants who have an “invalid” Social Security Number match. If this is found, home office staff will attempt to resolve the inconsistencies and, in some cases, will cancel the documents.

### **Verification of Lawful Status (VLS/SAVE), US Passport and Citizenship**

#### **Verification:**

All applicants showing acceptable USCIS documents, a valid US Passport or citizenship/naturalization papers will be run thru VLS/SAVE. When applying for any new document (new, renewal, replacement), a new SAVE case needs to be generated by entering the valid USCIS document.

If the response comes back as verified, continue processing the applicant. If the response comes back with an error, go to the F9 screen, and make sure all data is entered correctly. If there is a typo, correct this information and resend the F9 VLS/SAVE search. If response is still not verified, you will issue a Return for Services form and applicant will wait to hear from the home office before proceeding.

## **SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME**

If the response from VLS/SAVE is Institute Additional Verification, issue a Return for Services form and the applicant will wait to hear from the home office before proceeding.

All Nebraska documents issued will have expiration date tied to the expiration date of the USCIS documents and responses from VLS/SAVE.

### **VLS/SAVE Downtime:**

The home office will notify staff when VLS/SAVE is down. You will issue a Return for Services form to applicant. They will have to return to the driver licensing office later to resume their licensing process.

### **VLS/SAVE Incomplete:**

If VLS/SAVE verified and a permit was issued (CLP or LPD), when applicant returns to take drive/skills tests, VLS must open another case as a new document will be issued. If the response comes back as Institute Additional Verification, call the home office. If the applicant is using the same USCIS documents, the home office will mark the APP screen as: SAVE Verified, so the drive/skills tests can be administered. This is marked verified for testing purposes only, you CANNOT issue a new document until the SAVE response has been returned. If the response still has not been returned by the time the drive/skills testing is completed, issue the Return for Services form. The home office will send a letter to the applicant and mark the record verified when the response is completed from SAVE.

### **Interactive Driver's License System Downtime:**

Staff should determine whether the entire mainframe is disabled or their own computer by contacting the home office Help Desk.

If the mainframe is disabled and/or all workstations and/or all printers are not working at your location, you will be unable to process applications. If you have applicants who are in the process of testing, allow them to finish the tests if possible. If not possible to continue testing, applicant will have to return to the driver licensing office when systems are working and start over with their testing. When the Interactive Driver's License System comes back up, record the test information on the applicant's record.

### **Who Do I Call for What?**

- Call your supervisor first so they are aware of all issues.
- All problems (hardware, software problems/questions, printer repair problems, auto test, phone, etc.) should be directed to the home office Help Desk at 402-471-7277.
- Any questions the county staff has regarding their equipment should be directed to the DVR Help Desk at 402-471-3918.

## **SECTION 15 – COMPUTER CHECK REQUIREMENTS/DOWNTIME**

### End of Day Procedures for Permanent Office Laptops:

Permanent office laptops should be logged off at night and logged on in the morning. It is not necessary to shut them down. Please open Web Enrollment before opening Chrome.

### **End of Day Procedures for Portable Workstations:**

- Click on the Microsoft windows icon.
- Click on the power button (first button on the bottom). Click on Shut down.
- Disconnect USB cable, power cable, and Ethernet cable from the laptop.
- Clean the laptop and return it and the laptop power cable to the laptop case.
- Power down all equipment and disconnect all cables from the surge protector and USB hub.
- Return wrist rest, mouse, surge protector, signature pad cable, and all M500 components to the bottom tray of the hard case.
- Place the empty top tray back in the hard case. Clean and disinfect the signature pad and stylus and return them to the top tray.
- Return the barcode scanner and stand, keyboard Bluetooth connector, and USB hub and cables to the top tray.
- Return wireless keyboard, stand and mousepad to hard case.
- Return Idemia camera tower and photo backdrop to their on-site storage location.

### **End of Day Procedures for Drive Test Tablets:**

- Connect tablets to Wi-Fi at your base location so they can properly receive updates overnight.
- Connect tablets to power so they charge overnight.
- Restart the tablet.



## SECTION 16 – TEST WAIVER CRITERIA

### Test Waiver Criteria

#### NEBRASKA DOCUMENT TO NEBRASKA DOCUMENT:

##### LPE – Learner’s Permit (School)

1. LPE to LPE – No requirement to surrender LPE, written test will be waived if LPE is valid or expired no more than one year.
2. LPE to SCP – No requirement to surrender LPE, written test will be waived if LPE is valid or expired no more than one year.
3. LPE to LPD – No requirement to surrender LPE, written test will be waived if LPE is valid or expired no more than one year.
4. LPE to POP – No requirement to surrender LPE, written test will be waived if LPE is valid or expired no more than one year.
5. LPE to Class O – No test waiver.
6. LPE to CLP – No test waiver.
7. LPE to CDL – No test waiver.

##### SCP – School Permit

1. SCP to LPE – No test waiver.
2. SCP to LPD – No requirement to surrender SCP, written test will be waived if SCP is valid or expired no more than one year.
3. SCP to POP – No requirement to surrender SCP, written and drive tests will be waived if SCP is valid or expired no more than one year.
4. SCP to Class O – No test waiver.
5. SCP to RCDL – No test waiver.
6. SCP to CLP – No test waiver.
7. SCP to CDL – No test waiver.

##### LPD – Learner’s Permit

1. LPD to SCP – No requirement to surrender LPD, written test will be waived if LPD is valid or expired no more than one year.
2. LPD to LPD – No requirement to surrender LPD, written test will be waived if LPD is valid or no more than one year expired.
3. LPD to POP – No requirement to surrender LPD, written test will be waived if LPD is valid or no more than one year expired.
4. LPD to Class O – No requirement to surrender LPD, written test will be waived if LPD is valid or expired no more than one year.
5. LPD to RCDL – No test waiver.
6. LPD to CLP – No test waiver.
7. LPD to CDL – No test waiver.

##### POP – Provisional Operator’s Permit

1. POP to Class O (under 18) – Surrender of POP not required, must have held POP for at least one year and not have accumulated 3 or more points on driving record in the immediately preceding 12 month period, written and drive tests waived.
2. POP to Class O (18 to 21) – No requirement to surrender POP, written and drive test waived until applicant’s 21<sup>st</sup> birthday.
3. POP to RCDL – No requirement to surrender, applicant must be 18 years of age and have held the POP for at least one year, POP must

## SECTION 16 – TEST WAIVER CRITERIA

4. be valid to be eligible and for waiver of written and drive tests. *Note: Applicant would only be eligible for RCDL on their 18<sup>th</sup> birthday.*
5. POP to CLP – No test waiver.
6. POP to CDL – No test waiver.

### Class O – Operator’s License

1. Class O to Class O – No requirement to surrender, written and drive tests are waived if Class O is valid or less than one year expired.
2. Class O to CLP – No requirement to surrender. Class O written and drive tests are waived if Class O is valid or less than one year expired. All applicable written tests required.
3. Class O to RCDL – No requirement to surrender, applicant must be at least 18 years of age and have held the POP/Class O for at least one year, Class O must be valid to be eligible and for waiver of written and drive tests.
4. Class O to CDL – No test waiver.

### CLP – Commercial Learner’s Permit

1. CLP to CLP – First renewal and no changes to class, endorsement or restrictions: no written testing required. Second renewal: becomes a ‘new’ CLP and all applicable written tests required.
2. CLP to CLP – If adding P, S and/or N endorsements or removing L restriction, all applicable written tests are required.
3. CLP to Class O – No requirement to surrender. No test waiver.
4. CLP to RCDL – No requirement to surrender. No test waiver.
5. CLP to CDL – Surrender CLP is required (only if a skills test was required.) Any required written tests for CDL waived if previously passed for CLP and CLP is valid or less than six months expired.

### RCDL – Restricted Commercial Driver’s License

1. RCDL to Class O – No requirement to surrender, written and drive tests are waived if RCDL is valid or less than one year expired.
2. RCDL to CLP – No requirement to surrender. Class O written and drive tests are waived if RCDL is valid or less than one year expired. . All applicable written tests for class, endorsements and restrictions required.
3. RCDL to RCDL – No requirement to surrender, RCDL must be valid to be eligible and for waiver of written and drive tests.
4. RCDL to CDL – No test waiver.

### CDL – Commercial Driver’s License

1. CDL to Class O – No requirement to surrender, written and drive tests are waived if CDL is valid or within one year after its expiration.
2. CDL to CLP – Required to surrender and hold Class O license. Class O and General Knowledge written and Class O drive tests are waived if CDL is valid or less than one year expired. Any required knowledge tests for CDL waived if previously passed.

## SECTION 16 – TEST WAIVER CRITERIA

3. CDL to RCDL – No requirement to surrender, applicant must be at least 18 years of age and have held the POP/Class O/CDL for at least one year, CDL must be valid to be eligible and for waiver of written and drive tests.
4. CDL to CDL – No requirement to surrender or to retain the same class of CDL, all written tests previously taken will be waived with the exception of the hazmat written test if applicant renews CDL prior to or within one year after its expiration. The skills test is required when upgrading, removing the E,L, M, N, O or Z restrictions, changing from the N to M restriction, or adding the P or S endorsements.

### General Information:

The drive test may be required in all of the above situations based on: 1) the medical and/or vision policies and procedures or examining staffs' personal observation of the applicant, or 2) when the Class O, RCDL or CDL is expired over one year.

Written tests are valid for six months across different document types providing applicant is age eligible for both documents.

### OUT-OF-STATE DOCUMENT TO NEBRASKA DOCUMENT:

#### LPE - Out-of-State Learner's Permit (School)

1. Out-of-State LPE – Nebraska SCP – No test waiver.
2. Out-of-State LPE – Nebraska LPD – No test waiver.
3. Out-of-State LPE – Nebraska POP – No test waiver.
4. Out-of-State LPE – Nebraska Class O – No test waiver.
5. Out-of-State LPE – Nebraska CLP – No test waiver.
6. Out-of-State LPE – Nebraska CDL – No test waiver.

#### SCP - Out-of-State School Permit

1. Out-of-State SCP – Nebraska LPD – No test waiver.
2. Out-of-State SCP – Nebraska POP – No test waiver.
3. Out-of-State SCP – Nebraska Class O – No test waiver.
4. Out-of-State SCP – Nebraska RCDL – No test waiver.
5. Out-of-State SCP – Nebraska CLP – No test waiver.
6. Out-of-State SCP – Nebraska CDL – No test waiver.

#### LPD – Out-of-State Learner's Permit

1. Out-of-State LPD – Nebraska SCP – No test waiver.
2. Out-of-State LPD – Nebraska LPD – No test waiver.
3. Out-of-State LPD – Nebraska POP – No test waiver.
4. Out-of-State LPD – Nebraska Class O – No test waiver.
5. Out-of-State LPD – Nebraska RCDL – No test waiver.
6. Out-of-State LPD – Nebraska CLP – No test waiver.
7. Out-of-State LPD – Nebraska CDL – No test waiver.

## SECTION 16 – TEST WAIVER CRITERIA

### POP – Out-of-State Provisional Operator’s Permit

1. Out-of-State POP to Nebraska POP – No test waiver.
2. Out-of-State POP to Nebraska Class O – No test waiver.
3. Out-of-State POP to Nebraska RCDL – No test waiver.
4. Out-of-State POP to Nebraska CLP – No test waiver.
5. Out-of-State POP to Nebraska CDL – No test waiver.

### Class O – Out-of-State Operator’s License

1. Out-of-State Class O to Nebraska POP – No test waiver.
2. Out-of-State Class O to Nebraska Class O – Surrender of valid out-of-state Class O required to waive written tests. Out-of-State Class O could be marked “Provisional” and ***may*** be accepted if applicant is 18 years of age or older. ***Please contact the main office to see if the Provisional License presented can be accepted.*** Drive test would be waived if license is expired one year or less (presentation of out-of-state license, out-of-state driving record required or verify validity of out of state license using function 30/20 PDPS Driver History request).
3. Out-of-State Class O to Nebraska CLP– Surrender of valid out-of-state Class O required to waive Class O written and driving tests. All applicable written tests for class, endorsements and restrictions required.
4. Out-of-State Class O to Nebraska RCDL – Surrender of valid out-of-state Class O, applicant must be at least 18 years of age and have held a POP/Class O from any state for at least one year, Class O must be valid to be eligible and for waiver of written and drive tests.
5. Out-of-State Class O to Nebraska CDL – No test waiver.

### CLP – Commercial Learner’s Permit

1. Out-of-State CLP to Nebraska CLP– No test waiver.

### RCDL – Out-of-State Restricted Commercial Driver’s License

1. Out-of-State RCDL to Nebraska Class O – Surrender of valid out-of-state RCDL required to waive written tests. Drive test would be waived if license is expired one year or less (presentation of out-of-state license, out-of-state driving record required or verify validity of out of state license using function 30/20 PDPS History request).
2. Out-of-State RCDL to Nebraska CLP– Surrender of valid out-of-state RCDL required to waive Class O written and drive tests. All applicable written tests for class, endorsements and restrictions required.
3. Out-of-State RCDL to Nebraska RCDL – Surrender of valid out-of-state RCDL required, RCDL must be valid to be eligible and for waiver of written and drive tests.
4. Out-of-State RCDL to Nebraska CDL – No test waiver. CLP required.

## SECTION 16 – TEST WAIVER CRITERIA

### CDL – Out-of-State Commercial Driver’s License

1. Out-of-State CDL to Nebraska Class O – Surrender of valid out-of-state CDL required to waive the written tests. Drive test would be waived if license is expired one year or less (presentation of out-of-state license, out-of-state driving record required or verify validity of out of state license using function 30/20 PDPS History request.)
2. Out-of-State CDL to Nebraska CLP– Surrender of valid out-of-state CDL required to waive Class O and General Knowledge written and any endorsement or class-specific tests and Class O drive tests.
3. Out-of-State CDL to Nebraska RCDL – Surrender of valid out-of-state CDL required, applicant must be at least 18 years of age and have held the CDL from any state for at least one year, CDL must be valid to be eligible and for waiver of written and drive tests.
4. Out-of-State CDL to Nebraska CDL – Surrender of valid out-of-state CDL required, all written tests previously taken will be waived with the exception of the hazmat written test. The skills test is required when upgrading, removing the E, L, M, N, O or Z restrictions, changing from N to M restriction, adding the P or S endorsements, when license is expired, or when the license is not on S2S with CDLIS flag. If skills tests required, a CLP is required first.

### **General Information:**

The drive test may be required in all of the above situations based on: 1) the medical and/or vision policies and procedures or examining staffs’ personal observation of the applicant, or 2) when the Class O, RCDL or CDL is expired over one year.

## SECTION 17 - FEES

### **Fees:**

#### **Driving Permits:**

Employment	\$50.00
Medical hardship	\$50.00
Replacement	\$15.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **Farm Permit:**

Original	\$10.00
Replacement	\$10.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **School Learner's Permit:**

Original	\$13.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **School Permit:**

Original	\$13.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **Learner's Permit:**

Original	\$13.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **Provisional Operator's Permit:**

Original	\$20.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **Bioptic or telescopic lens restriction (POP):**

Valid for 1 year or less	\$10.00
Valid for more than 1 year but not more than 2 years	\$20.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

#### **Operator's License (Class O or M):**

Valid for 1 year or less	\$10.00
Valid for more than 1 year but not more than 2 years	\$15.00
Valid for more than 2 years but not more than 3 years	\$19.00
Valid for more than 3 years but not more than 4 years	\$24.00
Valid for 5 years	\$29.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00

## SECTION 17 - FEES

### **Bioptic/Telescopic Lens Restriction (Class O or M):**

Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$10.00
Valid for 1 year or less	\$10.00
Valid for more than 1 year but not more than 2 years	\$15.00

### **State Identification Card:**

State ID card for U.S. Citizens	\$0.00
Valid for 1 year or less	\$10.00
Valid for more than 1 year but not more than 2 years	\$15.00
Valid for more than 2 years but not more than 3 years	\$19.00
Valid for more than 3 years but not more than 4 years	\$24.00
Valid for more than 4 years for person under 21	\$29.00
Valid for 5 years	\$29.00
Replacement	\$16.00

### **Ignition Interlock Permit**

Original	\$50.00
Replacement	\$16.00
Change of class, endorsement or restriction	\$10.00

### **24/7 Sobriety Program Permit**

Original	\$50.00
Replacement	\$16.00
Change of class, endorsement or restriction	\$10.00

### **Commercial Learner's Permit**

Original or renewal	\$15.00
Replacement	\$15.00
Add, change, or remove class, endorsement or restriction	\$15.00

### **Commercial Driver's License/Restricted Commercial Driver's License:**

Valid for 1 year or less	\$16.00
Valid for more than 1 year but not more than 2 years	\$27.00
Valid for more than 2 years but not more than 3 years	\$38.00
Valid for more than 3 years but not more than 4 years	\$49.00
Valid for 5 years	\$60.00
Replacement	\$16.00
Change of class, endorsement or restriction	\$15.00

### **Bioptic or telescopic lens restriction (CDL or RCDL):**

Valid for 1 year or less	\$16.00
Valid for more than 1 year but not more than 2 years	\$27.00
Replacement	\$16.00
Add, change, or remove class, endorsement or restriction	\$15.00

**The above fees include a \$5.00 security fee.**

Snowmobile Safety Certificates are issued at no fee.

## SECTION 17 - FEES

### **Corrections:**

Each applicant shall be given an opportunity to thoroughly review their Issuance Certificate before a licensing or State ID Card document is issued. There will be no charge for correcting a mistake if found prior to the issuance of the document and before the applicant leaves the driver licensing office. Any licensee returning to a driver licensing office to correct an error on a license already issued shall be charged for a replacement license.

### **ID Card for Voting Purposes:**

An ID card that is for voting purposes will be issued at no charge. These ID cards will be exempt from the standard fee, security fee and if acquired online it will be exempt from the online service fee.

### **Online Services Fees:**

Service	Nebraska.gov portal fee
State identification card, operator's permit, or operator's license order/renewal/replacement Credit Card PIN Debit	\$1.25
Ignition Interlock Permit Order/renewal/replacement Credit Card PIN Debit	\$3.00
Commercial Driver license Renewal Credit Card PIN Debit	\$4.00
Commercial Driver License Replacement Credit Card PIN Debit	\$1.25



## SECTION 18 – GENERAL INFORMATION

### General Information

#### Administrative License Revocation (ALR):

Administrative License Revocation is an administrative action that can result in a license revocation for a Driving Under the Influence (DUI) offense.

The computer record will indicate “ALR Pending” and in some cases, but not all cases, the status will reflect “Confiscated”.

Individuals may not make any changes to their license during the ALR process. They can make name and address changes if obtaining an IIP or ID card.

#### All-Terrain Vehicles:

An ATV (All-Terrain Vehicle) means any motorized off-highway device which:

- Is fifty inches or less in width,
- Has a dry weight of twelve hundred pounds or less,
- Travels on three or more non-highway tires, and
- Is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger.

A UTV (Utility-Terrain Vehicle) means any motorized off-highway device which:

- Is seventy-four inches in width or less,
- Is not more than one hundred eighty inches, including the bumper, in length,
- Has a dry weight of two thousand pounds or less, and
- Travels on four or more non-highway tires.

An ATV/UTV cannot be registered, even if modified to include all equipment required for motor vehicle or motorcycle status.

An ATV/UTV may be used on public roadways if:

- Outside the corporate limits of a city, village or unincorporated village if incidental to the vehicle’s use for agricultural purposes;
- Within the corporate limits of a city or village if authorized by the city or village by ordinance; or,
- Within an unincorporated village if authorized by the county board by resolution.

Any authorized ATV/UTV operation on public roadways must occur only between sunrise and sunset at speeds lower than 30 mph and not on a controlled access highway with more than two marked traffic lanes. The headlight and taillight must be on and equipped with a bicycle safety flag. The operator must have liability insurance coverage.

Crossing a highway, other than a controlled-access highway with more than two marked traffic lanes may occur only if:

## SECTION 18 – GENERAL INFORMATION

- The crossing is made at an angle of approximately 90 degrees and at a place where no obstruction prevents a quick and safe crossing;
- The ATV/UTV is brought to a complete stop before crossing the shoulder or roadway of the highway;
- The operator yields to the right-of-way to all incoming traffic;
- If crossing a divided highway, the crossing is made only at an intersection; and,
- Both the headlight and taillight of the vehicle are on.

Crossing a controlled-access highway with more than two marked traffic lanes, may occur only if:

- For an agricultural purpose; or
- The crossing is made at an intersection controlled by a traffic signal or if outside the city limits controlled by stop signs;
- The crossing is made in compliance with the traffic signal or stop signs;
- The intersection is located within the corporate limits of a city or village and such crossing is authorized by ordinance;
- The intersection is located within an unincorporated village and such crossing is authorized by a county board resolution;
- The intersection is located outside the corporate limits of a city or village and outside any unincorporated village and authorized by a county board resolution.

Depending on the age of the individual operating the ATV, they must have either a Farm Husbandry Permit or Class O License to operate it on a public street, roadway, or highway.

Refer to the Farm Husbandry Permit or Class O License Sections for further information.

### **Appeal Process:**

If an applicant is denied or refused a certificate for license or a license is canceled, such applicant or licensee shall have the right to an immediate appeal to the director from the decision. It shall be the duty of the director to review the appeal and issue a final order, to be made not later than ten days after the receipt of the appeal by the director. The director shall issue a final order not later than ten days following receipt of the medical opinion if the applicant or licensee submits reports from a physician of his or her choice for the director's consideration as provided in Neb. Rev. Stat. § 60-4,118.03. The applicant or licensee who files an appeal pursuant to this section shall notify the director in writing if he or she intends to submit records or reports for consideration. Such notice must be received by the director not later than ten days after an appeal is filed pursuant to this section to stay the director's decision until after the consideration of such records or reports as provided in § 60-4,118.03. After consideration of evidence in the records of the applicant or licensee, including any records submitted by the applicant or licensee, the director shall make a

## SECTION 18 – GENERAL INFORMATION

determination of the physical or mental ability of the applicant or licensee to operate a motor vehicle and shall issue a final order. The order shall be in writing, shall be accompanied by findings of fact and conclusions of law, and shall be sent by regular United States mail to the last-known address of the applicant or licensee.

Whenever the director reviews the denial or cancellation of an operator's license because of mental, medical, or vision problems that may affect the person's ability to safely operate a motor vehicle as provided in §§ 60-4,114 and 60-4,118, the director may consider records and reports from a qualified physician. The applicant or licensee may cause a written report to be forwarded to the director by a physician of his or her choice pursuant to an immediate appeal to the director under § 60-4,114. The director shall grant reasonable time for the applicant or licensee to submit such records. The director shall give due consideration to any such report.

Reports received by the DMV for the purpose of assisting the director in determining whether a person is qualified to be licensed shall be for the confidential use of the director and any designees of the director and may not be divulged to any person other than the applicant or licensee or used in evidence in any legal proceeding, except that a report may be admitted in an appeal of an order of the director based on the report. Any person aggrieved by a decision of the director made pursuant to this section may appeal the decision as provided in § 60-4,105 set forth below.

Unless otherwise provided by statute, any person aggrieved by a final decision or order of the director or the Department of Motor Vehicles to cancel, suspend, revoke, or refuse to issue or renew any operator's license, any decision of the director, or suspension of an operator's license under the License Suspension Act may appeal to either the district court of the county in which the person originally applied for the license or the district court of the county in which such person resides or, in the case of a nonresident, to the district court of Lancaster County within thirty days after the date of the final decision or order.

Summons shall be served on the department within thirty days after the filing of the petition in the manner provided for service of a summons in § 25-510.02. Within thirty days after service of the petition and summons, the department shall prepare and transmit to the petitioner a certified copy of the official record of the proceedings before the department. The department shall require payment of a five-dollar fee prior to the transmittal of the official record. The petitioner shall file the transcript with the court within fourteen days after receiving the transcript from the department.

The district court shall hear the appeal as in equity without a jury and determine anew all questions raised before the director. Either party may appeal from the decision of the district court to the Court of Appeals.

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### APPOINTMENTS

Appointments are strongly encouraged, but not required at the following offices: Lincoln, Metro South (Bellevue) and Metro West (Omaha). Since the North Express have very minimal wait times, appointments are not as encouraged for applicants going to that office.

The examiner working the lobby should encourage applicants to schedule an appointment. If they decline, they should refer them to the examiner working the counter kiosk to begin the walk-in process. The examiner working the lobby should inform individuals who are walk-ins that they will be processed after any applicants who have appointments and wait times could be long. Walk-in applicants should be given a clipboard and data form and asked to sit down to complete it. They should not use the area by the lobby computers to do so.

There may be times when your supervisor wants the examiner working the counter kiosk to schedule appointments using the appointment wizard for those individuals not wanting or able to make their own appointments. Make sure you only using the appointment wizard to schedule these appointments. For applicants who have a Nebraska record – input the following fields when making the appointment: driver license number (which will bring up their name) and mobile number or email (so they get their appointment id). For out-of-state applicants with a driver's license – input name, OOS driver's license number, mobile number or email. For new applicants – input name, first four of last name and today's month and date in driver's license number field and mobile number or email.

If the lobby examiner feels that an applicant will have a difficult time making an appointment, they should refer them immediately to the examiner working the counter kiosk. This reduces frustration on both the part of the applicant and the examiner working the lobby.

The examiner working the counter kiosk should review all documents for walk-in applicants. Individuals with appointments will have their documents vetted when they are called up for service.

Applicants may check in 30 minutes prior to their appointment. Examiners should call applicants in early if the examiner is not working with another applicant.

It will be the responsibility of the supervisor to ensure that appointments are processed on time. If need be, they will move applicants to other "like" counters to achieve this. Staff should be directed to use WebEx to communicate with their supervisor if they are falling behind. The supervisor should also be reviewing counter activity to see potential delays before they happen.

The E-Forms will automatically print and sent to File Bound. Applicants should be asked to look over the E-Form carefully and the examiner should work through the mainframe screens with the applicants to ensure accurate

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information was inputted. If any changes are needed, the applicant must cross out the incorrect information on the E-Form, initial the change, sign and date the E-Form. The examiner will then need to scan the corrected E-Form into File Bound.

When an applicant needs to leave the office to get additional documentation, etc. and will be returning the same day, examiners should freeze the process by hitting Same Day Return. The applicant should be instructed to return to the examiner working the counter kiosk, who in turn will ask via WebEx that the supervisor unfreeze the applicant' record so that they can be called to any counter for assistance.

When an applicant completes a written test, it is not necessary they return to the same counter. The applicant should be informed that they can return to any available counter for completion of the process.

If an applicant comes in and passes the written test and a drive test is required, the supervisor should transfer that applicant to a drive test counter that day so the applicant does not need to return another day.

When an examiner issues a Return for Services form, they should schedule a follow up appointment using the appointment wizard. Information that should be entered when scheduling the follow up appointment is: driver's license number (which brings up name) and mobile number or email. If the applicant declines the appointment, the examiner should indicate this on history.

Staff should sign in and out of the lobby management system for breaks, lunch and other times they are away from their work area. Please inform your supervisor immediately if you are unable to leave for or return from your scheduled breaks and lunch on time.

Your supervisor will alert both the examiner working the lobby and the counter kiosk when no further walk-ins can be processed each day.

The North express office will have the capability to schedule appointments using the appointment wizard for written and skills testing at the Metro West and Metro South offices. Before doing so, they will bring up the counter assignments for each office to ensure they are scheduling appointments on open, like service counters. This information can be found on the X drive: examining>Appointment counters by station.

Supervisors will be responsible for notifying Jay when Class O drive tests are full more than one week out and two full weeks out for CDL skills testing. As staff changes in the office (more/less staff), supervisors will discuss opening and closing counters for appointments with Jay.

Some applicants will not need an appointment or a walk-in time slot. Applicants who do not need an appointment or walk-in time slot are 1) those with a correction letter from the home office, and 2) those presenting a medical

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examiner card (MEC) and are not changing their medical category. MECs should be scanned and sent to [pat.klaumann@nebraska.gov](mailto:pat.klaumann@nebraska.gov) and [staci.wagner@nebraska.gov](mailto:staci.wagner@nebraska.gov) for entry. Examiner should make sure that the applicant is certified as category A and that the MEC is complete and correct before sending to the home office.

### **Autocycles:**

An autocycle means any motor vehicle:

- having a seat that does not require the operator to straddle or sit astride it,
- designed to travel on three wheels in contact with the ground,
- having antilock brakes,
- designed to be controlled with a steering wheel and pedals, and
- in which the operator and passenger ride either side by side or in tandem in a seating area that is equipped with a manufacturer-installed three-point seat belt system for each occupant and that has a seating area that is either:
  - a) completely enclosed and is equipped with a manufacturer-installed airbag and a manufacturer-installed roll cage, or
  - b) is not completely enclosed and is equipped with a manufacturer-installed rollover protection system.

A Class O license is required to operate an autocycle on public roadways. A drive test cannot be administered in an autocycle for a permit or Class O license.

### **Auto Test Guidance:**

- Portable testing equipment must be taken into the driver license office every night and secured in a locked location.
- When setting up the individual testing tablets, follow the Idemia Quick Reference Guide on the X drive. Auto test kiosks are set to automatically log on to the wireless when started in the morning. If you cannot successfully connect to the wireless access point, call the home office help desk.
- Portable auto test equipment should be plugged in to an electrical outlet when setting up since they have a very short battery life. Keep all equipment plugged in to a surge protector throughout the workday.
- After allowing time for the testing machines to load the testing software, you'll need to tap the screen and choose the county location. You can check that you have proper connectivity through the monitoring software on your APW. Test stations that are connected and ready for testing will show a status of Idle. If a test station is not online, it will appear in red and have a Resume Service option in the action column.
- Headphones are available upon request. Please make sure they are cleaned after each use and you watch the applicant put the headphones on to ensure there are no ear buds under them.

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- You may ask individuals wearing head coverings to push the head covering back if you suspect cheating during the written test. It would be best if female staff would do so if one is available. Please document if you do so for future reference.
- Set up each testing machine on the metal stands provided. Each stand should have a stylus pen attached to the metal stand. On setup, make
- sure the chains attached to stylus pens aren't tangled and are at maximum extension for ease of the applicant.
- When possible, arrange testing equipment so that staff has a side-view of applicants as they take tests to minimize cheating.
- At the end of the workday, you will need to shut down each of your portable testing machines. Simply tap the power button located on the bottom left side of the tablet.
- At the end of the workday, stow the power supply cables and testing machines in the appropriate travel cases. Stow the testing stands (with stylus and chains attached), headphones and the power strip used for testing in the lockable cabinet in the office.
- Electronic testing tablets should periodically be restarted and left powered on and connected to the Wi-Fi network overnight to receive software updates.
- Individuals can review the written test questions they missed on the tablets. If applicants have further questions, staff should review the questions verbally with them.
- Paper tests should be printed off from the system when portable testing equipment is not available. The tests should not be printed in advance. You can print paper tests if you have network connectivity, and only with prior supervisor approval. Please make sure to shred both the test and answer key after the paper test has been taken and reviewed with the applicant.

REFER to Auto Test Training and the Auto Test Quick Reference Guide on the X drive for additional information.

### **CDL Disqualified/OK to obtain Class O:**

If an individual's CDL is disqualified by the Financial Responsibility Division, he/she receives a disqualification letter and is requested to return their CDL directly to the Financial Responsibility Division.

Once the disqualification has been entered onto the driving record, the CDL status will show "DISQUALIFIED".

If the individual does not want to obtain a Class O license while their CDL is disqualified, their CDL status will remain "CDL DISQUALIFIED" and the license status will be blank.

If the individual wants to obtain a Class O license while their CDL is disqualified, they will be required to complete a data form, present proof of citizenship (if haven't previously shown), identification, pass a vision test and meet minimum

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medical requirements so an issuance certificate can be issued. Upon payment of the required fee, a new license will be issued.

If the driving record shows a license pickup order, staff will pick up the CDL and forward to the home office. Once the CDL has been disqualified it cannot be used for identification purposes. Once the Class “O” is issued, the CDL status will become “DISQUALIFIED” and the license status will be “VALID”. *Note: If during the disqualification period the CDL license would have expired, the testing procedure for the Class “O” should be handled as if the individual’s Class “O” license had expired.*

Once the disqualification period is over the individual will be required to pay a reinstatement fee to the Financial Responsibility Division and a reinstatement letter will be given to the individual. At this time, the CDL status will be “DIS/REIN” and the license status will be “VALID” or blank (depending on whether the individual obtained a Class “O” during the disqualification period).

If an applicant had a CDL issued but obtained a Class O license due to disqualification; then had the disqualification rescinded, the applicant will be allowed to have their CDL reissued with previously existing endorsements without testing. If the disqualification is over three years old, DMV Legal will need to review to ensure the driver is still eligible for having the CDL reinstated without testing. The applicant will be required to provide proof of citizenship if they have not already done so. The examiner will get supervisor approval, then mark that they are using a CDL WAIVER. This should take you to the written test screen and the drive test screen without requiring a valid CLP. The examiner, with supervisor approval, will EDW the test results with the comment: “disqualification rescinded approved by (supervisor name)”. If any issues arise call the home office.

Refer to Section 1 for Commercial Learner Permit Requirements.

### **Change of Class, Endorsement or Restriction:**

All applicants changing class or adding or removing endorsements or restrictions must complete the application process with driver licensing staff. All Citizenship/ID, address, vision, and medical requirements are required to be met. Anytime an applicant drops an endorsement a comment should be made on the record for later reference.

### **General Information:**

If an individual took a special restricted written test for an LPD and wants to remove the V restriction, the Class “O” written test will be administered.

### **COVID 19 – Executive Orders from Other States:**

If applicant is presenting an expired out of state license (non CDL), with the copy of their home state Executive Order that indicates the license is still valid, you can accept this out of state Executive Order and waive the written and/or drive tests. You will need to put the extended date listed on the Executive Order on



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the APP screen so the system will not take you to the written and/or drive test screen. Make a comment on the F1 History screen that an out of state Executive Order was used.

### **Disability Assistance:**

The Department of Motor Vehicles firmly supports and enacts the provisions of the Americans with Disabilities Act of 1990, which prohibits discrimination against individuals with disabilities. The Department will provide the necessary accommodations so the disabled (hard of hearing, individuals who have had a stroke or head injury, individuals who have a learning disability, etc.) are allowed to participate in the services provided by Driver Licensing Services.

### **Deaf or Hard of Hearing Applicants:**

Deaf or hard of hearing applicants may use an interpreter to understand instructions prior to or after any written or drive tests. Applicants may use an

interpreter of their choice and are not supplied by the Department of Motor Vehicles.

The Class O written test is now available in American Sign Language so no interpreter can assist when the applicant is taking the written test.

Staff will use hand signals to direct the deaf or hard of hearing applicant during the administration of the drive test.

### **Individuals with Other Disabilities:**

Applicants who have written documentation from their physician, special education teacher or educational psychologist indicating that they have a learning disability may have assistance with the written test. Pre-approval by the Driver's License Manager or Driver's License Administrator is required.

Other applicants that need assistance with the application process or testing process should contact the Driver's License Manager or Driver's License Administrator at 402-471-3861.

### **Drive Test Procedures:**

All drive tests will be administered on the electronic scoring tablets. All drive tests will be imported from the mainframe onto the tablet. The staff logged into the tablet must be the same as who administers the drive test. Score the drive test on the scoring form on the tablet. After the test is complete and the results of the test have been reviewed with the applicant, upload the results of the drive test onto the mainframe. You must be inside the office and connected to the Wi-Fi network to upload the test results. The results and the badge number of the staff logged into the tablet will post to the mainframe upon successful upload. Once the results have uploaded successfully to the mainframe's DRI screen, print a Return for Services form or Issuance Certificate. Make sure all applicants thoroughly review the Issuance Certificate before leaving the office and having a document issued.

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In the event of technical problems using the electronic scoring tablets, paper tests may only be created with approval of a supervisor.

### **Driver Record Information:**

If an individual asks staff to check a driver's license number or the status of a record, staff should ask the individual if they are there to obtain or renew a driver's license or ID card. If the individual is not there for one of these purposes, staff should not be providing any information to this individual. These individuals are to be directed to the Driver and Vehicle Records Division at 402-471-3918 for assistance. This process is in place to protect you from inadvertently violating the Privacy Act.

### **Early Renewal:**

The holder of a Nebraska Class O License, Commercial Driver's License or State ID Card may renew such document prior to the 90-day renewal period, unless the applicant is under the age of 21. Any individual under the age of 21 cannot be issued an early renewal.

The applicant by signing the signature pad certifies that they will be absent from Nebraska during their 90-day renewal period.

All Citizenship/ID, address, vision, and medical requirements are required for individuals who are renewing early.

Any person who renews their Class O or Class M license or CDL early will not be required to take the written test(s). *Exception: hazardous materials written test will be required*

Staff should add comments to F1 history anytime an early renewal is done explaining why. If an early renewal of a CDL is going to make the CDL valid for 8 or more years, staff should contact the home office prior to processing the early renewal. There are no time limitations for early renewal.

### **End of Day Testing Procedure:**

Any applicant who is in a driver licensing office prior to closing time will be allowed to make application and complete their written test. If a CDL applicant comes in and needs to take multiple tests, they may take the General Knowledge test (or the test of their choice if the General Knowledge test has been passed or isn't required) but will be required to take the rest of their tests another day. These individuals shall be offered an appointment for the additional tests. If the applicant refuses the appointment, please indicate this on the written test screen. The date of the appointment will be the next working day (later if mutually agreed upon by staff/applicant) and the time shall be at the discretion of staff. Supervisors will stagger the workday in offices where possible to decrease the amount of overtime earned. However, in some offices that is simply not possible. In those cases, employees will earn overtime and be paid for any hours exceeding 40 hours.

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### **Gender Change:**

Any applicant who presents a DMV Certification of Sex Reassignment form completed by their Health Care Professional will have their gender changed on the record. The form should be scanned by staff. Applicants will be required to indicate M (male) or F (female) on data form.

### **Head Coverings:**

Based on religious beliefs, an individual may request to be photographed wearing a head covering. Please have ALL first time applicants requesting an exemption complete the Head Covering Exemption form (located on Option 51 - #22). Applicants of any age can sign their own head covering form. It is not a legal document so does not have to be signed by an adult.

Staff may approve the exemption, scan the form under DLS History and make a comment on history that they have approved the head covering without home

office approval unless the individual indicates the reason for wearing the head covering is for religious reasons that staff is not familiar with.

In that case, the individual will be required to have their religious leader sign the form and the form should then be mailed or emailed to the home office for approval or denial. Staff should put a comment on the record that the head covering exemption form was given to the applicant to have their religious representative sign. Once the home office approves or denies the request, they will place can the document under DLS History and make a note on history as to whether it was approved or denied, and the applicant will be notified accordingly.

The exception form will only need to be updated if they do not have previous documents/photos issued with a head covering, it is not required at every issuance.

You may ask individuals wearing head coverings to push the head covering back if you suspect cheating during the written test. It would be best if female staff would do so if one is available. Please document if you do so for future reference.

### **Ignition Interlock Permit :**

The Financial Responsibility Division authorizes the issuance of the IIP. Once they have authorized this issuance, applicants may apply for a licensing document. All ID, address, vision, and medical requirements are required for IIP applicants. Applicants may or may not have received their letter from FR. The system will be updated to either allow issuance or give a message for the applicant to contact the FR division.

A written and drive test will be required to be passed if applicant is applying for an IIP and has never had a Nebraska license or CDL type document, or if the document is expired over one year. Also, if they are revoked over one year, and the conviction and/or ALR withdrawal is marked as "interlock", the system will force the written and drive tests.

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If the applicant is presenting an out of state license that reflects ignition interlock and the PDPS check comes back as NOT, then we cannot issue any document in Nebraska. If the PDPS check is okay, then we will issue a Class O license and not an Ignition Interlock Permit.

### **IBT Transactions (Service Centers Only):**

IBT Transactions are transactions in which an applicant will present a voucher from an authorized institution to pay for their document. When an applicant presents a voucher, it will need to be approved by a supervisor. The supervisor will initial and date their approval on the voucher. The supervisor will then get into the applicant's record and make an F1 History note that they have approved an IBT voucher transaction.

### **Invalid Statuses/Pick Up Orders:**

Below are definitions of invalid license types, the reasons why they become invalid and the testing requirements.

### **Cancel:**

To annul or terminate a license because of some error, defect or because the licensee is no longer entitled to such license. Application for a new license may be made at any time after such cancellation.

Caused by fraud, not meeting medical/vision standards or when the license, permit or ID card was improperly issued.

Applicants with a status of cancelled may be required to retest (vision, written and drive) any time after the date of the cancellation and obtain a new license upon payment of the appropriate fee.

Testing requirements for cancellation by DLS

1. Recall Cancels
  - Require WT and DT.
2. CDL Add/Remove B and K Restriction Recall Cancels
  - If take care of adding/removing B/K within 1 year – no testing
  - If one year has passed from date of cancel – full testing required for whatever type of license obtaining.
3. Non Payment for Online or Service Centers: Cancel on 70 then 08
  - Non-Payment after disputed amount/NSF/stop payment or account closed
  - Yes it does show on F6
  - Cancel removed if payment is made (no testing – within 1 year) full testing if over one year
  - \*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove Cancellation.**
4. PDPS, after 45 days on PDPS report:
  - Cancel if not clear in the other State.

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- Does require WT and DT when cleared up in the other State.
5. Corrections:
- No contact after requested information not received, Cancelled
  - If cancelled and come back in with required information, staff can call home office and we will remove the cancellation within 1 year, after 1 year full testing required.  
**\*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove Cancellation.**
6. Med Cert Cancel
- If take care of Med cert or downgrade or re-self certify withing 1 year no testing required.
  - If one year has passed from date of cancellation, full testing required for whatever type of license obtaining.
7. Social Security Down
- After 45 days if no response, cancel
  - No testing required if submit after 45 days and verifies. Can remove Cancellation within 1 year, after 1 year, full testing required.  
**\*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove Cancelation.**
8. Veteran's Eligibility
- Previously issued docs with VET, now VA is cancelling that eligibility.
  - F1 comment for examiner, If they come in, please call home office and we will remove cancellation if not canceled over a year to allow you to issue a replacement without the veteran designation. After 1 year, requires full testing  
**\*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove Cancellation.**
9. RCDL Downgrade
- Warning letter gives 30 days to downgrade from RCDL to Class O license, since no longer qualify for RCDL (driving record).
  - If do not downgrade in 30 days cancellation goes on record, can remove Cancellation within 1 year to obtain Class O license. After 1 year, requires full testing.  
**\*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove cancellation.**
10. Canceled due to Merged Records
- When two records are merged, one is valid, one is suspended, the valid license goes to suspended status. We also cancel that document as person was not eligible for that document due to being suspended (under other record). If suspension is taken care of within 1 year of the CANCELLATION date, we can remove the cancellation.  
**\*\*Staff make F1 comment for DLS staff to call home office within 1 year to remove cancellation.**

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### **Denied:**

Denial will show as a refusal reason if the applicant has been denied due to a medical, vision problem or SAVE/VLS response.

This appears if an applicant's vision or medical statement was sent to the home office for evaluation and license issuance subsequently was denied in writing.

All previously denied individuals will be required to complete all necessary testing (vision, written and drive) if medical and vision minimum standards are met.

### **Disqualify:**

To be ineligible to operate a commercial motor vehicle due to a violation(s), either temporarily or permanently or administrative action. Application for a new license may be made after reinstatement procedures have been completed.

1. Two serious violations in a commercial motor vehicle within 3 years = 60-day disqualification.
2. Three serious violations in a commercial motor vehicle within 3 years = 120-day disqualification.
3. Operating a commercial motor vehicle in violation of the enumerated offenses of highway-rail grade crossings =
  - First offense – 60-day disqualification,
  - Second offense within 3-year period – 120-day disqualification, and
  - Third offense within 3-year period – One-year disqualification.
4. The following violations = one-year disqualification:
  - Driving under the influence of alcohol or drugs in any motor vehicle or refusal to take an alcohol test,
  - Leaving the scene of an accident in a commercial motor vehicle,
  - Using a commercial motor vehicle in the commission of a felony,
  - Operating a commercial motor vehicle after the CDL has been revoked, suspended, cancelled, or disqualified, and
  - Fraud related to the issuance of the CLP or CDL.
5. Transporting hazardous materials without proper placarding = 3-year disqualification.
6. The following violations = Lifetime disqualification:
  - A second or subsequent violation of driving under the influence of alcohol or drugs or refusal to take an alcohol test,
  - A second conviction of transporting hazardous materials without proper placarding,
  
  - Using a commercial motor vehicle in the commission of a felony involving the distribution of a controlled substance, and
  - Using a commercial motor vehicle in the commission of a felony involving human trafficking.

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### **Disqualify Due to Violating an Out of Service Order:**

- First conviction = 90-day disqualification
- Second conviction (within 10-year period) = 1-year disqualification
- Third conviction (within 10-year period) = 3-year disqualification

If driver is convicted of violating an out of service order while operating a commercial motor vehicle and transporting hazardous materials or vehicles designed to transport 16 or more persons including the driver = 180 days disqualification.

Second or subsequent conviction while transporting hazardous materials or 16 or more passengers including the driver = 3-year disqualification.

Disqualification for falsifying medical examiners card = 60-day disqualification

Applicants with a status of Disq/Rein will be required to retest (vision and, written) for a CLP and hold it for 14 days after the date of reinstatement and upon payment of the fees prior to applying for a CDL. Only exception are applicants presenting valid out of state CDL issued after reinstatement date. Call the home office to verify with other state that testing was done to obtain the out of state CDL.

### **Confiscated:**

License has been seized by a law enforcement officer and a temporary license issued until due process has occurred.

Caused by pending action under the Administrative License Revocation procedures.

For an individual with a confiscated status, please refer to Administrative License Revocation Information in this section.

### **Revoked:**

To terminate a person's license or privilege. Termination is not subject to renewal or restoration. Application for a new license may be made after reinstatement procedures have been completed.

Revocation can occur from any court, administrative license revocation (implied consent), and point's action.

Applicants with a status of rev/rein will be required to retest (vision, written and drive) after the date of reinstatement and obtain a new license upon payment of the appropriate fee. This is true even if they are presenting a valid out-of-state

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license. Only exception are applicants presenting valid out of state CDL issued after reinstatement date. Call home office so they can verify with other state that testing was done to obtain the out of state CDL.

### **Surrendered:**

The relinquishment of one's license.

Surrender can occur because of a voluntary surrender (individual desires to surrender document), required surrender (like document types cannot be held together) or when an individual changes state of record.

All individuals (non CDL documents) with a surrendered status will be required to only take the vision test as long as they can present a valid out of state license. If the out of state license is expired up to one year, the vision and written tests are required. Refer to DMV Medical Requirements, Section 13 to determine if a drive test should be administered. If the out of state license is expired over one year or the applicant cannot present it, vision, written and drive tests are required.

### **Suspended:**

To temporarily withdraw a person's license or privilege to drive. Applicant's will have to obtain a replacement license once they are reinstated.

Suspension can occur from any accident, unsatisfied judgment, default in payment, default in payment – unsatisfied judgment, insurance cancellation, no proof of insurance convictions, under age 21 point accumulations, support violations or a failure to comply (FTC).

If an individual is suspended for an accident, unsatisfied judgment, default in payment, default in payment – unsatisfied judgment, insurance cancellation, no proof of insurance convictions, under age 21 point accumulations, support violations or a failure to comply, the license status will revert to "VALID". *Note: if the license in the Financial Responsibility Division has expired, normal renewal procedures will be followed, and a new license will be issued upon payment of the appropriate fee.*

### **Impounded:**

License or privilege to drive has been impounded by the court as part of a traffic related offense.

Applicants cannot renew their license nor can a replacement be issued. The impounded license cannot be used for proof of identification.

### **Pick Up Orders/Revoked Status:**

If there is a "pick up order" indicator on the system, or the status of the license is REVOKED (upper right corner of APP Screen), staff should ask applicant if they have the document. If they do, look at F1 comments to see if a comment has been entered by FR. This comment would say: "Please pick up license from applicant so IIP can be authorized or license can be reinstated". If this comment



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exists, pick up the license, make an F1 comment; “license picked up by Driver Licensing Staff.” Then instruct the applicant to contact FR to let them know license has been given to staff. FR will update the record allowing the applicant to obtain an IIP or another document. Staff can then destroy the document (do not have to mail to home office.) If there is no comment, staff should retain the document, screen print the record, attach license to screen print of the record and mail it to the home office at the end of each workday. If the applicant doesn't have the document, staff should make a comment indicating such on the F1 HIS screen.

### **Laws & Policies – General:**

Staff outlined in this document are defined as Driver's License Examiners.

Any Nebraska resident who operates a motor vehicle as defined in Nebraska Rev. Statute 60-471, on the streets and highways of Nebraska must have a license.

Any new resident with a valid license from another state must obtain a Nebraska license within 30 days. Exceptions: active duty members of the United States Armed Forces or spouses of such and full-time students if such persons are licensed under the laws of the state of their residence.

A nonresident may operate a motor vehicle in the State of Nebraska for a period not to extend beyond 30 days continuous residence, provided such nonresident motor vehicle operator is duly licensed under the laws of the state of his/her residence, or have conformed to the laws of such state of residence in relation to the operation of motor vehicles.

No person who operates a motor vehicle in the State of Nebraska shall at any time have more than one operator's license issued by any state.

Any applicant that holds a license from any state must surrender such license before a Nebraska license can be issued.

No person shall be licensed to operate a motor vehicle by the State of Nebraska if such person's operator's license or privilege to drive has been suspended or revoked in any state or jurisdiction in the United States and has not been reinstated.

Individuals in Nebraska may not hold a license and a State ID Card simultaneously.

Parents or accompanying adults are to be allowed in the examining area with the applicant for the application process.

Staff shall not discriminate against any applicant based on race, color, sexual orientation, religion, age, disability, or national origin.

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### **Military License Renewal:**

Nebraska law allows issuance of a renewal license, without examination, to any person whose Nebraska license expired while serving outside the State of Nebraska, for purposes other than training, in the armed forces of the United States, or the spouse of any such person, or a dependent of such member of the armed forces, and who appears for renewal within 60 days after his/her;

- a. Discharge or return to the State of Nebraska to reside, whichever is later,
- b. Return to the State of Nebraska while the member is still on active duty upon proof that such member is still on active duty.

Military orders, a DD214 or other proof of military member being stationed outside of NE and if discharged, date of discharge, is required to be presented. Replacement licenses can also be obtained at any driver licensing office or online. A data form must be completed.

Staff will put MIL in the Military field on the APP screen, this will bypass the requirement for proof of citizenship, written and/or drive tests. If they cannot produce one of the documents above, they will be required to test (if license is expired over one year).

Military personnel or dependents may contact the Department of Motor Vehicles, Driver and Vehicle Records Division, for the issuance of a military card/military indicator on driving record if they are out of state or country when the license expires. This card/indicator is not sufficient to waive any testing requirements since it does not indicate that they were stationed out of Nebraska or whether they are still active duty or have been discharged.

Military Renewal does not apply to CDL.

### **Mobile Operator's or Driver's License:**

A Mobile license is defined as an operator's or driver's license electronically stored on or accessed via an electronic device.

A mobile license is not a photo of a physical operator's or driver's license stored on an electronic device.

A mobile license will waive all testing that a physical license would provided it meets the same criteria of the physical license, i.e. expiration date and issuing jurisdiction.

### **Mopeds:**

A Class O (operator's) license, POP, learner's permit, or school permit authorizes an individual to operate a moped on the streets, alleys, or public highways of the State of Nebraska.

A moped is defined as a bicycle with full operative pedals for propulsion by human power, an automatic transmission and a motor with a cylinder capacity not exceeding 50ccs which produces no more than two brake horsepower and is

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capable of propelling the bicycle at a maximum design speed of no more than 30 mph on level ground.

A moped cannot be used to take the Class O drive test.

Please see Section 1 and Section 3 for additional requirements.

### **Non-English Speaking Applicants (Non-Commercial Documents):**

All attempts should be made to communicate and assist applicants. Applicants may use translators to assist with the application process, including vision check, drive test instructions and explaining the results of the drive test. If the applicant does not have a translator with them at the driver licensing office, you can use the Translation Phone Service to assist.

The process for this is to dial 800-874-9426. The system will prompt you to type in the phone number you are calling from, then will ask what language you wish to have a translator for. You will be prompted to enter the Client ID #, which is 535010. When the translator comes on, you will have to explain to the interpreter what the situation is, then hand the phone to the applicant, then get the phone back and ask the translator what was said. Use this phone service rather than the translating application on your phone.

### **Non Real ID compliant Documents**

Effective June 26,2023

USCIS Parolees will be able to acquire Nebraska State identification and driving documents that are not for federal identification purposes. These documents are not for Federal Identification, they do not have the star indicating Real ID in the top right corner of the document.

These applicants should have their USCIS documents run through the SAVE system just like any other documents. The SAVE system will determine if they are eligible for the Non Real ID compliant document

### **Number Machines:**

To provide fair, organized, and efficient customer service, the numbering machines will be used in all locations, except those with Lobby Management Systems. The machines must be available for the public's use from opening time to closing time. Applicants are not required to take numbers if they are the only customer waiting for service. However, in all situations, whether someone has been issued a number or not, if the applicant is in the driver licensing office prior to closing time, they will need to receive service through the written test. Any additional services will be provided the following working day. Offer an appointment and make an F1 comment.

### **Online Renewals and Replacements:**

Individuals can obtain School Permits and Provisional Operator Permits online if they have held a School Learner's Permit or Learner's Permit for the required

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time period and have passed a Driver Safety Course. Individuals can also obtain their initial licenses, renew their licenses (including CDLs) and State ID Cards and obtain replacement licenses (including CDLs) and State ID Cards online. Individuals cannot change their name online.

Licenses for Class O and M holders can be renewed twice online for individuals age 21 years and older and whose licenses expire prior to their 72nd birthday. Must apply for renewal in person at least once every 16 years.

ID Card renewal applicants must appear in person at least once every 16 years. There is no maximum no age restriction.

Applicants can print off their 30-day temporary or obtain one at any county treasurer or service center office.

### **Out of State Renewals & Replacements:**

Any person who is out of the state at the time of renewal of his or her operator's license may apply for a license upon payment of the fee. The license may be issued at any time within one year after the expiration of the original license.

Applicant will contact the home office and will be sent a data form. The data form and current vision readings (exam date within the last 90 days) will be required to be returned to the home office.

An issuance certificate will be produced and sent (mail, fax, or scan) to the applicant. They will review, sign, and return the issuance certificate to the home office along with the appropriate fee.

The home office will start the process to produce the license and send the 30-day temporary to the individual. The hard copy will be produced by the factory and sent to the home office, which then forwards to the out of state address previously provided.

Out of state renewal applicants for a Class O or M license must appear in person at least once every 16 years.

Any person who is out of the state and needs a replacement of his or her valid operator's license may contact the home office for assistance. Name changes cannot be completed through the out of state replacement process.

Out of state renewals or replacements does not apply to CDL.

Out of state renewals or replacements do not apply to non-Citizens due to the SAVE process.

### **Puerto Rico and US territory CDLs:**

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If an applicant presents a Puerto Rican or US territory CDL, they are NOT required to surrender it per a DOT interpretation in FMCSA regulation 383.21. Puerto Rico and US territories are not included in the definition of a State in the Commercial Motor Vehicle Safety Act (CMVSA). Only the 50 states, District of Columbia and US Territories are accepted on the APP screen.

There is no reciprocal agreement with Puerto Rico or the US territories recognizing their DMV testing and license standards as equivalent to the standards in FMCSA Part 383. Thus, these CDLs will not waive any testing in Nebraska.

### **Recalls:**

If it comes to the attention of the Director that an individual may not be capable of operating a motor vehicle safely, the Department of Motor Vehicles can request an individual to appear before staff on a certain date at a certain time for reexamination (recall).

There are several types of recalls: general recall, general surrender, add restrictions – drive, add restrictions – no drive and, CDL restriction add/remove recalls.

### **General Recall:**

An individual receiving this letter will be required to send a completed vision and/or medical statements that meet the Department's minimum standards to the home office and pass the written and drive tests to retain their license.

Do not administer the written test until the applicant meets the Department's minimum vision and medical requirements. If during the recall application process, the applicant answers "yes" to any medical history question that would require a medical, you will need to contact the home office for instructions on how to proceed. A drive test cannot be administered until the written test is passed.

Individuals requesting the restricted written and drive tests need not be given the regular Class O written and drive tests first.

Applicants may not remove restrictions at the time of recall unless it is specified on the recall report.

### **General Surrender:**

An individual receiving this letter does not meet the Department's minimum vision and/or medical requirements. When they appear at the driver licensing office, they will be asked to surrender their license and a return for services form will be issued to them.

### **Add Restrictions – Drive:**

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An individual receiving this letter will be required to pass a drive test only. A vision and/or medical statement has been received by the home office and recorded on the Vision/Medical Screen, which requires this drive test.

Individuals requesting the restricted drive test need not be given the regular Class O drive test first.

Applicants may not remove restrictions at the time of recall unless it is specified on the recall report.

### **Add Restrictions – No Drive:**

An individual receiving this letter will be required to have appropriate restrictions placed on his/her license. A vision and/or medical statement has been received by the home office and recorded on the Vision/Medical Screen, which requires these restrictions without any testing.

### **General Recall Information:**

Staff will check the appointment screen for the county they are in to see if any recalls are scheduled for that day.

Individuals can test prior to their recall date; however, all testing must occur on the same day. If the written or drive test is failed at that time, the license must be surrendered for cancellation. If the individual appears prior to their recall date and cannot present their vision and/or medical statement or the vision and/or medical statement does not meet the Department's minimum requirements, they have until their recall date to present vision and/or medical statements that meet the Department's minimum requirements.

When a written and/or drive test is required, it will be given for the class of license and will not be required for any endorsement(s) on the license.

When all requirements have been met for the recall, the original license will be given back to the individual, except for those that need to have restrictions added or removed. In those instances, an issuance certificate will be issued, and a new license will be issued upon payment of the appropriate fee.

Individuals who cannot meet the requirements of their recall (as outlined above) will be asked to surrender their license so that it can be cancelled. Staff should shred the license.

Any person failing to surrender his/her operator's license as required by the provisions of this section shall be guilty of a Class III misdemeanor.

When a license is cancelled, the license is null and void. Consequently, proof of identification and all tests (vision, written and drive) are required AFTER the date of cancellation prior to the issuance of a new license. Remind the applicant that it will be to their advantage to apply for a State ID Card prior to leaving the office to use as future proof of identification.

### **Procedure for Recalling CDL, Obtaining Class O:**

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When recalling a CDL to drop down to a Class O license, the CDL must be surrendered. Complete the application process. Testing may be required.

### **Procedure for Recalling CDL, as Part of a CDL Third Party Audit:**

As part of an audit of a CDL Third Party Tester or a CDL Third Party Examiner, CDL holders originally tested by the CDL Third Party Examiner for a CDL Third Party Tester may be ordered to retake the skills examination administered by staff. Staff will notify the CDL holder of the time and location of the examination. Failure of the CDL holder to appear for the recall skills examination will result in the cancellation of the CDL.

### **Procedure for Recalling CDL, as Part of a Medical Examiner's Report and/or Statement of Physician and/or Statement of Vision Form(s):**

In response to a report that a CDL holder may have medical, psychological, or vision problems that would interfere with the CDL holder's ability to safely operate a motor vehicle or a commercial motor vehicle, the CDL holder will be notified by mail of the time and place of the recall examination. The CDL holder will be asked to provide a current Medical Examiner's Report and/or Statement of

Vision and/or Statement of Physician form(s) at the time of the recall. Failure of the CDL holder to appear for the scheduled recall examination will result in cancellation of the CDL. Failure of the CDL holder to meet the medical and vision requirements or pass all required examinations will result in the cancellation of the holder's CDL.

### **DMV Home Office Reexamination Procedure**

- All individuals, except for physicians and law enforcement officers, will be required to complete the Citizen Reexamination Report form when reporting individuals thought to be unsafe drivers to the DMV. If the reexamination request is not on the appropriate form, the request will be returned to the sender with a blank form to be completed.
- DMV staff will attach the driving record of the driver to the Citizen Reexamination Report form when it is received and will forward to the Driver Licensing Manager or Administrator.
- The Driver License Manager or Administrator will review the Citizen Reexamination Report form to make sure a detailed explanation about why the person is not safely capable of operating a motor vehicle has been included and ensure that all information asked for on the form has been completed, i.e. name, address and phone number of individual requesting reexamination, relationship to person thought to be an unsafe driver, etc.
- Driver License Manager or Administrator will verify that the information on the DMV driving record (name, address, date of birth, etc.) matches the information on the Citizen Reexamination Report form related to the person thought to be an unsafe driver.
- Driver License Manager or Administrator may contact the person requesting the reexamination to ask if they have reported the individual

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- thought to be an unsafe driver to law enforcement officials or to the individual's family physician and will confirm with the requestor whether information on the report form can or cannot be released to the person thought to be an unsafe driver.
- Additional supporting information may be required by the DMV from the person requesting the reexamination prior to the recall being scheduled if needed to substantiate the request.
  - The Citizen Reexamination Report form will be returned to the sender for additional information if the information contained in the explanation does not satisfactorily address unsafe driving behaviors.
  - The Citizen Reexamination Report form will not be processed if;
    1. The requestor does not sign the report and fails to provide a photocopy of their driver license or ID Card.
    2. The contact information on the report is inadequate for DMV to verify the requestor's existence and relationship to the individual thought to be an unsafe driver.
    3. The requestor does not supply additional information required to the DMV by the deadline established.

### **Reinstatements and Driver Education and Training Courses:**

Applicants will be required to meet all testing requirements dated after the date of reinstatement to obtain a Nebraska license or permit.

Staff will check the computer record to determine if the applicant has been reinstated. Advise the applicant that the Financial Responsibility Division will not call staff to verify that a person has been reinstated.

When an applicant appears for reinstatement of their license, written and drive tests may be required.

Upon reinstatement, CDL skills testing may be administered by a CDL Third Party Examiner provided such testing is done after the date of reinstatement.

A Motorcycle Safety Foundation Course Certificate cannot be used to waive the motorcycle written or drive tests unless the date the course was completed was after the date of reinstatement.

### **Driver Improvement Courses Certified by the DMV:**

There are several Driver Improvement courses that have been certified by the Department of Motor Vehicles for:

- Reinstatement of point revocation
- Employment Driving Permit (completion required within 60 days of permit issuance)
- Two-point credit to your driving record (within limited guidelines)



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### **These can be found on the DMV website.**

(Courses also available in Spanish)

#### **Removing Mailing Addresses:**

Applicants that have their valid Nebraska documents with the correct resident address but are requesting to remove or change only the mailing address on file, do not need to pay for a replacement document. Applicants should be instructed to contact the home office. The home office has procedures in place to make the mailing address change without the need to issue a replacement document.

#### **Replacements (Address/Name Changes):**

All replacements except name changes can be applied for online or at a driver licensing office. Applicants may also apply for change of address to their documents. They will need to electronically scan in the appropriate proof of address documents as part of the online replacement process.

All name change replacements must be processed at a driver licensing office.

All Citizenship/ID, address, vision, and medical requirements are required for applicants applying for a replacement.

Any prior license or permit shall become null and void upon issuance of the replacement license or permit.

Certain identifying information must be consistent on all documents held by the individual. Changes requiring this are: name, date of birth and residential address. If applicants do not want to get these required changes made on all documents they hold, they have the option of surrendering any documents they want to. *Note: if applicant is in their renewal period for document currently being held and does not intend to renew it, then no action need be taken.*

Name and address changes must be updated on licensing and State ID Card documents within 60 days of the change.

Nebraska residents who have surrendered their Nebraska driver's license or State ID card in another state and are returning to Nebraska are not eligible for a replacement of that surrendered license or State ID Card. They will be required to apply for a new license or State ID card.

#### **Service and Emotional Support Animals:**

Service animals will have a distinct vest that is always required to be worn. Service animals can only be dogs and miniature horses. Service animals may be

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allowed in the driver licensing offices and to ride along on drive tests. If another applicant has a problem with the applicant with the service animal, an appointment should be offered to the person objecting to the animal. Preference always goes to the applicant with the service animal. Emotional support animals can be any type of animal, and may not wear a vest, but are allowed in the driver licensing offices. Emotional support animals may be allowed to accompany the applicant on the drive test. Staff should contact their supervisor for prior approval for this. Since these could be any type of animal, in some circumstances we may not want them in the car as they could be a distraction. If another applicant has a problem with an emotional support animal, offer to make the person with the emotional support animal an appointment to come back another time.

### **Staples in Identification Documents Presented:**

If identification documents are presented with staples or if the document says: “if staples removed not valid”, **DO NOT** remove the staples. For all other documents, ask the applicant if it is ok to remove the staple, then remove carefully if they indicate you can remove the staples for scanning purposes.

### **Surrender/Voluntary Surrender Nebraska Documents:**

Nebraska residents who have surrendered their Nebraska license, permit or ID card in another state and are returning to Nebraska are not eligible for a replacement of that surrendered document. They will be required to apply for a new document.

If an individual wishes to voluntarily surrender their license and not obtain another document, staff should print the Certification for Voluntary Surrender of License, Permit or State ID Card form off Option #51 and have the applicant complete it. Staff should attach the license to the form and mail to the home office at the end of each workday.

If an individual wants to voluntarily surrender their license, permit or State ID Card in conjunction with obtaining another document OR if the system forces the applicant to surrender a document before obtaining another document, the surrender will be completed upon issuance of the new document. The surrender language would appear on the issuance certificate for the new document and the document being surrendered would be attached to the issuance certificate once it is produced. The applicant will take the issuance certificate to the County Treasurer/Service Center who will issue the new document and destroy the surrendered document.

### **Territory Foreign Waiver Abbreviations:**

When using a Territory Foreign Waiver (TFW) use the table below to determine the correct abbreviation for the Foreign Country or US Territory

AB	Alberta	NF	Newfoundland
AS	American Samoa	NS	Nova Scotia
BC	British Columbia	NT	Northwest Territories
CG	Carolina Islands	NU	Numavut
GM	Germany	ON	Ontario

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GU	Guam	PE	Prince Edward Island
JI	Johnston Island	PR	Puerto Rico
MB	Manitoba	QC	Quebec
MP	Norther Mariana Islands	SK	Saskatchewan
MW	Midway Islands	VI	US Virgin Islands
MX	Mexico	WK	Wake Island
NB	New Brunswick	YT	Yukon

## SECTION 19 – STAFF RULES

### **Staff Rules**

#### **Accidents:**

Any time that staff is involved in an accident while administering a drive test; an e-mail needs to immediately be sent to their Supervisor, the Driver License Manager, and the Personnel Manager.

#### **Breaks:**

Breaks are to be limited to 15 minutes in the morning and 15 minutes in the afternoon. In areas where there are two or more staff members, arrange breaks so there will always be staff on duty and take breaks before the after-school rush begins.

#### **Cell Phones:**

Personal cell phones will not be allowed at the workstation. Cell phones or text messaging shall not be used for personal communication, except in emergency situations away from the workstation or when on break or lunch away from the workstation. No cell phone headsets are to be worn during work hours nor can cell phones be used at the workstation as a radio. Use of a personal cell phone during skills testing to notify your supervisor of an emergency is authorized. Refer to the DMV Personnel Policies and Procedure Manual located on the “X” drive for the complete policy.

#### **Chain of Command:**

Refer to the DMV Policies & Procedures Manual for contact information related to discrimination, workplace harassment, and insurance/payroll deductions.

All other questions, complaints or problems of any nature must follow the Driver Licensing Division chain of command, which is as follows:

- 1<sup>st</sup> Direct Supervisor
- 2<sup>nd</sup> District Supervisor if not Direct Supervisor
- 3<sup>rd</sup> Driver License Manager
- 4<sup>th</sup> Driver License Administrator
- 5<sup>th</sup> Deputy Director
- 6<sup>th</sup> Director

Any staff person who works across district lines will report to the supervisor who oversees the office they are working in at during the time they are working there. Any issues or concerns need to be brought to the attention of the supervisor in charge of that office.

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### **Comp Time:**

All comp time earned will need to be used prior to June 1<sup>st</sup> of each year or payment will be made for the overtime hours.

### **Conduct on the Job:**

- a) Always treat the public with courtesy and respect.
- b) Be friendly, patient, and put applicants at ease.
- c) Give applicants confidence and assurance.
- d) Ask questions fairly and firmly.
- e) Be certain that applicant understand the requirements.
- f) Explain any failure at the end of the examination and give reasons for the failure.
- g) Be consistent with all requirements and explain your decision.
- h) Be businesslike but firm.

Do not:

- a) Argue or be rude to the applicant. Always give the applicant the benefit of the doubt.
- b) Stress the fact that your position is backed by law.
- c) Ask trick questions.

**Data Forms:** Data forms shall be available for the public in all driver licensing locations.

Data forms are to be scanned, both front and back. After scanning, forms need to be put in shred bin or shredded due to the privacy protected information that is on them.

### **Firearms in the Workplace:**

Section 18.13 of the 2021-2023 Labor Contract covers this topic and prohibits employees, other than those who have been specifically authorized, from bringing firearms into the workplace. It does allow employees with a concealed handgun permit to have a firearm in his or her vehicle in a parking area open to the public, when said firearm is securely locked in a glove box, trunk, or storage box.

The issue of allowing applicants to bring a gun in to our offices is somewhat more difficult since we have an open carry law in Nebraska, except where specifically prohibited.

If an applicant enters the office with a firearm in sight and the applicant is not belligerent, etc. serve the applicant as normal. If the applicant needs a drive test, staff may ask the applicant to put the firearm in the trunk before the drive test is administered. The applicant is not obligated to do so. If the applicant refuses and staff is not comfortable with administering the drive test to them, they may make an appointment for the applicant to have the drive test administered by a

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supervisor. If at any time staff is uncomfortable with an applicant who has a firearm in the driver licensing office, they may contact local law enforcement.

### **Job Interviews:**

Vacation or comp time must be used for employment interviews that are not with the DMV. Travel expenses will not be reimbursed nor can a state vehicle be used. Interviews with the Department do not require any leave to be used, but the employee will be required to drive their personal vehicle with no mileage reimbursement to the interview.

### **Late for Scheduled Opening:**

If you travel to a non-permanent office to work and you will be late or not able to be at your office at the assigned time (due to weather, car troubles, etc.) notify your immediate supervisor and the home office so they can contact the county officials in the county in which you are traveling to.

### **Leave:**

All staff will request leave through GLA. A leave slip must be completed when using any type of leave. Sick leave slips must include a reason for absence. Staff is responsible for the accuracy and management of their leave. This is not a supervisor responsibility.

### **Leave – Leave Without Pay/Advancement of Leave**

Staff is encouraged to build up their leave balance so Leave Without Pay or Advancement of Leave is not needed unless in an emergency. Please review the Policies and Procedures Manual so that you have a thorough understanding of when and how Leave Without Pay requests should be submitted.

### **Leave - Sick:**

When using emergency leave or sick leave, YOU (not someone else) are to CALL your supervisor or their designated representative (not a co-worker or the home office support staff) no later than 6:30 a.m. Text messages, voice mail or emails are NOT sufficient.

Use the following contact numbers below:

Chad Metz	work cell: 402-547-1966
Jessica Thomsen	work cell: 531-310-7242
Chad Smith	work cell: 402-580-6941
Phillip Uhl	work cell: 402-669-6419
Nate Bolay	work cell: 402-699-1425
Irene Abayata	work cell: 531-207-3362
Sarah Hogue	work cell: 402-681-1129
Brittany Parker	work cell: 531-810-1747
Casey Loeschen	workcell: 402-219-3618

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Janie Johannes	work cell: 308-258-0201
Adam Giddings	work cell: 308-455-0957
Ashley Johnson	work cell: 308-520-8775
Ken Miller	work cell: 308-660-8846
Doug Thomas	work cell: 531-207-4932

Designated representative shall be defined as another supervisor taking your supervisor's calls. If you are unable to reach your supervisor or the designated representative, then you need to contact another district supervisor.

Acceptable sick leave usage is outlined in the Policies and Procedures Manual.

Sick leave for medical appointments can be used for travel time to and from the appointment, and the time spent at the appointment(s). Any additional time off for that day will be considered vacation time. All employees are required to discuss this with their supervisor prior to the scheduled appointment(s).

Leave - Vacation:

Vacation leave should be requested at least 48 hours in advance of the requested time and entered in to GLA. Vacations will be approved if possible, on the date requested, but it will not be granted when it will interfere with the efficient operation of the Division. All employees who earn over 159 hours of vacation leave annually will be required to take 40 hours of vacation leave before the first full week of June.

Employees may submit full work week vacations on December 1st of each year for the next year. When multiple requests for the same vacation time is received on the same date, a drawing may be required to determine which employee(s) will receive the vacation request. The drawing will include only full work weeks submitted, not partial weeks. The employee(s) that win the drawing will be required to take the entire week as vacation. On December 15, (or on the date determined by the District Supervisor) employees may submit vacation requests for less than a full week.

Employees cannot request vacation unless they will have accrued enough leave at the time the leave will be used. If an employee requests vacation and has not accrued enough leave at the time of request, it cannot be approved via GLA. However, if the employee is on track to have enough time accrued by the time leave will be used, approve the request verbally via an e-mail confirmation. Ask the employee to resubmit the request via GLA once enough vacation leave has been accrued.

Due to the many requests for vacation during the months of June, July, and August, no employee will be granted more than two total weeks of vacation during this period unless there it is a special circumstance. The employee should

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discuss the situation with their supervisor. No vacation will be granted until the hours have been earned unless prior approval is given by the Director.

When granted vacation time for a partial day, vacation time starts when you leave your work location (exception – employee who need to drive state vehicle back to the base location).

Vacation or comp time must be used when applying for or renewing your license (unless time allows for it to be done during break or lunch time).

### Special Circumstances Vacation Requests – Over One Calendar Year

There are special and specific circumstances in which an employee can submit a vacation request via e-mail to their supervisor for time off in the second calendar year. For example, the current calendar year is 2023 and the employee requests time off in June 2025. These requests should be rare and limited to 'once-in-a-lifetime' events such as a family wedding, overseas vacation, or other milestone event in which timing and financial burden must be considered well in advance. The employee should include as much information a possible about the necessity of the milestone event to give their supervisor the best background to make a good management decision about approving or denying the request. The information should include, but is not limited to, type of event, dates of event, dates vacation requested, location of the event, impact of event without your presence, overall financial impact to you if vacation denied, and number of times this event has been attended by you. Time off for the third calendar year will not be considered.

### License:

All staff administering drive tests and/or driving on state business must have a valid Class O license and have successfully completed a defensive driving course.

Staff must comply with motor vehicle laws when obtaining or renewing an operator's license, (i.e., proof of identification, passing appropriate tests, etc).

No staff may complete the application process for themselves.

### **Management Rights:**

Management has the right to change work rules as necessary, based upon present circumstances and the needs of the Department. In addition, the Driver License Manager and/or Driver License Administrator have the authority to change base locations and location of state vehicles.

### **Office Hours:**

Opening and closing times should be by the clock on the office wall (if available). The office wall clock shall be set by cell phone time, whenever possible, as the



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cell phones are set by the coordinated universal time. Travelling staff that have completed the setup of their equipment prior to the scheduled opening time shall open their offices early to better assist the public.

Overtime:

Section 12.8 of the Labor Contract allows the employer to pay cash at any time for overtime compensation obligations. Staff will automatically be paid for overtime earned associated with any type of training.

Payroll Questions:

Payroll questions are to be directed to the Department's Personnel Manager (402) 471-4379.

### **Personnel Rules:**

The DMV Personnel Policy and Procedure manual is located on the "X" drive under "All Employees", "Personnel" and on EDC.

As staff, your conduct, integrity, and judgment must be beyond reproach. Always try to carefully analyze each applicant and diplomatically make them a better, safer driver.

No staff will take part in the games of chance, cards, pool, etc., while on duty.

No staff shall administer driver training with or without compensation to any applicant during non-work hours.

Staff will not accept any gift from anyone seeking a licensing or State ID Card document.

Staff will not violate any of the laws of the state or city when operating a motor vehicle or walking.

Staff will refrain from smoking (including e-cigs) when going to and from a vehicle for a drive test or when in direct contact with an applicant. Smoking is allowed only in designated locations (check with the local office) and is only allowed on break or lunch time.

Staff will always refrain from the use of profane language.

Only authorized personnel are allowed in the work area.

All staff must provide their supervisor with contact information (address, city, state, zip code and telephone number(s)). Please inform your supervisor and the Personnel Manager (402-471-4379) of any changes to your contact information.

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No staff shall make comments or give a speech on behalf of the DMV, or give radio, T.V. or newspaper interviews unless authorized to do so by the Driver License Manager or Driver License Administrator.

### **Phone Contact with the Main Office/Supervisors:**

Help Desk at 402-471-7277.

Contact (Gloria) at 402-471-9591 with questions related to cancelled, recalled, or denied licenses.

Contact Judy at 402-471-3911 with questions regarding third party, CDL drive test appointments, staff changes of address.

Contact Darla at 402-471-3395 with questions regarding out of state duplicates and renewals, military renewals and duplicates, driver safety issues, farm husbandry and snowmobile permits.

Contact Pat/Terri at 402-471-9502 with questions regarding the SAVE program, inventory issues.

Contact Terri at 402-471-9525 with questions regarding the Motorcycle Safety Program, car logs

Contact Staci at 402-371-1339 with questions regarding CDL medical certification and medical examiner's certificates.

Contact Heather at 402-471-3981 with general help desk questions.

Matt Coatney at 402-471-2670 – Driver License Administrator

Jay Haskell at 402-471-3890 – Driver License Manager

Lee Quintard at 402-471-9751 – Program Manager

Cheryl Porter at 402-471-1472 – CDL Program Manager

Ty Linebaugh at 402-471-3668 – Program Manager

The fax number for the division is 402-471-4020.

All other questions must be directed to your immediate supervisor. Each assistant and district supervisor has a cell phone and can be reached on that phone. If your immediate supervisor is not available, contact the next level supervisor who is available.

### **Reports:**

All employee time records must be entered and leave slips forwarded to the supervisors no later than 9:00 a.m. on the Monday of the end of the pay period (refer to the Holiday-Payroll chart the Personnel Manager sends each year). Please make sure all reports are accurate and complete.

All work absences must be entered on GLA.

### **Seat Belt Usage:**

Staff will use seat belts in any non-CDL vehicle (except buses not equipped with seat belts), manufactured in 1964 or later.

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Staff will use seat belts in any CDL vehicle (except buses not equipped with seat belts) manufactured prior to 1973 if equipped with seat belts. Seat belt usage is required in all commercial vehicles 1973 or newer.

Signs:

All signs displayed at the office must be pre-approved by the home office.

### **State Computer Use**

Please refer to Section 15.

### **State Vehicles:**

State owned vehicles will only be used for State business. Refer to the Department of Administrative Services-Transportation Services Bureau Policies and Procedures Manual for complete information regarding state vehicles.

All DMV equipment/supplies transported in a state vehicle must be placed in the trunk for safety purposes. APWs must be taken into the driver licensing office/courthouse each evening and secured in a locked location.

Gasohol is the mandated fuel for all state vehicles.

Vehicles must always be kept clean and in good repair.

TSB will not offer reimbursement for coin-operated car washes. One car wash, not to exceed \$9.50 per month per vehicle can be charged to the Voyager card. Any car wash expenses more than the allowable monthly limit will be billed back to the agency. A car wash shall be defined as “an external washing of the vehicle only.” The use of prepaid tokens for future washes will not be allowed.

A Safety Inspection of a State Vehicle shall be conducted monthly and consist of:

1. Check registration.
2. Inspect horn for:
  - a. mounting and horn button
  - b. sound
3. Inspect mirrors for:
  - a. condition of reflecting surface
  - b. view of road to rear
4. Inspect windshield wiper for:
  - a. operating condition
  - b. condition of blades
5. Inspect windshield and other glass for:
  - a. cloudiness, distortion
  - b. cracked, scratched or broken glass
6. Inspect tires for:

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- a. 2/32" tread depth on passenger cars
  - b. fabric visibility cut or worn
7. Inspect exhaust system for:
  - a. muffler
  - b. leakage
8. Inspect brakes for pad and shoe thickness and pedal reserve
9. Inspect steering and suspension for:
  - a. wear in bushings, kingpins, ball joints, wheel bearings and tie-rod ends
  - b. play in steering wheel
  - c. wheel and axle alignment
  - d. shock absorbers and/or struts
  - e. leaks in power system (warn driver)
  - f. condition of power-steering belts (warn driver)
  - g. alignment
10. Inspect lamps and lighting for:
  - a. approved type and aim
  - b. dimmer switch
11. Inspect body and sheet metal for:
  - a. door and hood latches operative
  - b. gas tank and connections secure
  - c. floor pan rusted out

Oil filter lube shall include the following items:

1. Change oil
2. Change filter
3. Chassis lube
4. Check power steering fluid
5. Check brake fluid
6. Clean or replace air filter
7. Check transmission fluid
8. Lube hood hinges and latch
9. Lube door hinges if needed
10. Check belts and hoses
11. Check for and repair oil leaks
12. Visual inspection
13. Check and fill battery
14. Fill all tires to proper level (spare excluded) and visually inspect
15. Fill overflow canisters and windshield washer reservoirs as needed
16. Check exhaust
17. Check shocks and struts
18. Check suspension and steering components
19. Check lights
20. Check wipers
21. Start engine. Check for leaks and recheck oil level.

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Smoking is prohibited in all motor vehicles owned by the State of Nebraska, Department of Administrative Services, Transportation Services Bureau and DMV owned motor vehicles.

Maintenance Intervals:      Oil Change - 6,000 miles or 6 months  
   Tune Up – 100,000 or notified by TSB  
   Safety Inspection/Alignment - 1 year  
   Transmission Fluid Change – 100,000 or notified by TSB  
   Wheel Bearing Pack – 100,000 or notified by TSB  
   Tires Rotated - (6,000 miles)

Any expenses or repairs of state vehicles over \$175.00 must have TSB approval and an authorization number; TSB's phone number is 402-471-2381. The facility wishing to make the repairs and/or maintenance makes this call to TSB. Employees driving DMV- owned vehicles are required to contact Jay Haskell in the home office for prior approval of any expenses or repairs to the vehicle over \$175.00.

Since it is the driver's responsibility to ensure that the authorization number is obtained **PRIOR** to any service being performed on the vehicle it is suggested the facility make a second phone call to the staff member confirming the authorization number has been obtained prior to doing any work on the vehicle. Failure to obtain the authorization number will result in TSB charging DMV for the repairs.

Staff should provide the service department a copy of the procedure form (located in their state vehicle) at the time the vehicle is dropped off for service.

Unless approved by the Director and a liability release is signed by the non-state employee, state cars are not to be used for transporting individuals other than State personnel.

The State of Nebraska covers all staff with liability insurance while driving state vehicles.

A state accident report form is to be retained in each state vehicle. The accident report form is available at the following web link:

[http://das.nebraska.gov/risk/forms/vehicle\\_accident\\_report.pdf](http://das.nebraska.gov/risk/forms/vehicle_accident_report.pdf)

It is the responsibility of the driver to report all accidents to the proper authorities. In addition, Jay Haskell, Agency Vehicle Coordinator, needs to be notified via email as soon as possible. The completed Accident Report Form and Risk Management Automobile Accident Report Form must be completed and received by Jay Haskell within 24 hours of the accident. The driver will then be asked to obtain two estimates for vehicle repairs and submit them to Jay Haskell. These estimates will be forwarded to Risk Management for review/processing. Please refer to the TSB Policy and Procedure Manual located in your state vehicle for complete information.

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The vehicle log that is maintained on your vehicle must have the following information recorded on it: date, complete odometer reading at the start and finish of each trip, the destination, the time to and from your destination, and the miles traveled. Operators of state vehicles will scan and email the completed vehicle log along with any service receipts to Teri Behl by the 1<sup>st</sup> of each month. The operator will then attach all fuel receipts and service receipts to the log and turn in to their supervisor. The supervisor will file the completed log & receipts for 2 years (records retention requirement). TSB must have the logs for the Fraud Division state vehicles by the 7<sup>th</sup> day of each month to comply with Neb.Rev.Stat. 81-1025.

The following system of gasoline and oil procurement will be strictly adhered to by all staff who use state owned vehicles. The vehicle operator will be responsible for ensuring the correct information is entered on the form. All gas will be obtained from state facilities when possible, but gas may be obtained from a commercial facility if the state gas pumps are locked or otherwise unavailable for use. Receipts for service/repairs (which include vehicle specific information) shall be scanned and emailed to the Home office monthly with the travel log.

All service/repairs should be completed at a place that will accept Voyager credit cards whenever possible.

All staff issued a state vehicle must obtain an itemized billing for repairs or services done to their vehicles. Be sure the billing carries the Federal I.D. number. The name of the operator and the vehicle's plate number are to be included on the bill.

All staff driving state vehicles or driving personal cars on State business will always wear seat belts.

The address of the Transportation Service Bureau is:

Transportation Service Bureau  
P. O. Box 95025, 14<sup>th</sup> & M Street  
Lincoln, NE 68509-5025

Supplies:

Staff must contact their supervisor one month in advance via email when in need of supplies. A monthly inventory must be taken and entered on the shared drive on the last working day of the month. Please make sure all reports are accurate and complete.

Uniforms – DLS Field Staff Dress Code:

Please follow the dress code policy outlined in the Policies and Procedures Manual and the additional guidance provided below.

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Staff may continue to wear any uniform items in their possession until they are no longer professional looking.

Examiners who are off probation, administer skills tests and have never been issued a DMV purchased spring/fall jacket will be allotted a maximum one-time allowance of up to \$50.00 and up to \$100 for a winter coat. An authorized DMV logo fleece jacket may be substituted in place of the spring/fall jacket. Employees working at the North Omaha Express Office will only be eligible for the authorized DMV logo fleece jacket. For staff that administer CDL skills tests, up to a one-time allowance of \$100.00 for a parka, coveralls or parka/bib overalls combination will be reimbursed. A uniform allowance request form must be signed by your supervisor prior to the purchase of any outerwear.

The choice, color and material selection of outerwear is the employee's preference; however, the selection(s) need to be business appropriate. Check with your supervisor prior to purchase if you have any questions. Camouflaged print outerwear will not be approved. The original store receipt, which shall include color, brand name, item type, size, and price, must accompany the reimbursement document. The outerwear item(s) must be the only item(s) on the receipt. In addition, the uniform allowance request form must be completed by you and signed by your supervisor and returned to the home office with the original store receipt and reimbursement document.

NAPE pins may be worn.

Reimbursement documents should be submitted for outerwear immediately upon purchase. Reimbursement documents submitted 60 days after purchase cannot be processed due to state requirements.

Employees may not use excess money from one outerwear purchase to purchase another item at a higher cost than the maximum allowance allowed.

All uniform long and short sleeve shirts shall remain the property of the State of Nebraska and shall be immediately returned to the supervisor when worn out or when staff leaves employment with the DMV.

All clothing returned must be clean.

Caps, including baseball hats, and head coverings may be worn when administering skills tests. They may not be worn in the office except as deemed acceptable in the Policies and Procedures Manual.

For safety purposes, you may not wear sandals when administering CDL skills tests. Always have a pair of shoes available in case you are being audited for a CDL skills test.

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A neon-colored safety vest will be required to be worn when conducting the CDL skills testing or motorcycle skills test. The DMV will furnish the safety vest for your use.

Proper grooming and appearance of staff will be scrutinized by your supervisor.

Name tags are required to be prominently worn each workday.

Staff are required to have the state security ID badge readily accessible while in the office and on person when administering skills tests.

Staff are required to wear shoe traction cleats, supplied by the DMV, when administering skills tests when sidewalks and testing areas are icy.

### **Union Contract:**

Each supervisor has a copy of the Union Contract which we encourage you to review.

### **Vision Machines:**

Vision machines (face area) shall be cleaned after each applicant's use. In addition, alcohol wipes need to be available for the public to use at their discretion.

### **Weather Conditions (Emergency)/or Executive Decision to close offices:**

Employees will not be required to use their personal leave when their assigned office is closed for reasons beyond their control. In addition, if an employee is on approved vacation and their work location is closed either by the County or by the Governor, the individual would not be required to use vacation time for the duration time of the closure.

On days when the weather prohibits any employee from arriving safely at his/her assigned office or the employee wishes to leave early from work to return home, and the Governor or the County has not closed the employee's office, employees shall be allowed to use vacation or comp time for their absence with prior approval from their supervisor.

If offices are open, but roads are all closed to get to that location, and there is no other location to be sent to work, vacation time is required from the time they left the office until it was closed. If the office is open or closed, but all roads are closed, if staff can be relocated to another open location, they are to do so with direction from their supervisor. If the office stays open and staff stay, but by the time the office closes, all roads are closed, DMV will pay for staff to stay in hotel.

If employees of a traveling team decide to go home due to inclement weather, the supervisor must be notified first. The supervisor will contact the home office



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for approval BEFORE staff may leave. Prior to leaving the office, each staff member must send an email to their supervisor stating they agree to leave early. Staff must also notify the county treasurer and post a sign for the public that they are closed.

Please contact your supervisor or the home office as soon as possible when your office is closed for any weather-related reason.

### Winter Weather Policy/CDL Skills Testing:

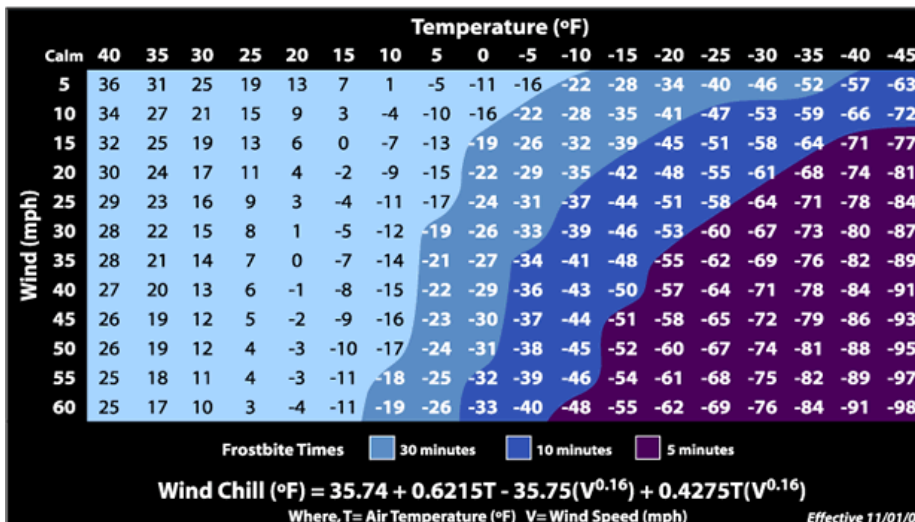
If the frostbite times fall into the 5 to 10 minutes range, the CDL appointment should be cancelled and the supervisor notified. If the frostbite times fall into the 30-minute range staff should be given a 15-minute break to warm up every 29 minutes.

Prior to denying the applicant the administration of any CDL skills, approval must be received from your supervisor, the Driver License Manager, or the Driver License Administrator.

The wind chill factor chart shall provide guidance to the Driver License Manager and Driver License Administrator to determine when staff should administer skills testing.



### Wind Chill Chart



## **SECTION 19 – STAFF RULES**