

# RULES FOR VEHICLE REGISTRATION & DRIVER'S LICENSE



*Prepared by*



## OFFUTT AFB LEGAL OFFICE

50 App. U.S.C. § 501

### **RULES FOR MILITARY MEMBERS**

Under the Servicemembers Civil Relief Act (SCRA) military members may retain their original State of Residency throughout their service, despite living in various states due to permanent changes of station (PCS).

Information regarding motor vehicles can be found in Chapter 60 of the Nebraska Revised Statutes.

It is recommended that you call ahead before you attempt to register your vehicle or obtain a driver's license. This extra step may save you a great deal of time and trouble. You can get answers to any questions you may have regarding local procedures and required documentation. Local policies and procedures due tend to change from time to time as a result of new state directives.

### **RULES FOR DEPENDENTS**

The SCRA is only designed to protect the military member and not the dependent. As a dependent, you are subject to the individual state laws for the state in which you currently reside.

### **VEHICLE REGISTRATION**

A military member may register his/her vehicle either in their state of residence OR the state in which they are currently located.

The State of Nebraska allows for military members, who are not residents of Nebraska, to register their vehicles as a non-resident. This lets you avoid paying the wheel tax (property tax) on your vehicle. This can be a huge savings for the military member and their family.

Don't confuse wheel tax with sales tax. They are two separate things. Your sales tax obligation can not be avoided.

To register your vehicle as a non-resident military member, you must show that your state of residency is not Nebraska and that you live in Nebraska due to military service. The best way to show your state of residency is not Nebraska is by providing a current (within three (3) months) Leave and Earning Statement (LES) when you register your vehicle. The LES needs to name your state of residency. Another option is to provide an affidavit, signed by your commanding officer, indicating you are currently stationed/living

in Nebraska, and you are not a resident of Nebraska. This is a good option if your LES doesn't show your state of residency or if you are a guard or reserve member who is activated and serving here in Nebraska.

Upon satisfactory proof, all privileges applicable to military personnel also apply to the spouse of military personnel.

Your state of residence or the state of Nebraska are the only locations you can register your vehicles while you are stationed at Offutt AFB and living in Nebraska.

Be sure you have your military identification when you go to register your vehicle.

Also, have legal evidence of ownership issued in your name or a certified photocopy in the form of one of following:

- Assigned foreign Certificate of Title
- Nebraska Certificate of Title
- Manufacturer's Statement of Origin
- Importer's Certificate
- License Registration Certificates

A dependant spouse may register your vehicle for you, but they need to have their military identification and a copy of your LES (or Affidavit from your commanding officer) to show you are stationed here and that your state of residency is not Nebraska.

If the need arises, a friend or relative may also register your vehicle for you by using a power of attorney. Be sure they have copies of your military identification and LES (or affidavit). These documents are absolutely necessary to prove you are not a Nebraska resident and are stationed and living here in Nebraska.

As long as the military member's name is on the title to the vehicle, it falls under the benefits of the SCRA and can be registered as a non-resident. If the military member's name is not on the title to the vehicle then the vehicle must be registered in the state in which you reside.

## DRIVER'S LICENSE

Exactly like vehicle registration, a military member may hold a driver's license in one of two states. They may have a license in either their state of residence OR the state in which they are currently stationed. Those are the only two options.

In Nebraska, a person has 30 days to obtain a Nebraska drivers license and register a vehicle. However, there is an exception in the Nebraska State Code that provides that active-duty military spouses and dependents with a valid driver's license from their home state may retain that license as long as it remains current. If that license, for any reason, becomes invalid then the dependent must obtain a Nebraska drivers license.

For further information, please consult the Nebraska Department of Motor Vehicles website at <http://www.dmv.state.ne.us> or call (402) 471 - 2281

**\*The information in this handout is general in nature. It is not to be used as a substitute for legal advice from an attorney regarding individual situations.**

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