

Schedule 25-4

DEPARTMENT OF MOTOR VEHICLES

FINANCIAL RESPONSIBILITY DIVISION

January 12, 2012

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE

25-4

AGENCY, BOARD OR COMMISSION
DEPARTMENT OF MOTOR VEHICLES

DIVISION, BUREAU OR OTHER UNIT
FINANCIAL RESPONSIBILITY DIVISION

Supersedes Edition of April 11, 1996

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE

Patricia K Phillips

TITLE

Deputy Director

DATE

1/4/2012

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE

Gaye Koetting

DATE

1/6/2012

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE

Deann Hayff

DATE

1/10/12

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE

John D. Lee

DATE

1/12/2012

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

**SCHEDULE 25-4
DEPARTMENT OF MOTOR VEHICLES
FINANCIAL RESPONSIBILITY DIVISION
January 12, 2012**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

Supersedes Edition of April 11, 1996

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
025-004-001-000-000-000-000	ACCIDENT VIOLATIONS	Files may result in a variety of actions. The contents of each file will have common documents but they depend upon the type of action involved. Common documents may include copies of accident reports, liability information, financial responsibility, notice of suspension, order of suspension, affidavit of damages paid, security, receiving payment document or voucher, lost license statement, reinstatement letter, discharge of bankruptcy, financial responsibility certificate, appeal bond, restraining order or petition, bankruptcy and other documents that relate to the file.	<p>PRIOR TO FILEBOUND: ACCIDENT CASES WITH BANKRUPTCY PETITION: 6 months after receipt of final discharge ACCIDENT CASES WITH ORDER OF STAY: 6 months after receipt of final disposition from the court ACCIDENT SUSPENSIONS-NOT REINSTATED: Transfer to State Records Center 3 years after date of accident; after reinstatement fee has been paid or death has been confirmed (whichever is sooner) ACCIDENT SUSPENSIONS REINSTATED WITH A COMPLETE RELEASE: Transfer to State Records Center 2 months after the date of reinstatement; dispose of after end of following fiscal year ACCIDENT SUSPENSIONS REINSTATED WITH AN AGREEMENT OR CONDITIONAL RELEASE: Transfer to State Records Center after end of the fiscal year; 6 months after expiration date of agreement or conditional release. ACCIDENT SUSPENSIONS REINSTATED WITH CASH SECURITY: After return of security or 7 years after the date of deposit (funds are transferred to the State Treasurer - Unclaimed Property Division) ACCIDENT SUSPENSIONS WITHDRAWN WITH PROOF OF INSURANCE/COMPLETE RELEASE: Transfer to State Records Center 2 months after the date of reinstatement; dispose of after end of following fiscal year AGREEMENT FILE: 6 months after agreement expired</p>	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
025-004-001-000-000-000-000 (continued)	ACCIDENT VIOLATIONS		<p>DEFAULT IN PAYMENT SUSPENSIONS-NOT REINSTATED: Transfer to State Records Center 3 years after the date of suspension; after reinstatement fee has been paid or death confirmed (whichever is sooner)</p> <p>DEFAULT IN PAYMENT SUSPENSIONS WITH A COMPLETE RELEASE: Transfer to State Records Center 2 months after the date of reinstatement; end of following fiscal year</p> <p>DEFAULT IN PAYMENT SUSPENSIONS REINSTATED WITH AN AGREEMENT OR CONDITIONAL RELEASE: Transfer to State Records Center; 6 months after expiration of agreement or conditional release</p> <p>REINSTATED WITH AN AGREEMENT OR JUDGEMENT SUSPENSION WITHDRAWN WITH COMPLETE SATISFACTION: 6 months after suspension is withdrawn</p> <p>JUDGEMENT REINSTATED WITH COMPLETE SATISFACTION: Transfer to State Records Center 2 months after date of reinstatement; after end of following fiscal year</p> <p>JUDGEMENT SUSPENSION REINSTATED WITH AN AGREEMENT: Transfer to State Records Center after end of fiscal year; 15 years after date of suspension</p> <p>JUDGMENT SUSPENSION WITHDRAWN WITH COMPLETE SATISFACTION: 6 months after suspension is withdrawn</p> <p>JUDGMENT SUSPENSIONS-NOT REINSTATED: Transfer to State Records Center 15 years after date of suspension; after reinstatement fee has been paid or death confirmed (whichever is sooner)</p> <p>JUDGMENT SUSPENSIONS REINSTATED WITH AFFIDAVIT OF DORMANCY: State Records Center 2 months after the date of reinstatement; 5 years</p> <p>AFTER FILEBOUND:</p> <p>ORIGINAL RECORD: Scan and import to FileBound; after image quality has been verified</p> <p>RETURNED ENVELOPES: Scan and import to FileBound; after image quality has been verified</p> <p>ELECTRONIC RECORD: 100 years after date of birth</p>	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
025-004-002-000-000-000-000	DISASTER RECOVERY BACK-UPS FOR ELECTRONIC RECORDS	The Department of Motor Vehicles utilizes the back-up and disaster recovery facilities defined and managed by the Office of the Chief Information Officer for the State of Nebraska.		See DISASTER RECOVERY BACK-UPS FOR THE ENTERPRISE Z/OS MAINFRAME SYSTEM, Item 124-041
025-004-003-000-000-000-000	FAILURE TO COMPLY	File may include, but not limited to notice of suspension, order of suspension, failure to comply notice from the court, pickup order, suspended driver's license, reinstatement fee receipt, motor vehicle record, compliance from the court, reinstatement letter and other documents that relate to file.	PRIOR TO FILEBOUND: SUSPENSIONS-NOT REINSTATED: Transfer to State Records Center 3 years after last date of suspension; after death has been confirmed SUSPENSIONS-REINSTATED: Transfer to State Records Center 2 months after date of reinstatement; end of following fiscal year AFTER FILEBOUND: ORIGINAL RECORD: Scan and import to FileBound; after image quality has been verified RETURNED ENVELOPES: Scan and import to FileBound; after image quality has been verified ELECTRONIC RECORD: 100 years after date of birth	
025-004-004-000-000-000-000	GENERAL CORRESPONDENCE (GC FILE)	GC file may include, but not limited to: insurance inquiries, responses to inquiries from the general public, reinstatement letters and reinstatement fee receipts.	ORIGINAL RECORD: Scan and import to FileBound; after image quality has been verified RETURNED ENVELOPES: Scan and import to FileBound; after image quality has been verified ELECTRONIC RECORD: 100 years after date of birth	Files reinstated after the purge date, which varies for each type of suspension/revocation

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
025-004-005-000-000-000-000	TRAFFIC VIOLATIONS	A Traffic Violation file may contain orders of suspension, notice of revocation, order of revocation, pickup order, suspended or revoked driver's license, registration and license plates, reinstatement fee receipt, driver education and training course certificate, motor vehicle record, reinstatement letter, seminar notes, revocation notice, order of dismissal, employment driving permit application and other documents that relate to the file.	<p>PRIOR TO FILEBOUND:</p> <p>CASE ON APPEAL: After settlement of appeal</p> <p>IMPLIED CONSENT-IF REINSTATED: 2 years after date of revocation</p> <p>IMPLIED CONSENT-NOT REINSTATED: State Records Center 2 years after date of revocation; after reinstatement fee has been paid or death confirmed (whichever is sooner)</p> <p>INSURANCE CANCELLATION SUSPENSION-IF REINSTATED: 3 years after the individual becomes eligible for reinstatement</p> <p>POINT REVOCATIONS/COURT ORDERED SUSPENSION-IF REINSTATED: 3 years after date of suspended/revoked driver becomes eligible for reinstatement</p> <p>TRAFFIC VIOLATION SUSPENSION/REVOCATION FILES-NOT REINSTATED: State Records Center 3 years after date of eligibility; after reinstatement fee has been paid or death confirmed (whichever is sooner)</p> <p>ADMINISTRATIVE LICENSE REVOCATION (ALR)-REINSTATED: Transfer to State Records Center (if no other open suspensions/revocation in file); 12 years after date of reinstatement</p> <p>ADMINISTRATIVE LICENSE REVOCATION (ALR)-NOT REINSTATED: Transfer to State Records Center 2 years after date of revocation; after death confirmed</p> <p>AFTER FILEBOUND:</p> <p>ORIGINAL RECORD: Scan and import to FileBound; after image quality has been verified</p> <p>RETURNED ENVELOPES: Scan and import to FileBound; after image has been verified</p> <p>ELECTRONIC RECORD: 100 years after date of birth</p>	