

AMENDMENTS TO LB 803

Introduced by Transportation and Telecommunications

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 60-601, Revised Statutes Supplement,  
4 2011, is amended to read:

5           60-601 Sections 60-601 to 60-6,380 and section 2 of this  
6 act shall be known and may be cited as the Nebraska Rules of the  
7 Road.

8           Sec. 2. (1) The driver of any vehicle involved in an  
9 accident as described in section 60-696 or 60-697 to which a peace  
10 officer is called shall provide the peace officer with the driver's  
11 name, address, and telephone number and the driver's operator's  
12 license and proof of financial responsibility as defined in section  
13 60-501.

14           (2)(a) If (i) a driver fails to comply with subsection  
15 (1) of this section or (ii) the driver is unable to comply  
16 with the operator's license and proof of financial responsibility  
17 portions of subsection (1) of this section and the peace officer is  
18 unable to confirm the issuance of a valid operator's license for  
19 the driver and proof of financial responsibility for the vehicle  
20 involved in the accident, such driver shall have his or her vehicle  
21 immediately impounded until the operator's license and proof of  
22 financial responsibility are provided to a peace officer.

23           (b) Any vehicle impounded under this subsection shall be

1 released:

2 (i) To the holder of a bona fide lien on the vehicle  
3 executed prior to such impoundment when possession of the vehicle  
4 is requested as provided by law by such lienholder for purposes of  
5 foreclosing and satisfying his or her lien on the vehicle;

6 (ii) To the titled owner of the vehicle when the titled  
7 owner is a lessor. Upon learning the address or telephone number  
8 of the rental or leasing company which owns the vehicle, the  
9 impounding law enforcement agency shall immediately contact the  
10 company and inform it that the vehicle is available for the company  
11 to take possession; or

12 (iii) To the registered owner, a registered co-owner,  
13 or a spouse of the owner upon good cause shown by an affidavit  
14 or otherwise to the court before which the complaint is pending  
15 against the driver that the impounded vehicle is essential to the  
16 livelihood of the owner, co-owner, or spouse or the dependents of  
17 such owner, co-owner, or spouse.

18 (c) Any person who, at the direction of a peace officer,  
19 tows and stores a vehicle pursuant to this section shall have  
20 a lien upon such vehicle while in his or her possession for  
21 reasonable towing and storage charges and shall have a right to  
22 retain such vehicle until such charges are paid.

23 (d) If the registered owner of a vehicle was not the  
24 driver of the vehicle whose actions caused the vehicle to be  
25 impounded, the registered owner of the vehicle may recover civilly  
26 from the driver of the vehicle all expenses incurred by reason  
27 of the impoundment. In the case of a criminal action, the court

1 may order such driver of the vehicle to pay restitution to the  
2 registered owner in an amount equal to any expenses incurred with  
3 respect to impoundment.

4           Sec. 3. Original section 60-601, Revised Statutes  
5 Supplement, 2011, is repealed.