

AMENDMENTS TO LB700

Introduced by Christensen

1           1. Insert the following new sections:

2           Sec. 12. Section 44-3524, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           44-3524 (1) The director may issue an order ~~and notice~~  
5 ~~of hearing~~ instructing a motor vehicle service contract provider  
6 to cease and desist from selling or offering for sale motor  
7 vehicle service contracts if the director determines that the  
8 provider has failed to comply with the Motor Vehicle Service  
9 Contract Reimbursement Insurance Act. At the same time the order  
10 is issued, the director shall serve notice to the motor vehicle  
11 service provider of the reasons for such order and that the  
12 motor vehicle service provider may request a hearing in writing  
13 within ten business days after receipt of the order. If a hearing  
14 is requested, the director shall schedule a hearing within ten  
15 business days after receipt of the request. The hearing shall be  
16 conducted in accordance with the Administrative Procedure Act. If  
17 a hearing is not requested and none is ordered by the director,  
18 the order shall remain in effect until modified or vacated by the  
19 director.

20           (2) Upon the failure of a motor vehicle service contract  
21 provider to obey a cease and desist order issued by the director,  
22 the director may give notice in writing of the failure to the  
23 Attorney General who may commence an action against the provider to

1 enjoin the provider from selling or offering for sale motor vehicle  
2 service contracts until the provider complies with the act. The  
3 district court may issue the injunction.

4           Sec. 14. Original section 44-3524, Reissue Revised  
5 Statutes of Nebraska, is repealed.

6           2. Renumber the remaining section accordingly.

7           3. Correct the operative date section so that the  
8 sections added by this amendment becomes operative three calendar  
9 months after adjournment of this legislative session.