

AMENDMENTS TO LB629

(Amendments to Standing Committee amendments, AM1075)

Introduced by Lindstrom, 18.

1 1. Insert the following new section:

2 Section 1. Section 60-2907, Revised Statutes Cumulative Supplement,
3 2014, is amended to read:

4 60-2907 The department and any officer, employee, agent, or
5 contractor of the department having custody of a motor vehicle record
6 shall, upon the verification of identity and purpose of a requester,
7 disclose and make available the requested motor vehicle record, including
8 the personal information in the record, for the following purposes:

9 (1) For use by any federal, state, or local governmental agency,
10 including any court or law enforcement agency, in carrying out the
11 agency's functions or by a private person or entity acting on behalf of a
12 governmental agency in carrying out the agency's functions;

13 (2) For use in connection with matters of motor vehicle or driver
14 safety and theft; motor vehicle emissions; motor vehicle product
15 alterations, recalls, or advisories; performance monitoring of motor
16 vehicles, motor vehicle parts, and dealers; motor vehicle market research
17 activities, including survey research; and removal of nonowner records
18 from the original owner records of motor vehicle manufacturers;

19 (3) For use in the normal course of business by a legitimate
20 business or its agents, employees, or contractors but only:

21 (a) To verify the accuracy of personal information submitted by the
22 individual to the business or its agents, employees, or contractors; and

23 (b) If such information as so submitted is not correct or is no
24 longer correct, to obtain the correct information, but only for the
25 purposes of preventing fraud by, pursuing legal remedies against, or
26 recovering on a debt or security interest against, the individual;

1 (4) For use in connection with any civil, criminal, administrative,
2 or arbitral proceeding in any federal, state, or local court or
3 governmental agency or before any self-regulatory body, including service
4 of process, investigation in anticipation of litigation, and execution or
5 enforcement of judgments and orders, or pursuant to an order of a
6 federal, state, or local court, an administrative agency, or a self-
7 regulatory body;

8 (5) For use in research activities, and for use in producing
9 statistical reports, so long as the personal information is not
10 published, redisclosed, or used to contact individuals;

11 (6) For use by any insurer or insurance support organization, or by
12 a self-insured entity, or its agents, employees, or contractors, in
13 connection with claims investigation activities, anti-fraud activities,
14 rating, or underwriting;

15 (7) For use in providing notice to the owners of abandoned, towed,
16 or impounded vehicles;

17 (8) For use only for a purpose permitted under this section either
18 by a private detective, plain clothes investigator, or private
19 investigative agency licensed under sections 71-3201 to 71-3213;

20 (9) For use by an employer or the employer's agent or insurer to
21 obtain or verify information relating to a holder of a commercial
22 driver's license or CLP-commercial learner's permit that is required
23 under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 31301 et
24 seq., or pursuant to sections 60-4,132 and 60-4,141;

25 (10) For use in connection with the operation of private toll
26 transportation facilities;

27 (11) For bulk distribution for surveys of, marketing to, or
28 solicitations of persons who have expressly consented to such disclosure
29 if the requester has obtained the notarized written consent of the
30 individual who is the subject of the personal information being requested
31 and has provided proof of receipt of such written consent to the

1 department or an officer, employee, agent, or contractor of the
2 department on a form prescribed by the department;

3 (12) For any use if the requester has obtained the notarized written
4 consent of the individual who is the subject of the personal information
5 being requested and has provided proof of receipt of such written consent
6 to the department or an officer, employee, agent, or contractor of the
7 department;

8 (13) For use, including redisclosure through news publication, of a
9 member of a medium of communication as defined in section 20-145 who
10 requests such information in connection with preparing, researching,
11 gathering, or confirming news information involving motor vehicle or
12 driver safety or motor vehicle theft;

13 (14) For use by the federally designated organ procurement
14 organization for Nebraska to establish and maintain the Donor Registry of
15 Nebraska as provided in section 71-4822; ~~and~~

16 (15) For use by a transportation network company to determine if
17 there is a lien on a personal vehicle as provided in subsection (2) of
18 section 8 of this act; and

19 ~~(16 15)~~ For any other use specifically authorized by law that is
20 related to the operation of a motor vehicle or public safety.

21 2. On page 3, line 9, strike "uses" and insert "owns, leases, or is
22 otherwise authorized to use"; and in line 14 after "hail" insert ".
23 Prearranged ride does not include shared expense carpool or vanpool
24 arrangements or transportation provided using a taxi, limousine, or other
25 for-hire vehicle".

26 3. On page 9, after line 30, insert the following new subsection:

27 "(2) Prior to permitting a person to act as a participating driver,
28 the transportation network company shall conduct a record search to
29 determine if there is a lien against a personal vehicle to be operated in
30 connection with the transportation network company. If such a lien
31 exists, the transportation network company shall provide written notice

1 to such lienholder by certified mail, return receipt requested, at the
2 address reflected on the certificate of title or electronic certificate
3 of title record for such vehicle. The written notice required under this
4 subsection shall be provided at least seven business days prior to the
5 transportation network company allowing the person to act as a
6 participating driver and shall indicate that the personal vehicle will be
7 operated in connection with the transportation network company."; and in
8 line 31 strike "(2)" and insert "(3)".

9 4. On page 10, line 24, strike "(3)" and insert "(4)"; and in line
10 28 strike "(4)" and insert "(5)".

11 5. On page 12, line 15, strike "A" and insert "Beginning on
12 September 1, 2015, a".

13 6. On page 13, line 8, strike "The" and insert "Beginning on
14 September 1, 2015, the".

15 7. On page 14, strike beginning with the comma in line 20 through
16 "payment" in line 27 and insert "and if such personal vehicle is subject
17 to a lien, the transportation network company insurance carrier shall
18 make payment for a claim covered under collision physical damage coverage
19 or comprehensive physical damage coverage".

20 8. On page 15, line 2, after the first "coverage" insert "for
21 transportation network company activity".

22 9. Renumber the remaining sections and correct internal references
23 and the repealer accordingly.