

AMENDMENTS TO LB642

Introduced by Transportation and Telecommunications.

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

3           Section 1. Section 37-1214, Revised Statutes Cumulative Supplement,  
4 2014, is amended to read:

5           37-1214 (1) Except as otherwise provided in section 37-1211, the  
6 owner of each motorboat shall register such vessel or renew the  
7 registration every three years as provided in section 37-1226. The owner  
8 of such vessel shall file an initial application for a certificate of  
9 number pursuant to section 37-1216 with a county treasurer on forms  
10 approved and provided by the commission. The application shall be signed  
11 by the owner of the vessel, shall contain the year manufactured, and  
12 shall be accompanied by a fee for the three-year period of not less than  
13 twenty dollars and not more than twenty-three dollars for Class 1 boats,  
14 not less than forty dollars and not more than forty-six dollars for Class  
15 2 boats, not less than sixty dollars and not more than sixty-seven  
16 dollars and fifty cents for Class 3 boats, and not less than one hundred  
17 dollars and not more than one hundred fifteen dollars for Class 4 boats,  
18 as established by the commission pursuant to section 37-327.

19           (2) This subsection applies beginning on an implementation date  
20 designated by the Director of Motor Vehicles in cooperation with the  
21 commission. The director shall designate an implementation date on or  
22 before January 1, 2020, for motorboat registration. In addition to the  
23 information required under subsection (1) of this section, the  
24 application for registration shall contain (a) the full legal name as  
25 defined in section 60-468.01 of each owner and (b)(i) the motor vehicle  
26 operator's license number or state identification card number of each  
27 owner, if applicable, and one or more of the identification elements as

1 listed in section 60-484 of each owner, if applicable, and (ii) if any  
2 owner is a business entity, a nonprofit organization, an estate, a trust,  
3 or a church-controlled organization, its tax identification number.

4 Sec. 2. Section 37-1278, Revised Statutes Cumulative Supplement,  
5 2014, is amended to read:

6 37-1278 (1) Application for a certificate of title shall be  
7 presented to the county treasurer, shall be made upon a form prescribed  
8 by the Department of Motor Vehicles, and shall be accompanied by the fee  
9 prescribed in section 37-1287. The owner of a motorboat for which a  
10 certificate of title is required shall obtain a certificate of title  
11 prior to registration required under section 37-1214.

12 (2)(a) If a certificate of title has previously been issued for the  
13 motorboat in this state, the application for a new certificate of title  
14 shall be accompanied by the certificate of title duly assigned. If a  
15 certificate of title has not previously been issued for the motorboat in  
16 this state, the application shall be accompanied by a certificate of  
17 number from this state, a manufacturer's or importer's certificate, a  
18 duly certified copy thereof, proof of purchase from a governmental agency  
19 or political subdivision, a certificate of title from another state, or a  
20 court order issued by a court of record, a manufacturer's certificate of  
21 origin, or an assigned registration certificate, if the motorboat was  
22 brought into this state from a state which does not have a certificate of  
23 title law. The county treasurer shall retain the evidence of title  
24 presented by the applicant on which the certificate of title is issued.  
25 When the evidence of title presented by the applicant is a certificate of  
26 title or an assigned registration certificate issued by another state,  
27 the department shall notify the state of prior issuance that the  
28 certificate has been surrendered. If a certificate of title has not  
29 previously been issued for the motorboat in this state and the applicant  
30 is unable to provide such documentation, the applicant may apply for a  
31 bonded certificate of title as prescribed in section 37-1278.01.

1           (b) This subdivision applies beginning on an implementation date  
2 designated by the Director of Motor Vehicles. The director shall  
3 designate an implementation date which is on or before January 1, 2020.  
4 In addition to the information required under subdivision (2)(a) of this  
5 section, the application for registration shall contain (i) the full  
6 legal name as defined in section 60-468.01 of each owner and (ii)(A) the  
7 motor vehicle operator's license number or state identification card  
8 number of each owner, if applicable, and one or more of the  
9 identification elements as listed in section 60-484 of each owner, if  
10 applicable, and (B) if any owner is a business entity, a nonprofit  
11 organization, an estate, a trust, or a church-controlled organization,  
12 its tax identification number.

13           (3) The county treasurer shall use reasonable diligence in  
14 ascertaining whether or not the statements in the application for a  
15 certificate of title are true by checking the application and documents  
16 accompanying the same with the records of motorboats in his or her  
17 office. If he or she is satisfied that the applicant is the owner of the  
18 motorboat and that the application is in the proper form, the county  
19 treasurer shall issue a certificate of title over his or her signature  
20 and sealed with his or her seal.

21           (4) In the case of the sale of a motorboat, the certificate of title  
22 shall be obtained in the name of the purchaser upon application signed by  
23 the purchaser, except that for titles to be held by husband and wife,  
24 applications may be accepted by the county treasurer upon the signature  
25 of either spouse as a signature for himself or herself and as an agent  
26 for his or her spouse.

27           (5) In all cases of transfers of motorboats, the application for a  
28 certificate of title shall be filed within thirty days after the delivery  
29 of the motorboat. A dealer need not apply for a certificate of title for  
30 a motorboat in stock or acquired for stock purposes, but upon transfer of  
31 a motorboat in stock or acquired for stock purposes, the dealer shall

1 give the transferee a reassignment of the certificate of title on the  
2 motorboat or an assignment of a manufacturer's or importer's certificate.  
3 If all reassignments printed on the certificate of title have been used,  
4 the dealer shall obtain title in his or her name prior to any subsequent  
5 transfer.

6 Sec. 3. Section 60-144, Revised Statutes Cumulative Supplement,  
7 2014, is amended to read:

8 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and  
9 (d) of this subsection, the county treasurer shall be responsible for  
10 issuing and filing certificates of title for vehicles, and each county  
11 shall issue and file such certificates of title using the vehicle titling  
12 and registration computer system prescribed by the department.  
13 Application for a certificate of title shall be made upon a form  
14 prescribed by the department. All applications shall be accompanied by  
15 the appropriate fee or fees.

16 (ii) This subdivision applies beginning on an implementation date  
17 designated by the director. The director shall designate an  
18 implementation date which is on or before January 1, 2020. In addition to  
19 the information required under subdivision (1)(a)(i) of this section, the  
20 application for registration shall contain (A) the full legal name as  
21 defined in section 60-468.01 of each owner and (B)(I) the motor vehicle  
22 operator's license number or state identification card number of each  
23 owner, if applicable, and one or more of the identification elements as  
24 listed in section 60-484 of each owner, if applicable, and (II) if any  
25 owner is a business entity, a nonprofit organization, an estate, a trust,  
26 or a church-controlled organization, its tax identification number.

27 (b) The department shall issue and file certificates of title for  
28 Nebraska-based fleet vehicles. Application for a certificate of title  
29 shall be made upon a form prescribed by the department. All applications  
30 shall be accompanied by the appropriate fee or fees.

31 (c) The department shall issue and file certificates of title for

1 state-owned vehicles. Application for a certificate of title shall be  
2 made upon a form prescribed by the department. All applications shall be  
3 accompanied by the appropriate fee or fees.

4 (d) The department shall issue certificates of title pursuant to  
5 section 60-142.06. Application for a certificate of title shall be made  
6 upon a form prescribed by the department. All applications shall be  
7 accompanied by the appropriate fee or fees.

8 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,  
9 or a minibike resides in Nebraska, the application shall be filed with  
10 the county treasurer of the county in which the owner resides.

11 (3)(a) Except as otherwise provided in subdivision (b) of this  
12 subsection, if a vehicle, other than an all-terrain vehicle, a utility-  
13 type vehicle, or a minibike, has situs in Nebraska, the application shall  
14 be filed with the county treasurer of the county in which the vehicle has  
15 situs.

16 (b) If a motor vehicle dealer licensed under the Motor Vehicle  
17 Industry Regulation Act, applies for a certificate of title for a  
18 vehicle, the application may be filed with the county treasurer of any  
19 county.

20 (4) If the owner of a vehicle is a nonresident, the application  
21 shall be filed in the county in which the transaction is consummated.

22 (5) The application shall be filed within thirty days after the  
23 delivery of the vehicle.

24 (6) All applicants registering a vehicle pursuant to section  
25 60-3,198 shall file the application for a certificate of title with the  
26 Division of Motor Carrier Services of the department. The division shall  
27 deliver the certificate to the applicant if there are no liens on the  
28 vehicle. If there are one or more liens on the vehicle, the certificate  
29 of title shall be handled as provided in section 60-164. All certificates  
30 of title issued by the division shall be issued in the manner prescribed  
31 for the county treasurer in section 60-152.

1           Sec. 4. Section 60-386, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

3           60-386 (1) Each new application shall contain, in addition to other  
4 information as may be required by the department, the name and  
5 residential and mailing address of the applicant and a description of the  
6 motor vehicle or trailer, including the color, the manufacturer, the  
7 identification number, the United States Department of Transportation  
8 number if required by 49 C.F.R. 390.5 and 390.19, as such regulations  
9 existed on January 1, 2015, and the weight of the motor vehicle or  
10 trailer required by the Motor Vehicle Registration Act. With the  
11 application the applicant shall pay the proper registration fee and shall  
12 state whether the motor vehicle is propelled by alternative fuel and, if  
13 alternative fuel, the type of fuel. The application shall also contain a  
14 notification that bulk fuel purchasers may be subject to federal excise  
15 tax liability. The department shall include such notification in the  
16 notices required by section 60-3,186.

17           (2) This subsection applies beginning on an implementation date  
18 designated by the director. The director shall designate an  
19 implementation date which is on or before January 1, 2020. In addition to  
20 the information required under subsection (1) of this section, the  
21 application for registration shall contain (a) the full legal name as  
22 defined in section 60-468.01 of each owner and (b)(i) the motor vehicle  
23 operator's license number or state identification card number of each  
24 owner, if applicable, and one or more of the identification elements as  
25 listed in section 60-484 of each owner, if applicable, and (ii) if any  
26 owner is a business entity, a nonprofit organization, an estate, a trust,  
27 or a church-controlled organization, its tax identification number.

28           Sec. 5. Original sections 37-1214, 37-1278, 60-144, and 60-386,  
29 Revised Statutes Cumulative Supplement, 2014, are repealed.