

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB80

Hearing Date: Monday January 28, 2019
Committee On: Transportation and Telecommunications
Introducer: Friesen
One Liner: Change motor vehicle identification inspection provisions

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Albrecht, Bostelman, Cavanaugh, DeBoer, Friesen, Geist, Hilgers, Hughes
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Senator Curt Friesen
Loy Todd

Representing:

Introducer
NE New Car & Truck Dealers Assn

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 80 would provide an expedited process for certain motor vehicles to be inspected by County Sheriffs.

Current law requires county sheriffs to perform motor vehicle identification inspections before a certificate of title is issued for vehicles unless (a) the title sought is a salvage title or a nontransferable certificate of title; (b) the surrendered title is a Nebraska certificate of title, a manufacturer or importer's statement of origin or a U.S. Government's certificate of release of a vehicle; (c) a statement that the vehicle is to be registered as a fleet vehicle; (d) the vehicle is a cabin trailer; (e) the title sought is the first title for a vehicle sold directly by the vehicle manufacturer to a franchised dealer; or (f) the vehicle was sold at an auction authorized by the manufacturer and purchased by a franchised dealer of the manufacturer.

This bill would allow a Sheriff to establish a process to enter into an agreement with a franchisee as defined in Section 60-1401.19 in the county where the Sheriff conducts the identification inspections. The vehicle must be in the franchisee's inventory and located at a franchisee location in the county. The franchisee would provide, in a manner prescribed by the Sheriff, (a) the appropriate inspection fee; (b) documents evidencing the transfer; and (c) vehicle information, including the make, model, VIN, odometer reading, and photograph or digital image of the vehicle.

The Sheriff would conduct the inspection using the documents, and would then issue the statement required in Section 60-146 that the inspection was completed. If information was incomplete or there was reason to believe that further inspection was necessary, the Sheriff would inform the franchisee. If the franchisee knowingly provided inaccurate or false information, the franchisee would be liable for any damages. The franchisee would be required to keep records

provided to the Sheriff for five years after the inspection was completed.

Explanation of amendments:

The committee amendment strikes "a photograph or digital image" and inserts "one or more photographs or digital images." This change will allow County Sheriffs to demand more pictures or images of the vehicle to be titled from the franchised dealer.

Curt Friesen, Chairperson