

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 343**

FINAL READING

Introduced by Friesen, 34.

Read first time January 13, 2021

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act;
- 2 to amend section 60-146, Revised Statutes Cumulative Supplement,
- 3 2020; to change identification inspection provisions; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-146, Revised Statutes Cumulative Supplement,  
2 2020, is amended to read:

3 60-146 (1) An application for a certificate of title for a vehicle  
4 shall include a statement that an identification inspection has been  
5 conducted on the vehicle unless (a) the title sought is a salvage branded  
6 certificate of title or a nontransferable certificate of title, (b) the  
7 surrendered ownership document is a Nebraska certificate of title, a  
8 manufacturer's statement of origin, an importer's statement of origin, a  
9 United States Government Certificate of Release of a vehicle, or a  
10 nontransferable certificate of title, (c) the application contains a  
11 statement that the vehicle is to be registered under section 60-3,198,  
12 (d) the vehicle is a cabin trailer, (e) the title sought is the first  
13 title for the vehicle sold directly by the manufacturer of the vehicle to  
14 a dealer franchised by the manufacturer, or (f) the vehicle was sold at  
15 an auction authorized by the manufacturer and purchased by a dealer  
16 franchised by the manufacturer of the vehicle.

17 (2) The department shall prescribe a form to be executed by a dealer  
18 and submitted with an application for a certificate of title for vehicles  
19 exempt from inspection pursuant to subdivision (1)(e) or (f) of this  
20 section. The form shall clearly identify the vehicle and state under  
21 penalty of law that the vehicle is exempt from inspection.

22 (3) The statement that an identification inspection has been  
23 conducted shall be furnished by the county sheriff of any county or by  
24 any other holder of a certificate of training issued pursuant to section  
25 60-183, shall be in a format as determined by the department, and shall  
26 expire ninety days after the date of the inspection. The county treasurer  
27 shall accept a certificate of inspection, approved by the superintendent,  
28 from an officer of a state police agency of another state unless an  
29 inspection is required under section 60-174.

30 (4)(a) Except as provided in subdivision (b) of this subsection, the  
31 identification inspection shall include examination and notation of the

1 then current odometer reading, if any, and a comparison of the vehicle  
2 identification number with the number listed on the ownership records,  
3 except that if a lien is registered against a vehicle and recorded on the  
4 vehicle's ownership records, the county treasurer shall provide a copy of  
5 the ownership records for use in making such comparison. If such numbers  
6 are not identical, if there is reason to believe further inspection is  
7 necessary, or if the inspection is for a Nebraska assigned number, the  
8 person performing the inspection shall make a further inspection of the  
9 vehicle which may include, but shall not be limited to, examination of  
10 other identifying numbers placed on the vehicle by the manufacturer and  
11 an inquiry into the numbering system used by the state issuing such  
12 ownership records to determine ownership of a vehicle. The identification  
13 inspection shall also include a statement that the vehicle identification  
14 number has been checked for entry in the National Crime Information  
15 Center and the Nebraska Crime Information Service. In the case of an  
16 assembled vehicle, a vehicle designated as reconstructed, or a vehicle  
17 designated as replica, the identification inspection shall include, but  
18 not be limited to, an examination of the records showing the date of  
19 receipt and source of each major component part. No identification  
20 inspection shall be conducted unless all major component parts are  
21 properly attached to the vehicle in the correct location.

22 (b) Each county sheriff shall establish a process to enter into an  
23 agreement with any motor vehicle dealer as defined in section 60-1401.26  
24 with an established place of business as defined in section 60-1401.15  
25 ~~franchisee as defined in section 60-1401.19 licensed under the Motor~~  
26 ~~Vehicle Industry Regulation Act with a franchise location~~ in the county  
27 in which the sheriff has jurisdiction to collect information for the  
28 identification inspection on motor vehicles sold by the motor vehicle  
29 dealer. Such information shall be collected at the time of sale on each  
30 motor vehicle sold from which are in the inventory of the motor vehicle  
31 dealer at the dealer's established place of business franchisee and which

1 ~~are at a franchise location~~ in such county. The agreement shall require  
2 that the motor vehicle dealer franchisee provide the required fee, a copy  
3 of the documents evidencing transfer of ownership, and the make, model,  
4 vehicle identification number, and odometer reading in a form and manner  
5 prescribed by the county sheriff, which shall include a requirement to  
6 provide one or more photographs or digital images of the vehicle, the  
7 vehicle identification number, and the odometer reading. The county  
8 sheriff shall complete the identification inspection as required under  
9 subdivision (a) of this subsection using such information and return to  
10 the motor vehicle dealer franchisee the statement that an identification  
11 inspection has been conducted for each motor vehicle as provided in  
12 subsection (3) of this section. If the information is incomplete or if  
13 there is reason to believe that further inspection is necessary, the  
14 county sheriff shall inform the motor vehicle dealer franchisee. If the  
15 motor vehicle dealer franchisee knowingly provides inaccurate or false  
16 information, the motor vehicle dealer franchisee shall be liable for any  
17 damages that result from the provision of such information. The motor  
18 vehicle dealer franchisee shall keep the records for five years after the  
19 date the identification inspection is complete.

20 (5) If there is cause to believe that odometer fraud exists, written  
21 notification shall be given to the office of the Attorney General. If  
22 after such inspection the sheriff or his or her designee determines that  
23 the vehicle is not the vehicle described by the ownership records, no  
24 statement shall be issued.

25 (6) The county treasurer or the department may also request an  
26 identification inspection of a vehicle to determine if it meets the  
27 definition of motor vehicle as defined in section 60-123.

28 Sec. 2. Original section 60-146, Revised Statutes Cumulative  
29 Supplement, 2020, is repealed.