

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 484**

Introduced by Moser, 22.

Read first time January 17, 2023

Committee:

1 A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act;  
2 to amend sections 60-1401 and 60-1404, Reissue Revised Statutes of  
3 Nebraska; to provide for continuing education for licensed motor  
4 vehicle dealers and for authorization to conduct an educational  
5 seminar for continuing education credit as prescribed; to eliminate  
6 a requirement for the Nebraska Motor Vehicle Industry Licensing  
7 Board to maintain an office in the State Capitol; to harmonize  
8 provisions; to provide operative dates; and to repeal the original  
9 sections.  
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-1401, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 60-1401 Sections 60-1401 to 60-1441 and sections 2 and 3 of this act  
4 shall be known and may be cited as the Motor Vehicle Industry Regulation  
5 Act.

6 Any amendments to the act shall apply to franchises subject to the  
7 act which are entered into, amended, altered, modified, renewed, or  
8 extended after the date of the amendments to the act except as otherwise  
9 specifically provided in the act.

10 All amendments to the act shall apply upon the issuance or renewal  
11 of a dealer's or manufacturer's license.

12 Sec. 2. (1)(a) Every person applying for an initial motor vehicle  
13 dealer's license shall complete eight hours of continuing education  
14 authorized by the board within the twelve-month period immediately  
15 preceding the date of application.

16 (b) Every licensee applying for renewal of a motor vehicle dealer's  
17 license shall complete four hours of continuing education authorized by  
18 the board within the twelve-month period immediately preceding the date  
19 of application.

20 (2) Every application for the issuance or renewal of a motor vehicle  
21 dealer's license shall be accompanied by documentation, as prescribed by  
22 the board, of the completion of continuing education required under  
23 subsection (1) of this section.

24 (3) The continuing education requirements of this section shall not  
25 apply to:

26 (a) A motor vehicle dealer whose primary business is the sale of  
27 salvage vehicles on behalf of motor vehicle insurers;

28 (b) A motor vehicle dealer that only buys and sells manufactured  
29 homes;

30 (c) A motor vehicle dealer that only buys and sells trailers; or

31 (d) A franchised new car dealer licensed by the board or any

1 employee of such a franchised new car dealer.

2       Sec. 3. (1) Any person may apply to the board for authorization to  
3 qualify an educational seminar for continuing education credit under  
4 section 2 of this act. The board shall require a complete and specific  
5 description of such educational seminar from the applicant prior to  
6 authorizing such educational seminar for continuing education credit.  
7 Such description shall include:

8       (a) How the educational seminar will benefit a licensee in  
9 conducting business;

10       (b) The length of time the educational seminar will be conducted;

11       (c) A description of the method that will be used to record  
12 attendance during the educational seminar; and

13       (d) Copies of any instructional materials that will be provided to  
14 attendees of the educational seminar.

15       (2)(a) The board shall determine whether to approve or deny an  
16 application made under subsection (1) of this section. If authorization  
17 for continuing education credit is granted, the board shall also  
18 determine the number of continuing education credit hours authorized for  
19 the educational seminar.

20       (b) Within ten days of receiving the application, the board shall  
21 notify the applicant of the board's decision to approve or deny such  
22 educational seminar for continuing education credit, and, if applicable,  
23 the number of continuing education credit hours authorized.

24       Sec. 4. Section 60-1404, Reissue Revised Statutes of Nebraska, is  
25 amended to read:

26       60-1404 The board shall have the authority to employ an executive  
27 director who shall direct and administer the affairs of the board and who  
28 shall keep a record of all proceedings, transactions, communications, and  
29 official acts of the board. He or she shall be custodian of all records  
30 of the board and perform such other duties as the board may require. The  
31 executive director shall call a meeting of the board at the direction of

1 the chairperson thereof or upon a written request of two or more members  
2 thereof. The executive director, with the approval of the board, is  
3 authorized to employ an attorney at a minimum salary of six hundred  
4 dollars per month together with such other employees, including staff for  
5 its attorney, as may be necessary to properly carry out the Motor Vehicle  
6 Industry Regulation Act, to fix the salaries of such employees, and to  
7 make such other expenditures as are necessary to properly carry out the  
8 act. ~~The office of the board shall be maintained in the State Capitol at~~  
9 ~~Lincoln and all files, records, and property of the board shall at all~~  
10 ~~times be and remain therein.~~ The executive director shall be the board's  
11 representative in the administration of the act, and he or she shall  
12 insure that the policies and directives of the board are carried out.

13       Sec. 5. Section 2 of this act becomes operative on January 1, 2024.  
14 The other sections of this act become operative on their effective date.

15       Sec. 6. Original sections 60-1401 and 60-1404, Reissue Revised  
16 Statutes of Nebraska, are repealed.