

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 484**

FINAL READING

Introduced by Moser, 22.

Read first time January 17, 2023

Committee: Transportation and Telecommunications

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; and to repeal the original sections.  
9 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) Beginning January 1, 2026:

13 (a) Every person applying for an initial motor vehicle dealer's  
14 license shall have completed eight hours of continuing education  
15 authorized by the board within the twelve-month period immediately  
16 preceding the date of application; and

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

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

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

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

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

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

1       (d) A franchised new car dealer licensed by the board or any  
2 employee of such a franchised new car dealer.

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

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

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

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

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

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

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

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

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

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

14 Sec. 5. Original sections 60-1401 and 60-1404, Reissue Revised  
15 Statutes of Nebraska, are repealed.