

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1062

Introduced by Lautenbaugh, 18.

Read first time January 22, 2014

Committee:

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 section 60-601, Revised Statutes Cumulative Supplement,
3 2012; to require presentment of an operator's license and
4 proof of financial responsibility or evidence of
5 insurance to a peace officer by a driver involved in an
6 accident; to provide for impoundment of a vehicle as
7 prescribed; to harmonize provisions; and to repeal the
8 original section.

9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-601, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 60-601 Sections 60-601 to 60-6,381 and section 2 of this
4 act shall be known and may be cited as the Nebraska Rules of the
5 Road.

6 Sec. 2. (1) The driver of any vehicle involved in an
7 accident as described in section 60-696 or 60-697 to which a peace
8 officer is called shall provide the peace officer with the driver's
9 name, address, and telephone number and the driver's operator's
10 license and proof of financial responsibility or evidence of
11 insurance as required in section 60-387.

12 (2)(a) If a driver fails to comply with subsection (1) of
13 this section or if the driver is unable to comply with the operator's
14 license and proof of financial responsibility or evidence of
15 insurance portions of subsection (1) of this section, and if the
16 peace officer is unable to confirm the issuance of a valid operator's
17 license for the driver and proof of financial responsibility or
18 evidence of insurance for the vehicle involved in the accident, such
19 driver shall have his or her vehicle immediately impounded until the
20 operator's license and proof of financial responsibility or evidence
21 of insurance are provided to a peace officer.

22 (b) Any vehicle impounded under this subsection shall be
23 released:

24 (i) To the holder of a bona fide lien on the vehicle
25 executed prior to such impoundment if possession of the vehicle is

1 requested as provided by law by such lienholder for purposes of
2 foreclosing and satisfying his or her lien on the vehicle;

3 (ii) To the owner of the vehicle if the owner is a
4 lessor. Upon learning the address or telephone number of the rental
5 or leasing company which owns the vehicle, the impounding law
6 enforcement agency shall immediately contact the company and inform
7 it that the vehicle is available for the company to take possession;
8 or

9 (iii) To the registered owner, a registered co-owner, or
10 a spouse of the owner upon good cause shown by an affidavit or
11 otherwise to the court before which the complaint is pending against
12 the driver that the impounded vehicle is essential to the livelihood
13 of the owner, co-owner, or spouse or the dependents of such owner,
14 co-owner, or spouse.

15 (c) Any person who, at the direction of a peace officer,
16 tows and stores a vehicle pursuant to this section shall have a lien
17 upon such vehicle while in his or her possession for reasonable
18 towing and storage charges and shall have a right to retain such
19 vehicle until such charges are paid.

20 (d) If the registered owner of a vehicle was not the
21 driver of the vehicle whose actions caused the vehicle to be
22 impounded, the registered owner of the vehicle may recover in a civil
23 action from the driver of the vehicle all expenses incurred by reason
24 of the impoundment, and in the case of a criminal action, the court
25 may order such driver of the vehicle to pay restitution to the

1 registered owner in an amount equal to any expenses incurred with
2 respect to impoundment.

3 Sec. 3. Original section 60-601, Revised Statutes
4 Cumulative Supplement, 2012, is repealed.