

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 831

Introduced by Bostelman, 23; Brewer, 43.

Read first time January 08, 2020

Committee:

- 1 A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act;
- 2 to amend section 60-142.01, Reissue Revised Statutes of Nebraska,
- 3 and section 60-144, Revised Statutes Supplement, 2019; to change
- 4 provisions relating to a certificate of title for a junked vehicle;
- 5 to harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-142.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 60-142.01 (1) If the owner does not have a certificate of title for
4 a vehicle which was manufactured prior to 1940 and which has not had any
5 major component part replaced, the department shall search its records
6 for evidence of issuance of a Nebraska certificate of title for such
7 vehicle at the request of the owner. If no certificate of title has been
8 issued for such vehicle in the thirty-year period prior to application,
9 the owner may transfer title to the vehicle by giving the transferee a
10 notarized bill of sale, an affidavit in support of the application for
11 title, a statement that an inspection has been conducted on the vehicle,
12 and a statement from the department that no certificate of title has been
13 issued for such vehicle in the thirty-year period prior to application.
14 The transferee may apply for a certificate of title pursuant to section
15 60-149 by presenting the documentation described in this section in lieu
16 of a certificate of title.

17 (2) If the owner has a certificate of title for a vehicle which was
18 previously classified as junked, which was manufactured prior to 1940,
19 and which has not had any major component part replaced, the director, in
20 his or her discretion, may issue a salvage title if it is shown to his or
21 her satisfaction that the vehicle has been inspected and the vehicle has
22 been restored to its original specifications.

23 Sec. 2. Section 60-144, Revised Statutes Supplement, 2019, is
24 amended to read:

25 60-144 (1)(a)(i) Except as provided in subdivisions (b), (c), and
26 (d) of this subsection, the county treasurer shall be responsible for
27 issuing and filing certificates of title for vehicles, and each county
28 shall issue and file such certificates of title using the Vehicle Title
29 and Registration System which shall be provided and maintained by the
30 department. Application for a certificate of title shall be made upon a
31 form prescribed by the department. All applications shall be accompanied

1 by the appropriate fee or fees.

2 (ii) This subdivision applies beginning on an implementation date
3 designated by the director. The director shall designate an
4 implementation date which is on or before January 1, 2021. In addition to
5 the information required under subdivision (1)(a)(i) of this section, the
6 application for a certificate of title shall contain (A)(I) the full
7 legal name as defined in section 60-468.01 of each owner or (II) the name
8 of each owner as such name appears on the owner's motor vehicle
9 operator's license or state identification card and (B)(I) the motor
10 vehicle operator's license number or state identification card number of
11 each owner, if applicable, and one or more of the identification elements
12 as listed in section 60-484 of each owner, if applicable, and (II) if any
13 owner is a business entity, a nonprofit organization, an estate, a trust,
14 or a church-controlled organization, its tax identification number.

15 (b) The department shall issue and file certificates of title for
16 Nebraska-based fleet vehicles. Application for a certificate of title
17 shall be made upon a form prescribed by the department. All applications
18 shall be accompanied by the appropriate fee or fees.

19 (c) The department shall issue and file certificates of title for
20 state-owned vehicles. Application for a certificate of title shall be
21 made upon a form prescribed by the department. All applications shall be
22 accompanied by the appropriate fee or fees.

23 (d) The department shall issue certificates of title pursuant to
24 subsection (2) of section 60-142.01 and section 60-142.06. Application
25 for a certificate of title shall be made upon a form prescribed by the
26 department. All applications shall be accompanied by the appropriate fee
27 or fees.

28 (e) The department shall issue certificates of title pursuant to
29 section 60-142.09. Application for a certificate of title shall be made
30 upon a form prescribed by the department. All applications shall be
31 accompanied by the appropriate fee or fees.

1 (2) If the owner of an all-terrain vehicle, a utility-type vehicle,
2 or a minibike resides in Nebraska, the application shall be filed with
3 the county treasurer of the county in which the owner resides.

4 (3)(a) If a vehicle has situs in Nebraska, the application for a
5 certificate of title may be filed with the county treasurer of any
6 county.

7 (b) If a motor vehicle dealer licensed under the Motor Vehicle
8 Industry Regulation Act applies for a certificate of title for a vehicle,
9 the application may be filed with the county treasurer of any county.

10 (c) An approved licensed dealer participating in the electronic
11 dealer services system pursuant to section 60-1507 may apply for a
12 certificate of title for a vehicle to the county treasurer of any county
13 or the department in a manner provided by the electronic dealer services
14 system.

15 (4) If the owner of a vehicle is a nonresident, the application
16 shall be filed in the county in which the transaction is consummated.

17 (5) The application shall be filed within thirty days after the
18 delivery of the vehicle.

19 (6) All applicants registering a vehicle pursuant to section
20 60-3,198 shall file the application for a certificate of title with the
21 Division of Motor Carrier Services of the department. The division shall
22 deliver the certificate to the applicant if there are no liens on the
23 vehicle. If there are one or more liens on the vehicle, the certificate
24 of title shall be handled as provided in section 60-164. All certificates
25 of title issued by the division shall be issued in the manner prescribed
26 for the county treasurer in section 60-152.

27 Sec. 3. Original section 60-142.01, Reissue Revised Statutes of
28 Nebraska, and section 60-144, Revised Statutes Supplement, 2019, are
29 repealed.