

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 910

Introduced by Dubas, 34.

Read first time January 15, 2014

Committee:

A BILL

1 FOR AN ACT relating to abandoned motor vehicles; to amend section
2 60-1903.01, Reissue Revised Statutes of Nebraska; to
3 require notice from state or local law enforcement to
4 lienholders or mortgagees of abandoned motor vehicles as
5 prescribed; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-1903.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 60-1903.01 (1)(a) Except for vehicles governed by section
4 60-1902, the state or local law enforcement agency having custody of
5 a vehicle for investigatory purposes, or its contractual agent towing
6 or storing the vehicle, shall make an inquiry concerning the last-
7 registered owner of the vehicle as follows:

8 (i) Abandoned vehicle with license plates affixed, to the
9 jurisdiction which issued such license plates; or

10 (ii) Abandoned vehicle with no license plates affixed, to
11 the Department of Motor Vehicles.

12 (b) The state or local law enforcement agency, or its
13 contractual agent towing or storing the vehicle, shall notify the
14 last-registered owner, lienholder, or mortgagee, if any, in writing,
15 within thirty days of the vehicle being taken into custody, that the
16 vehicle in question has been taken into custody for investigatory
17 purposes.

18 (2) A state or local law enforcement agency which has
19 custody of a ~~motor~~ vehicle for investigatory purposes and has no
20 further need to keep it in custody shall send a certified letter to
21 each of the last-registered owners stating that the vehicle is in the
22 custody of the law enforcement agency, that the vehicle is no longer
23 needed for law enforcement purposes, and that after thirty days the
24 agency will dispose of the vehicle. If the agency described in
25 subdivision (1)(a) or (b) of section 60-1903 also notifies the state

1 or local law enforcement agency that a lien or mortgage exists, the
2 certified letter shall also be sent to the lienholder or mortgagee.
3 This section shall not apply to ~~motor~~-vehicles subject to forfeiture
4 under section 28-431. No storage fees shall be assessed against the
5 registered owner of a ~~motor~~-vehicle held in custody for investigatory
6 purposes under this section unless the registered owner or the person
7 in possession of the vehicle when it is taken into custody is charged
8 with a felony or misdemeanor related to the offense for which the law
9 enforcement agency took the vehicle into custody. If a registered
10 owner, lienholder, or mortgagee or the person in possession of the
11 vehicle when it is taken into custody is charged with a felony or
12 misdemeanor but is not convicted, the registered owner, lienholder,
13 or mortgagee shall be entitled to a refund of the storage fees,
14 including fees paid to regain possession of the vehicle.

15 Sec. 2. Original section 60-1903.01, Reissue Revised
16 Statutes of Nebraska, is repealed.