

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 584

Introduced by Bromm, 23

Read first time January 19, 1999

Committee: Transportation

A BILL

1 FOR AN ACT relating to motor vehicle registration; to amend section
2 60-321, Reissue Revised Statutes of Nebraska; to provide
3 for impoundment of operator's license, registration, and
4 license plates for violations of financial responsibility
5 requirements; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-321, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-321. (1) It shall be unlawful for any owner of a
4 motor vehicle which is being operated with In Transit decals
5 pursuant to section 60-320, which is being operated pursuant to
6 section 60-320.01, or which is required to be registered in this
7 state and which is operated on a public highway of this state to
8 allow the operation of the motor vehicle on a public highway of
9 this state without having a current and effective automobile
10 liability policy, evidence of insurance, or proof of financial
11 responsibility. The owner shall be presumed to know of the
12 operation of his or her motor vehicle on a public highway of this
13 state in violation of this section when the motor vehicle is being
14 operated by a person other than the owner. An owner of a motor
15 vehicle who operates the motor vehicle or allows the operation of
16 the motor vehicle in violation of this section shall be guilty of a
17 Class II misdemeanor and shall be advised by the court that his or
18 her motor vehicle operator's license, motor vehicle certificate of
19 registration, and license plates will be suspended by the
20 Department of Motor Vehicles until he or she complies with sections
21 60-505.02 and 60-528. Upon conviction the owner shall have his or
22 her motor vehicle operator's license, motor vehicle certificate of
23 registration, and license plates suspended by the department until
24 he or she complies with sections 60-505.02 and 60-528. The owner
25 shall also be required to comply with section 60-528 for a
26 continuous period of three years after the violation. This
27 subsection shall not apply to motor vehicles registered in another
28 state.

1 (2) An owner who is unable to produce a current and
2 effective automobile liability policy, evidence of insurance, or
3 proof of financial responsibility upon the request of a law
4 enforcement officer shall be allowed ten days after the date of the
5 request to produce proof to the appropriate prosecutor or county
6 attorney that a current and effective automobile liability policy
7 or proof of financial responsibility was in existence for the motor
8 vehicle at the time of such request. Upon presentation of such
9 proof, the citation shall be dismissed by the prosecutor or county
10 attorney without cost to the owner and no prosecution for the
11 offense cited shall occur.

12 (3) The department shall, for any person convicted for a
13 violation of this section, reinstate such person's operator's
14 license, motor vehicle certificate of registration, and license
15 plates and rescind any order requiring such person to comply with
16 section 60-528 without cost to such person upon presentation to the
17 director that, at the time such person was cited for a violation of
18 this section, a current and effective automobile liability policy
19 or proof of financial responsibility was in existence for the motor
20 vehicle at the time the citation was issued.

21 (4) If a law enforcement officer stops a motor vehicle
22 for a traffic infraction and determines that the driver's
23 operator's license, motor vehicle certificate of registration, or
24 license plates have been suspended by the Department of Motor
25 Vehicles pursuant to this section, the law enforcement officer
26 shall immediately impound the driver's operator's license and the
27 certificate of registration and license plates of the motor vehicle
28 and such impounded items shall be held by the law enforcement

1 officer's agency. The impounded items may be returned to the
2 registered owner of the motor vehicle upon the owner showing proof
3 of compliance with subsection (3) of this section to the law
4 enforcement agency holding the impounded items.

5 Sec. 2. Original section 60-321, Reissue Revised
6 Statutes of Nebraska, is repealed.