

AMENDMENTS TO LB136

Introduced by Moser, 22.

1 1. Insert the following new sections:

2 Sec. 7. Section 60-1401, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-1401 Sections 60-1401 to 60-1441 and sections 8 and 9 of this act
5 shall be known and may be cited as the Motor Vehicle Industry Regulation
6 Act.

7 Any amendments to the act shall apply to franchises subject to the
8 act which are entered into, amended, altered, modified, renewed, or
9 extended after the date of the amendments to the act except as otherwise
10 specifically provided in the act.

11 All amendments to the act shall apply upon the issuance or renewal
12 of a dealer's or manufacturer's license.

13 Sec. 8. (1) Beginning January 1, 2025:

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

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

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

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

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

3 (b) A motor vehicle dealer that only buys and sells manufactured
4 homes;

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

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

8 Sec. 9. (1) Any person may apply to the board for authorization to
9 qualify an educational seminar for continuing education credit provided
10 under section 8 of this act. The board shall require a complete and
11 specific description of such educational seminar from the applicant prior
12 to authorizing such educational seminar for continuing education credit.
13 Such description shall include:

14 (a) How the educational seminar will benefit a licensee in
15 conducting business;

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

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

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

21 (2)(a) The board shall determine whether to approve or deny an
22 application made under subsection (1) of this section. If authorization
23 to qualify an educational seminar for continuing education credit is
24 granted, the board shall also determine the number of continuing
25 education credit hours authorized for the educational seminar.

26 (b) Within ten days of receiving the application, the board shall
27 notify the applicant of the board's approval or denial of such
28 application, and, if applicable, the number of continuing education
29 credit hours authorized.

30 Sec. 10. Section 60-1404, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-1404 The board shall have the authority to employ an executive
2 director who shall direct and administer the affairs of the board and who
3 shall keep a record of all proceedings, transactions, communications, and
4 official acts of the board. He or she shall be custodian of all records
5 of the board and perform such other duties as the board may require. The
6 executive director shall call a meeting of the board at the direction of
7 the chairperson thereof or upon a written request of two or more members
8 thereof. The executive director, with the approval of the board, is
9 authorized to employ an attorney at a minimum salary of six hundred
10 dollars per month together with such other employees, including staff for
11 its attorney, as may be necessary to properly carry out the Motor Vehicle
12 Industry Regulation Act, to fix the salaries of such employees, and to
13 make such other expenditures as are necessary to properly carry out the
14 act. ~~The office of the board shall be maintained in the State Capitol at~~
15 ~~Lincoln and all files, records, and property of the board shall at all~~
16 ~~times be and remain therein.~~ The executive director shall be the board's
17 representative in the administration of the act, and he or she shall
18 insure that the policies and directives of the board are carried out.

19 2. Renumber the remaining section and correct internal references
20 and the repealer accordingly.