

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 933

FINAL READING

Introduced by Utter, 33.

Read first time January 13, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Motor Vehicle Certificate of Title Act;
2 to amend section 60-149, Revised Statutes Cumulative
3 Supplement, 2008; to change provisions relating to
4 manufactured homes and mobile homes; and to repeal the
5 original section.

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

1 Section 1. Section 60-149, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-149 (1)(a) If a certificate of title has previously
4 been issued for a vehicle in this state, the application for a
5 new certificate of title shall be accompanied by the certificate
6 of title duly assigned except as otherwise provided in the Motor
7 Vehicle Certificate of Title Act.

8 (b) ~~If~~ Except for manufactured homes or mobile homes as
9 provided in subsection (2) of this section, if a certificate of
10 title has not previously been issued for the vehicle in this state
11 or if a certificate of title is unavailable pursuant to subsection
12 (4) of section 52-1801, the application shall be accompanied by:

13 (i) A manufacturer's or importer's certificate;

14 (ii) A duly certified copy thereof;

15 (iii) An affidavit by the owner affirming ownership in
16 the case of an all-terrain vehicle or a minibike;

17 (iv) A certificate of title from another state;

18 (v) A court order issued by a court of record, a
19 manufacturer's certificate of origin, or an assigned registration
20 certificate, if the law of the state from which the vehicle was
21 brought into this state does not have a certificate of title law;
22 or

23 (vi) Documentation prescribed in section 60-142.01,
24 60-142.02, 60-142.04, or 60-142.05.

25 (c) If the application for a certificate of title in this

1 state is accompanied by a valid certificate of title issued by
2 another state which meets that state's requirements for transfer of
3 ownership, then the application may be accepted by this state.

4 (d) If a certificate of title has not previously been
5 issued for the vehicle in this state and the applicant is unable
6 to provide such documentation, the applicant may apply for a bonded
7 certificate of title as prescribed in section 60-167.

8 (2) (a) If the application for a certificate of title for
9 a manufactured home or a mobile home is being made in accordance
10 with subdivision (4) (b) of section 60-137 or if the certificate
11 of title for a manufactured home or a mobile home is unavailable
12 pursuant to section 52-1801, the application shall be accompanied
13 by proof of ownership in the form of:

14 (i) A duly assigned manufacturer's or importer's
15 certificate;

16 (ii) A certificate of title from another state;

17 (iii) A court order issued by a court of record;

18 (iv) Evidence of ownership as provided for in section
19 30-24,125, 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to
20 60-2411; or

21 (v) Assessment records for the manufactured home or
22 mobile home from the county assessor and an affidavit by the owner
23 affirming ownership.

24 (b) If the applicant cannot produce proof of ownership
25 described in subdivision (a) of this subsection, he or she may

1 submit to the department such evidence as he or she may have, and
2 the department may thereupon, if it finds the evidence sufficient,
3 issue the certificate of title or authorize the county clerk or
4 designated county official to issue a certificate of title, as the
5 case may be.

6 ~~(2)~~ (3) For purposes of this section, certificate of
7 title includes a salvage certificate, a salvage branded certificate
8 of title, or any other document of ownership issued by another
9 state or jurisdiction for a salvage vehicle. Only a salvage branded
10 certificate of title shall be issued to any vehicle conveyed upon a
11 salvage certificate, a salvage branded certificate of title, or any
12 other document of ownership issued by another state or jurisdiction
13 for a salvage vehicle.

14 ~~(3)~~ (4) The county clerk or designated county official
15 shall retain the evidence of title presented by the applicant and
16 on which the certificate of title is issued.

17 Sec. 2. Original section 60-149, Revised Statutes
18 Cumulative Supplement, 2008, is repealed.