

LEGISLATIVE BILL 484

Approved by the Governor April 15, 2024

Introduced by Moser, 22.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend sections 60-1401 and 60-1404, Reissue Revised Statutes of Nebraska; to provide for continuing education for licensed motor vehicle dealers and for authorization to conduct an educational seminar for continuing education credit as prescribed; to eliminate a requirement for the Nebraska Motor Vehicle Industry Licensing Board to maintain an office in the State Capitol; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 60-1401, Reissue Revised Statutes of Nebraska, is amended to read:

60-1401 Sections 60-1401 to 60-1441 and sections 2 and 3 of this act shall be known and may be cited as the Motor Vehicle Industry Regulation Act.

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

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

Sec. 2. (1) Beginning January 1, 2026:

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

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

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

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

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

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

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

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

Sec. 3. (1) Any person may apply to the board for authorization to qualify an educational seminar for continuing education credit provided under section 2 of this act. The board shall require a complete and specific description of such educational seminar from the applicant prior to authorizing such educational seminar for continuing education credit. Such description shall include:

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

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

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

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

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

(b) Within ten days of receiving the application, the board shall notify the applicant of the board's decision to approve or deny such educational seminar for continuing education credit, and, if applicable, the number of continuing education credit hours authorized.

Sec. 4. Section 60-1404, Reissue Revised Statutes of Nebraska, is amended to read:

60-1404 The board shall have the authority to employ an executive director who shall direct and administer the affairs of the board and who shall keep a record of all proceedings, transactions, communications, and official acts of the board. He or she shall be custodian of all records of the board and perform such other duties as the board may require. The executive director shall call a meeting of the board at the direction of the chairperson thereof or upon a written request of two or more members thereof. The executive director, with the approval of the board, is authorized to employ an attorney at a minimum salary of six hundred dollars per month together with such other employees,

including staff for its attorney, as may be necessary to properly carry out the Motor Vehicle Industry Regulation Act, to fix the salaries of such employees, and to make such other expenditures as are necessary to properly carry out the act. ~~The office of the board shall be maintained in the State Capitol at Lincoln and all files, records, and property of the board shall at all times be and remain therein.~~ The executive director shall be the board's representative in the administration of the act, and he or she shall insure that the policies and directives of the board are carried out.

Sec. 5. Original sections 60-1401 and 60-1404, Reissue Revised Statutes of Nebraska, are repealed.