

March 3, 1980

LB 672

bill, as you know, is dealing with the financial responsibility section of the motor vehicle laws and the financial responsibility section of the motor vehicle laws requires individuals to establish after an automobile accident that they are able to show financial responsibility for the damages resulting from the accident. Now customarily most drivers show such financial responsibility through proof of insurance coverage. If a driver is not able to show financial responsibility, that driver then loses his drivers license and that is the law. That is the way our financial responsibility act operates. If he cannot show financial responsibility, he loses his driver's license. Now for years and years and years the Department of Motor Vehicles had among its staff employees who literally would go out to financially irresponsible drivers and pick up their drivers' licenses. That is what they would do. They would pick up their drivers' licenses, but over the last few years the Department of Motor Vehicles has discontinued that practice, mostly because of appropriational shortfalls and this Legislature has chosen to require that those licenses be picked up by local sheriffs and policemen. We have a statute that says specifically the licenses are to be picked up by local sheriffs and policemen. Now the truth of the matter is that a lot of local authorities are not picking up the drivers' licenses and I have passed out to you an article from the Omaha World Herald dated November 4, 1979, which says simply that the police departments in Omaha, in Lincoln, Grand Island are not picking up the drivers' licenses. So we continue to have on our highways and our streets, financially irresponsible drivers. So I looked at the statute and I said, gee, you know the statute specifically says that the local authorities are to pick up these drivers' licenses. Why are they not doing it? So I wrote the Attorney General a letter and I said to the Attorney General, tell me, Mr. Attorney General, is there something in the existing statute which tends to provide an out to local police departments and the like from not picking up the drivers' licenses? And the Attorney General wrote back and you have a copy of his correspondence. He wrote back and said simply, well what you probably ought to do is to lay a duty, make sure it is a duty of theirs to pick them up and if it is a duty of theirs to pick them up, then they will do it. So my amendment which you find at page 930 and 31 of the Journal says that. It is a duty. You've got to go out and pick up those drivers' licenses and if you fail to do it, then you can ultimately lose your position as a police officer or as a sheriff or what have you. This is something that you can't just shrug off as has happened in a variety of areas. Now this amendment, incidentally, comes from a bill I introduced this