

January 30, 1986 LB 780, 864

Next bill is LB 780.

CLERK: LB 780, Mr. President, by Senator Schmit. (Read.) The bill was first read on January 8 of this year, referred to Public Works, advanced to General File. I have no amendments.

PRESIDENT: Senator Lamb.

SENATOR LAMB: Mr. President, members, this bill was introduced on the...at the request of the Department of Motor Vehicles. It does two things. The first thing, it requires the odometer information only on the form provided by the Department of Motor Vehicles and would not require this information on the application for certificate of title. It is not necessary to have it in both places. Secondly, the bill provides for a Class V misdemeanor for a transferor who does not retain a statement for the required five year period. Now the penalty now is a Class IV felony which is 5 years...up to 5 years or \$10,000. It is believed this is an oversight and that the penalty should be reduced to a Class V misdemeanor instead of a Class IV felony. A Class IV misdemeanor is \$100 maximum, with no minimum and no jail sentence. The error or oversight that left the Class IV felony penalty in there resulted in the fact that the penalty was just as severe as fraud and should not be that severe. So those are the two things it does. First it simplifies the odometer registration, and it only has to be done on one form instead of two; the other that the penalty for not keeping your record for five years is reduced from a Class IV felony to a Class V misdemeanor. I would ask that the bill be advanced.

PRESIDENT: Is there further discussion on the bill? If not, the motion is to advance LB 780. All those in favor vote aye, opposed vote nay. We are voting on the advancement of LB 780. Please record your vote. Have you all voted? Record the vote, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance 780.

PRESIDENT: The bill is advanced. LB 864.

CLERK: LB 864, Mr. President, was offered by Senators Hall and Labeledz. (Read.) It was read on January 9 of this year,