

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB164**

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**Hearing Date:** Tuesday January 29, 2013  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Dubas  
**One Liner:** Change motor vehicle auction provisions

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

**Aye:** 8 Senators Brasch, Dubas, Hadley, McCoy, Price, Smith, Watermeier, Janssen

**Nay:**

**Absent:**

**Present Not Voting:**

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**Proponents:**

Senator Annette Dubas  
Loy Todd

**Representing:**

Introducer  
Nebraska New Car and Truck Dealers Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Clarifies statutes to bring current practices of auto dealers into statute. Dealers with a strong online presence hold private dealer auctions once per month to dispose of excess inventory, but current Nebraska law, 60-1401.04, limits them to 2 auctions per year without obtaining a motor vehicle auction dealer's license. This change would allow licensed dealers to offer used vehicles to other licensed dealers at an auction, as needed throughout the year, in accordance with the statute.

Section by section summary:

Section 1 amends section 60-1403.01 of the Motor Vehicle Industry Licensing Act to clarify that registration is not necessary for the type of auction outlined in the bill.

Section 2 amends 60-1417.02 to create an exemption to the auction dealer registration requirement for licensed motor vehicle dealers to hold an auction of excess inventory if the auction conforms to these requirements:

the auction must be held on the premises of the dealer,  
only used cars, trailers or manufactured homes may be auctioned,  
only motor vehicle dealers licensed in Nebraska may buy at the auction,  
no vehicles may be sold on consignment, and  
no vehicles may be sold to the public.

Section 3 repeals original sections.

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Annette Dubas, Chairperson