

AMENDMENTS TO LB263

Introduced by Bostelman, 23.

1 1. Insert the following new sections:

2 Sec. 9. If the owner does not have a certificate of title for a
3 vehicle manufactured more than thirty years prior to application for a
4 certificate of title which has not had any major component part replaced,
5 the department shall search its records and any records readily
6 accessible to the department for evidence of issuance of a certificate of
7 title for such vehicle at the request of the owner. If no certificate of
8 title has been issued, the owner may apply for a certificate of title
9 indicating that the year, make, and model of the vehicle is that
10 originally designated by the manufacturer by presenting a notarized bill
11 of sale, an affidavit in support of the application for title, and a
12 statement that an inspection has been conducted on the vehicle.

13 Sec. 10. For each certificate of title issued by the department
14 under section 9 of this act, the fee shall be twenty-five dollars, which
15 shall be remitted to the State Treasurer for credit to the Department of
16 Motor Vehicles Cash Fund.

17 Sec. 12. Section 60-149, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 60-149 (1)(a) If a certificate of title has previously been issued
20 for a vehicle in this state, the application for a new certificate of
21 title shall be accompanied by the certificate of title duly assigned
22 except as otherwise provided in the Motor Vehicle Certificate of Title
23 Act.

24 (b) Except for manufactured homes or mobile homes as provided in
25 subsection (2) of this section, if a certificate of title has not
26 previously been issued for the vehicle in this state or if a certificate
27 of title is unavailable pursuant to subsection (4) of section 52-1801,

1 the application shall be accompanied by:

2 (i) A manufacturer's or importer's certificate except as otherwise
3 provided in subdivision (vii) of this subdivision;

4 (ii) A duly certified copy of the manufacturer's or importer's
5 certificate;

6 (iii) An affidavit by the owner affirming ownership in the case of
7 an all-terrain vehicle, a utility-type vehicle, or a minibike;

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

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

13 (vi) Documentation prescribed in section 60-142.01, 60-142.02,
14 60-142.04, ~~or 60-142.05,~~ or section 9 of this act; or

15 (vii) A manufacturer's or importer's certificate and an affidavit by
16 the owner affirming ownership in the case of a minitruck.

17 (c) If the application for a certificate of title in this state is
18 accompanied by a valid certificate of title issued by another state which
19 meets that state's requirements for transfer of ownership, then the
20 application may be accepted by this state.

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

25 (2)(a) If the application for a certificate of title for a
26 manufactured home or a mobile home is being made in accordance with
27 subdivision (4)(b) of section 60-137 or if the certificate of title for a
28 manufactured home or a mobile home is unavailable pursuant to section
29 52-1801, the application shall be accompanied by proof of ownership in
30 the form of:

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

- 1 (ii) A certificate of title from another state;
2 (iii) A court order issued by a court of record;
3 (iv) Evidence of ownership as provided for in section 30-24,125,
4 52-601.01 to 52-605, 60-1901 to 60-1911, or 60-2401 to 60-2411; or
5 (v) Assessment records for the manufactured home or mobile home from
6 the county assessor and an affidavit by the owner affirming ownership.

7 (b) If the applicant cannot produce proof of ownership described in
8 subdivision (a) of this subsection, he or she may submit to the
9 department such evidence as he or she may have, and the department may
10 thereupon, if it finds the evidence sufficient, issue the certificate of
11 title or authorize the county treasurer to issue a certificate of title,
12 as the case may be.

13 (3) For purposes of this section, certificate of title includes a
14 salvage certificate, a salvage branded certificate of title, or any other
15 document of ownership issued by another state or jurisdiction for a
16 salvage vehicle. Only a salvage branded certificate of title shall be
17 issued to any vehicle conveyed upon a salvage certificate, a salvage
18 branded certificate of title, or any other document of ownership issued
19 by another state or jurisdiction for a salvage vehicle.

20 (4) The county treasurer shall retain the evidence of title
21 presented by the applicant and on which the certificate of title is
22 issued.

23 2. On page 8, line 1, strike "(a)".

24 3. On page 9, after line 26, insert the following new subdivision:

25 "(e) The department shall issue certificates of title pursuant to
26 section 9 of this act. Application for a certificate of title shall be
27 made upon a form prescribed by the department. All applications shall be
28 accompanied by the appropriate fee or fees.".

29 4. Renumber the remaining sections, correct internal references, and
30 amend the repealer accordingly.