

## LEGISLATIVE BILL 47

Approved by the Governor April 3, 1981

Introduced by Rumery, 42

AN ACT to amend sections 60-2401 and 60-2402, Revised Statutes Supplement, 1980, relating to motor vehicles; to change provisions relating to restricted parking lots; and to repeal the original sections.

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

Section 1. That section 60-2401, Revised Statutes Supplement, 1980, be amended to read as follows:

60-2401. Motor In cities of the metropolitan or primary class which have not adopted an ordinance conforming to section 2 of this act, motor vehicles parked in a restricted parking lot without the consent of the owner or tenant shall be subject to being towed away, if the lot is properly posted.

Sec. 2. Except in cities of the metropolitan or primary class, any person parking a motor vehicle in a properly posted, restricted parking lot without the consent of the owner or tenant authorized to give permission shall be guilty of an infraction and the vehicle shall be subject to being towed away at the request of such lot owner or tenant. Any person found guilty under this section shall be subject to the penalties provided in section 29-436 for infractions. If the identity of the operator of a motor vehicle in violation of this section cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such infraction. When any law enforcement officer observes or is advised that a motor vehicle may be in violation of this section, he or she shall make a determination as to whether a violation has in fact occurred and if so shall personally serve or attach to such motor vehicle a citation pursuant to the provisions of section 29-424, directed to the owner or operator of such vehicle, which shall set forth the nature of the violation. Any person who refuses to sign the citation or otherwise comply with the command of the citation shall be punished as provided by section 29-426. As used in this section, law enforcement officer shall include any authorized representative of a law enforcement agency.

Sec. 3. That section 60-2402, Revised Statutes Supplement, 1980, be amended to read as follows:

60-2402. Signs designating a restricted parking lot shall be readily visible and ~~7-state-the-name-of--the owner-or-tenant;~~ shall state the purpose or purposes for parking on the restricted parking lot, state the hours for restricted parking, and state who to contact for information regarding a towed vehicle. ~~7-and--state--the hours-for-permitted-parking.--Each-sign-shall-read:--See owner-for-cost-of-towing-and-location-where--the--vehicle may-be-found.~~

Sec. 4. That original sections 60-2401 and 60-2402, Revised Statutes Supplement, 1980, are repealed.