

LEGISLATIVE BILL 49

Approved by the Governor February 12, 2009

Introduced by Fischer, 43.

FOR AN ACT relating to vehicles and motorboats; to amend sections 18-1214, 23-186, 37-1201, and 83-123, Reissue Revised Statutes of Nebraska, and sections 60-101, 60-111, and 60-320, Revised Statutes Cumulative Supplement, 2008; to require that titling and registration of vehicles and motorboats be performed by county treasurers as prescribed; to provide powers and duties for the Director of Motor Vehicles; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 18-1214, Reissue Revised Statutes of Nebraska, is amended to read:

18-1214 All cities and villages may levy a tax on all motor vehicles owned or used in such city or village. Until the implementation date designated by the Director of Motor Vehicles under section 23-186, the ~~7~~ which tax shall be paid to the designated county official of the county in which such city or village is located when the registration fees as provided in the Motor Vehicle Registration Act are paid. Such taxes shall be remitted to the county treasurer for credit to the road fund of such city or village. On and after the implementation date designated under section 23-186, the tax shall be paid to the county treasurer for credit to such road fund. Such funds shall be used by such city or village for constructing, resurfacing, maintaining, or improving streets, roads, alleys, public ways, or parts thereof or for the amortization of bonded indebtedness when created for such purposes.

Sec. 2. Section 23-186, Reissue Revised Statutes of Nebraska, is amended to read:

23-186 (1) Until the implementation date designated by the Director of Motor Vehicles under subsection (2) of this section, a ~~A~~ county board may consolidate, under the office of a designated county official, the services provided to the public by the county assessor, the county clerk, and the county treasurer relating to the issuance of certificates of title, registration certificates, certificates of number, license plates, and renewal decals, the notation and cancellation of liens, and the collection of taxes and fees for motor vehicles, all-terrain vehicles, minibikes, snowmobiles, trailers, and motorboats as provided in the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the State Boat Act, and sections 18-1738, 18-1738.01, and 60-1803. In a county in which a city of the metropolitan class is located, the county board may designate the county treasurer to provide the services. In any other county, the county board may designate the county assessor, the county clerk, or the county treasurer to provide the services.

(2) Beginning on an implementation date designated by the Director of Motor Vehicles, but no later than January 1, 2011, the county treasurer of each county shall be the county official who provides services to the public relating to the issuance of certificates of title, registration certificates, certificates of number, license plates, and renewal decals, the notation and cancellation of liens, and the collection of taxes and fees for motor vehicles, all-terrain vehicles, minibikes, snowmobiles, trailers, and motorboats as provided in the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the State Boat Act, and sections 18-1738, 18-1738.01, and 60-1803.

Sec. 3. Section 37-1201, Reissue Revised Statutes of Nebraska, is amended to read:

37-1201 Sections 37-1201 to 37-12,110 and section 4 of this act shall be known and may be cited as the State Boat Act. It is the policy of this state to promote safety for persons and property in and connected with the use, operation, and equipment of vessels and to promote uniformity of laws relating thereto.

Sec. 4. On and after the implementation date designated under section 23-186 by the Director of Motor Vehicles, the county treasurer shall have all of the powers and duties of the county clerk as specified under the State Boat Act.

Sec. 5. Section 60-101, Revised Statutes Cumulative Supplement, 2008, is amended to read:

60-101 Sections 60-101 to 60-197 and section 7 of this act shall be known and may be cited as the Motor Vehicle Certificate of Title Act.

Sec. 6. Section 60-111, Revised Statutes Cumulative Supplement, 2008, is amended to read:

60-111 Designated Until the implementation date designated under section 23-186 by the director, designated county official means the county official, other than the county clerk, designated by a county board to provide services pursuant to section 23-186. On and after the implementation date designated under section 23-186 by the director, designated county official means the county treasurer.

Sec. 7. On and after the implementation date designated under section 23-186 by the director, the county treasurer shall have all of the powers and duties of the county clerk as specified under the Motor Vehicle Certificate of Title Act.

Sec. 8. Section 60-320, Revised Statutes Cumulative Supplement, 2008, is amended to read:

60-320 Designated Until the implementation date designated under section 23-186 by the director, designated county official means the county official, other than the county treasurer, designated by a county board to provide services pursuant to section 23-186. On and after the implementation date designated under section 23-186 by the director, designated county official means the county treasurer.

Sec. 9. Section 83-123, Reissue Revised Statutes of Nebraska, is amended to read:

83-123 Out of the fund appropriated by the Legislature, the Department of Correctional Services shall purchase the materials for, manufacture, and deliver the license plates each year to the various ~~county officials~~ counties in the State of Nebraska. The Department of Motor Vehicles shall furnish the information concerning license plates, together with the number of plates to be manufactured and the ~~designated county official pursuant to section 23-186~~ for each county in the state for the current licensing year, to the Department of Correctional Services.

Sec. 10. Original sections 18-1214, 23-186, 37-1201, and 83-123, Reissue Revised Statutes of Nebraska, and sections 60-101, 60-111, and 60-320, Revised Statutes Cumulative Supplement, 2008, are repealed.