

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 925

Introduced by Quandahl, 31

Read first time January 8, 2004

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-2404
2 and 60-2410, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to towing; and to repeal the
4 original sections.

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

1 Section 1. Section 60-2404, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-2404. A motor vehicle towed away under sections
4 60-2401 to 60-2411, which is not claimed by the owner within ~~one~~
5 hundred eighty ninety days after towing, is subject to ~~liens~~ lien
6 and disposition under Chapter 52, article 6, by the person who
7 towed the vehicle. ~~under Chapter 52, article 6.~~

8 Sec. 2. Section 60-2410, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-2410. (1) The owner or other person lawfully entitled
11 to the possession of any vehicle towed or stored shall be charged
12 with the reasonable cost of towing and storage fees. Any such
13 towing or storage fee shall be a lien upon the vehicle under
14 Chapter 52, article 6, and, except as provided in subsection (3) of
15 this section, shall be prior to all other claims. Any person
16 towing or storing a vehicle shall be entitled to may retain
17 possession of such vehicle until such charges are paid or, after
18 ninety days, may dispose of such vehicle to satisfy the lien. The
19 lien provided for in this section shall not apply to the contents
20 of any vehicle.

21 (2) The person towing the motor vehicle shall, within
22 thirty days after towing, notify any lienholder appearing on the
23 certificate of title of the motor vehicle and the owner of the
24 motor vehicle of the towing of the motor vehicle. The notice shall
25 be sent by certified mail, return receipt requested, to the
26 last-known address of the lienholder and owner of the motor
27 vehicle. The notice shall contain:

28 (a) The make, model, color, year, and vehicle

1 identification number of the motor vehicle;

2 (b) The name, address, and telephone number of the person
3 who towed the motor vehicle;

4 (c) The date of towing;

5 (d) The daily storage fee and the storage fee accrued as
6 of the date of the notification; and

7 (e) A statement that the motor vehicle is subject to lien
8 and disposition under Chapter 52, article 6.

9 (3) Failure to provide notice as prescribed in subsection
10 (2) of this section shall result in the lien of the person who
11 towed the motor vehicle being subordinate to the lien of the
12 lienholder appearing on the certificate of title and render void
13 any disposition of the motor vehicle by the person who towed the
14 motor vehicle.

15 Sec. 3. Original sections 60-2404 and 60-2410, Reissue
16 Revised Statutes of Nebraska, are repealed.