



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 59**

Hearing Date: January 22, 2007
Committee On: Transportation and Telecommunications

Introducer(s): (Engel, 17)
Title: Require education of motor vehicle dealers, agents, and salespersons as prescribed

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - Advanced to General File with Amendments
 - X Indefinitely Postponed
-

Vote Results:

7	Yes	Senators Fischer, Stuthman, Aguilar, Louden, Lautenbaugh, Pedersen, Schimek
	No	
	Present, not voting	
1	Absent	Senator Hudkins

Proponents:
Introducer, Senator Pat Engel
Gary J. Merritt

Representing:
District #17
Nebraska Independent Auto Dealers Association

Opponents:

Representing:

Neutral:
Loy Todd
William Jackson

Representing:
Nebraska New Car & Truck Dealers Association
Motor Vehicle Industry Licensing Board

Summary of purpose and/or changes:

LB 59 requires an automobile dealer or salesperson to complete an approved education program before receiving his or her license.

The bill provides that a salesperson or dealer, before submitting an application for a license, is required to successfully complete an education program. The bill excludes previously licensed salespersons and dealers, as well as any dealer applying for a license for operation as a franchisee. The person shall attend all classes and pass an open-book examination. The exam and required passing grade shall be approved by the board. After successfully completing the course, the person shall receive a certificate of completion that shall be submitted to the board at

the time of application for a license. No license will be issued without an accompanying education program certificate of completion.

The education program must be approved by the Nebraska Motor Vehicle Industry Licensing Board and shall consist of at least eight hours of education. The program shall include but not be limited to: motor vehicle advertising laws, odometer law and regulation, motor vehicle licensing and registration, unlawful motor vehicle dealer activities, environmental rules and regulations, Nebraska and industry standard motor vehicle dealer forms, federal Truth in Lending Act practices, motor vehicle financing, motor vehicle service and warranty contracts, land-use rules, regulations and law, any other motor vehicle laws applicable to being a used motor vehicle dealer, and the requirements of any and all regulatory agencies or departments at the local, state, and federal levels.

The program shall be developed by a motor vehicle industry association having been in operation for at least five years, including the state independent automobile dealers association. Providers of the program shall be subject to board approval.

The board has rule and regulation authority to carry out the program.

Explanation of amendments, if any:

Senator Deb Fischer, Chairperson