

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1044**

Final Reading

Introduced by Schilz, 47.

Read first time January 22, 2014

Committee: Judiciary

A BILL

1 FOR AN ACT relating to abandoned vehicles; to amend section 60-1901,  
2 Reissue Revised Statutes of Nebraska; to provide  
3 procedures for abandoned mobile homes; to define a term;  
4 to harmonize provisions; and to repeal the original  
5 section.

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

1                   Section 1. Section 60-1901, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-1901 (1) A motor vehicle is an abandoned vehicle:

4                   (a) If left unattended, with no license plates or valid  
5 In Transit stickers issued pursuant to the Motor Vehicle Registration  
6 Act affixed thereto, for more than six hours on any public property;

7                   (b) If left unattended for more than twenty-four hours on  
8 any public property, except a portion thereof on which parking is  
9 legally permitted;

10                  (c) If left unattended for more than forty-eight hours,  
11 after the parking of such vehicle has become illegal, if left on a  
12 portion of any public property on which parking is legally permitted;

13                  (d) If left unattended for more than seven days on  
14 private property if left initially without permission of the owner,  
15 or after permission of the owner is terminated;

16                  (e) If left for more than thirty days in the custody of a  
17 law enforcement agency after the agency has sent a letter to the  
18 last-registered owner under section 60-1903.01; or

19                  (f) If removed from private property by a municipality  
20 pursuant to a municipal ordinance.

21                  (2) An all-terrain vehicle, a utility-type vehicle, or a  
22 minibike is an abandoned vehicle:

23                  (a) If left unattended for more than twenty-four hours on  
24 any public property, except a portion thereof on which parking is  
25 legally permitted;

1 (b) If left unattended for more than forty-eight hours,  
2 after the parking of such vehicle has become illegal, if left on a  
3 portion of any public property on which parking is legally permitted;

4 (c) If left unattended for more than seven days on  
5 private property if left initially without permission of the owner,  
6 or after permission of the owner is terminated;

7 (d) If left for more than thirty days in the custody of a  
8 law enforcement agency after the agency has sent a letter to the  
9 last-registered owner under section 60-1903.01; or

10 (e) If removed from private property by a municipality  
11 pursuant to a municipal ordinance.

12 (3) A mobile home is an abandoned vehicle if left in  
13 place on private property for more than thirty days after a local  
14 governmental unit, pursuant to an ordinance or resolution, has sent a  
15 certified letter to each of the last-registered owners and posted a  
16 notice on the mobile home, stating that the mobile home is subject to  
17 sale or auction or vesting of title as set forth in section 60-1903.

18 ~~(3)-(4)~~ For purposes of this section:

19 (a) Mobile home means a movable or portable dwelling  
20 constructed to be towed on its own chassis, connected to utilities,  
21 and designed with or without a permanent foundation for year-round  
22 living. It may consist of one or more units that can be telescoped  
23 when towed and expanded later for additional capacity, or of two or  
24 more units, separately towable but designed to be joined into one  
25 integral unit, and shall include a manufactured home as defined in

1 section 71-4603. Mobile home does not include a mobile home or  
2 manufactured home for which an affidavit of affixture has been  
3 recorded pursuant to section 60-169;

4           ~~(a)~~(b) Public property means any public right-of-way,  
5 street, highway, alley, or park or other state, county, or  
6 municipally owned property; and

7           ~~(b)~~(c) Private property means any privately owned  
8 property which is not included within the definition of public  
9 property.

10           ~~(4)~~(5) No motor vehicle subject to forfeiture under  
11 section 28-431 shall be an abandoned vehicle under this section.

12           Sec. 2. Original section 60-1901, Reissue Revised  
13 Statutes of Nebraska, is repealed.