

April 17, 1979

LB 348

to pick on any one business, sorry. It indicates that the owner of the motor vehicle would be liable for towing or storage fees but will not be subject to any lien. I am not quite sure who brought that amendment in but that was incorporated and Section 11 is the one that Senator Duis had that any owner or tenant causing the towing away shall not solicit or accept a commission or so on, so that if you order cars to be towed, that you are not going to be able to do that for a profit. Hopefully this will set some ground rules and guidelines for the towing of vehicles but still enable those who find themselves obstructed from parking due to an improperly parked vehicle, able to remove the nuisance and yet prevent those that own cars, from having them damaged or towed away improperly or towed away as a joke or whatever else. As I said, I think this may become a model piece of legislation with regards to this basic area of human rights in our state. I would move adoption of the amendment.

SPEAKER MARVEL: Senator Duis.

SENATOR DUIS: Just one question if I might, of Senator Fowler. In the last part in regard to the commission or fee that would be eliminated here, is there any penalty section that we should add?

SENATOR FOWLER: I don't know, is there a penalty section in the original bill? I think there may be. I believe that there is a penalty for violation of the act in the original bill. You may direct it to Senator Newell.

SENATOR DUIS: Thank you.

SPEAKER MARVEL: Senator Fowler, are you ready for the adoption of your amendment? Okay, the motion is the... Oh, I'm sorry. I thought you were through.

SENATOR DUIS: No, this question I have to redirect to Senator Newell.

SENATOR NEWELL: Senator Duis, is there no penalty section in that provision?

SENATOR DUIS: Not in the amendment. That is what I am concerned about.

SENATOR NEWELL: In the Fowler amendments? There is no penalty section in the bill either, so I thought there was but there is not.