

April 19, 1979

LB 395

SENATOR NICHOL: My vote is in there so I think that you have 25.

SENATOR WESELY: Okay.

SENATOR NICHOL: Record.

CLERK: 26 ayes, 4 nays, Mr. President.

SENATOR NICHOL: The motion is adopted.

CLERK: Mr. President, Senator Fowler now moves to amend, the amendment reads as follows (amendment appears on page 1571 of the Legislative Journal).

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: This amendment deals with parking tickets, I know that I have brought in a lot of parking amendments and I want to stress that this has no relation to any sort of problems that I have been having or anything with parking. The amendment was brought to me by former Senator John Savage on behalf of car rental companies who rent automobiles for individuals and parking or nonmoving traffic violations. The ticket is made against the vehicle and not against the driver. That creates a problem for the car rental companies which then are the ones liable for actions when in fact they have no control over the car and so on. People will rent the car, receive parking tickets or nonmoving violations will leave the state and then the city or whoever is enforcing the law will come to the car rental company perhaps with a warrant even because tickets have been unpaid and the car rental company had no idea that the tickets were even collected. This basically would remove them from the obligation on the tickets and leave as a presumption that the person who leased the vehicle committed the parking violation. The reason it is being offered to this bill and the reason that Senator Savage approached me is that this is the bill that opened the section of law dealing with rules of the road. So, I would offer this amendment. I think that is simply the explanation. Senator Fitzgerald has indicated that he has some more background information on the issue and he may want to comment or there may be questions of him. This is an amendment for the car rental companies and this should prove that I am not antibusiness.

SPEAKER MARVEL: Senator Murphy, do you wish to speak to the