

March 21, 1980

LB 743

the Haberman amendment, Senator Warner.

SENATOR WARNER: (Mike off) but I have heard all the jockeying around I think we need this morning. There are those who want to repeal motor vehicle. They want to do it by court action. There is procedural questions. I would appreciate, I am going to address the question to Senator Wesely, I'd appreciate a short, concise issue discussion of what is involved and forget all this other stuff we have been screwing around with for the last ten minutes or ten hours, whatever. I'd appreciate that, Senator Wesely.

SENATOR WESELY: Senator Warner, I will be very brief. If you look at LB 743 you will find there is a section #60-1701. In that section they have a reference to, it is on line I believe 22 through line 24, that refers inspections or it says, "No persons shall operate any motor vehicle or semi-trailer except motor vehicles or semitrailers operated under the provisions of Section 60-320. 60-320 is a section dealing with car dealers and dealer plates. Now in that section there is provisions for the allowance for car dealers to be issued dealer plates for personal use. They can use them for their family. Dealers employees can use them personally and for their family. Now because the inspection statute refers back to the dealer plate section and that dealer plate section gives an exemption to dealers, their families, their employees and their families, what the judge in Omaha said was that there was a special privilege allowed to them that wasn't allowed for anybody else so that they didn't have to inspect their car because they could use dealer plates on those cars. So because of that reference we have the problem we have in Omaha. LB 946 struck in the inspection statute, 60-1701, the reference back to 60-320 so that there wasn't that special privilege allowed under inspection law for dealers and their cars and family's cars so that if we would just strike that reference we would take care of the problem and we don't have this situation of temporary permits and everything that Senator Haberman wanted to do, but in fact, gets to the fundamental problem and that is that special privilege allowed to dealers. So that is the issue and that would be the amendment I would propose would deal with the problem in a more reasonable fashion than what we had proposed by Senator Haberman.

SENATOR WARNER: Thank you, Senator Wesely. That sounds like a reasonable solution. I wish I'd have heard that twenty-five, thirty minutes ago. Thank you. I support the removal, Mr. President.