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LB 90

State Patrol particularly to get these vehicles off the side of the road instead of having to rely upon local law enforcement to be involved in each case. In doing that, as the bill came through committee and out on the floor, we tried to wrestle with the specific language on storage fees. And we thought, when the bill went to Final Reading, that we had the language in fairly reasonable form. But we began to hear from, particularly from those entities that deal with lots of abandoned cars. And there are two primary places in the state that deal with most abandoned cars, and that's, of course, the cities of Omaha and Lincoln. They expressed some concerns about the language and particularly the way the language was after a car was picked up for investigative purposes and held while that investigation was going on. We had provisions that said that the storage fees couldn't start until after a certified letter was sent to the registered owner, and that would be irrespective of whether there was a conviction arising out of that impoundment or not. They had concerns about that. They had concerns about...it said that if a conviction resulted, that the law enforcement agency could petition the court for payment of the cost of storage. Of course, then in the result of an acquittal of that person, the law enforcement agency would absorb the costs of storage. They expressed concerns about the mechanics of that and particularly having to go to court to petition the court for payment of costs of storage. I thought their concerns, for the most part, were reasonable. We did try to draft an amendment and it's AM0763 that's been in the Journal and it's before you on your screens today. And basically what this amendment says is that beginning...storage fees can begin when a vehicle is taken into custody instead of just after the certified letter is mailed. It does clarify that the registered owner or person in possession of the vehicle must be charged with a felony or a misdemeanor for there to be any storage fees charged for a car held for investigative purposes. If there's a conviction, if the fee has been paid by the registered owner, he doesn't get a refund if there's a conviction. If there's an acquittal or a not guilty of whatever the charge was, the registered owner does get a refund of the storage fee. For legislative record purposes, my intent would be that if the car were being held for investigative purposes by the State Patrol, that the person, after the acquittal, would apply to the State Patrol for a refund of those storage fees, and they would have to absorb the