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LB 585, 704

Mr. President, Senator Bromm would move to amend with AM1489. (AM1489, Legislative Journal page 1728.)

SENATOR CUDABACK: Senator Bromm to open on your AM1489.

SENATOR BROMM: Thank you, Mr. President, members of the Legislature. LB...or AM1489 covers the areas primarily of immobilization and ignition interlock devices and discussions after General File that we had, my staff had, with the initiators of this federal effort, gave a better impression of how the interaction between immobilized vehicles and ignition devices should operate. The two are to be mutually exclusive. If one is applied, the other should not be applied, and in order to clarify that, Section 6 of the bill is redrafted so that these two...that these...these two penalties or remedies or however you want to view them, are mutually exclusive options. Both are available to the court. The court must impose one of these with repeat offenders, but not both. And I have handed out a chart on AM1489 that I hope helps the body understand this. The Department of Motor Vehicles is informed of the option chosen by the court and makes the sanction a part of their records at the DMV. In addition, on General File, at the suggestion of Senator Beutler, who has also had involvement in the drafting of this portion of the amendment, a hardship exemption has been added, whereby the court may release an immobilized vehicle to a co-owner who files an affidavit, claiming in the affidavit undue hardship and the need of the motor vehicle for employment purposes. And the language of this hardship exemption is found on page 6 of the amendment, line 20 through page 7, I think about line 9. And that...those are the elements of the amendment. There is a couple things in this amendment that you might wonder why they are there. Page 4 there's some language stricken, and towards the bottom of that page a little language added that seems to have nothing to do with this bill really. These sections are in this bill, these sections were in LB 704, which is already passed and was signed by the Governor, LB 704 being the driver's license bill, Senator Jones' priority bill. So that we didn't come along and change something that LB 704 had already changed, we had to make...we had to make LB 585 conform with LB 704. So that's the reason for the language changes on page 4. I guess those are the points that I wish to make, and that will conclude my opening,