

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 4, 2003 LB 333

LB 333. All those in favor say aye...or, vote aye; all those opposed vote nay. Record, Mr. Clerk.

CLERK: 32 ayes, 0 nays, Madam President, on the adoption of committee amendments.

SENATOR SCHIMEK: The committee amendments are adopted. Are there further amendments on the bill?

CLERK: Senator Baker would move to amend. (AM0193, Legislative Journal page 404.)

SENATOR SCHIMEK: Senator Baker, you are recognized to c en on your amendment.

SENATOR BAKER: Thank you, Madam President, members. This is a little more substantive amendment. This simply provides some uniformity, harmonizing with what we do with totaled...what I call, a street term, totaled-out vehicles, automobiles, pickup trucks, and so on, to conform this bill with what we do with those. The insurance companies saw this and said...on page 26, if you'll follow along, or if you'd listen, "An insurer shall take title to an all-terrain vehicle or minibike for which a total loss settlement is made." They don't want title of these totaled-out vehicles. The insurance companies simply have no interest in it. It gives the option, it says, that...what the amendment does is change the language to say, an insurer shall take title to a salvage all-terrain vehicle for which a total loss settlement is made, unless. And that "unless" is what conforms us with what we have with other vehicles. And it's just simply an oversight from Bill Drafting, I guess, to make sure that this was harmonized with what we do with other vehicles. It goes on to say, unless the owner of the all-terrain vehicle or minibike elects to retain this all-terrain vehicle or minibike. And if the owner elects to retain it, then the insurance company...and this is simply following along with what we do with other vehicles...the insurance company shall notify the DMV of such fact, and then the department shall immediately enter a salvage brand onto that computerized record of the title. It goes on to say, the insurance company shall also notify the owner of the owner's