

**NEBRASKA ADMINISTRATIVE CODE**

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**TITLE 247, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 3**

**NEBRASKA DEPARTMENT OF MOTOR VEHICLES**

**RULES AND REGULATIONS FOR THE DESIGNATION AND DISPOSITION OF ABANDONED  
VEHICLES PURSUANT TO NEB. REV. STAT. §§ 60-1901  
THROUGH 60-1911.**

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**Nebraska Department of Motor Vehicles**

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**RULES AND REGULATIONS FOR THE DESIGNATION AND DISPOSITION OF ABANDONED VEHICLES PURSUANT TO NEB. REV. STAT. §§ 60-1901 THROUGH 60-1911.**

**001 SCOPE.** This Chapter establishes procedures for the determination, custody, and disposition of certain vehicles abandoned on public and private property of the State of Nebraska and incorporates the provisions of Neb. Rev. Stat. §§ 60-1901 through 60-1911 as amended by LB 90 (Laws, 1999), LB 560 (2004) and changes to Chapter 60, Articles 1 and 3, of the Nebraska Revised Statutes by LB 274 (Laws, 2005), LB 276 (Laws, 2005) and LB 286 (Laws, 2007). The procedures outlined in this Chapter do not apply to vehicles which have been removed from parking lots under Neb. Rev. Stat. §§ 60-2401 through 60-2411, nor to liens for services placed against such vehicles pursuant to Neb. Rev. Stat. §§ 52-601.01 through 52-605. Additionally, this Chapter does not apply to vehicles in the custody of law enforcement agencies which are subject to forfeiture under the provisions of Neb. Rev. Stat. § 28-431.

**001.01 Form.** A form for an **AFFIDAVIT AND REQUEST FOR CERTIFICATE OF TITLE FOR MOTOR VEHICLE/ATV/MINIBIKE/MOTORBOAT – LAW ENFORCEMENT ONLY** is available on the Department of Motor Vehicles web page, [www.dmv.ne.gov](http://www.dmv.ne.gov), or may be obtained by calling (402) 471-3918.

**002 DEFINITIONS.**

**002.01 Abandoned vehicle** means any vehicle as defined in Neb. Rev. Stat. § 60-136, motor vehicle as defined in Neb. Rev. Stat. § 60-123 or cabin trailer as defined in Neb. Rev. Stat. § 60-107 which fit into any of the following categories:

**002.01A** Any vehicle left unattended on any public property for more than six hours with no current license plates or valid "In Transit" decals issued by a licensed automobile dealer attached to it;

**002.01B** Any vehicle left unattended for more than 24 hours on any public property except for portions of such property where the vehicle may be legally parked;

**002.01C** Any vehicle which has been left unattended for more than 48 hours on portions of public property where the vehicle may be legally parked after the parking has become illegal;

**002.01D** Any vehicle left unattended for more than seven days on private property if left initially without the permission of the property owner, or after the property owner's permission has been terminated; or

**002.01E** Any vehicle left in the custody of any law enforcement agency of this state for more than 30 days after that agency has sent notice by certified or registered

United States mail to the last registered owner(s) that the vehicle is no longer needed.

**002.01F** A mobile home is an abandoned vehicle if left in place on private property for more than thirty days after a local governmental unit, pursuant to an ordinance or resolution, has sent a certified letter to each of the last-registered owners and posted a notice on the mobile home, stating that the mobile home is subject to sale or auction or vesting of title as set forth in section 60-1903.

**002.02** All terrain vehicle means any motorized off-highway device which (1) is 50 inches or less in width, (2) has a dry weight of 900 pounds or less, (3) travels on three or more low-pressure tires, (4) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (5) has a seat or saddle designed to be straddled by the operator, and (6) has handlebars or any other steering assembly for steering control.

**002.03** Department means the Nebraska Department of Motor Vehicles.

**002.04** Investigative purposes means any investigation conducted by any law enforcement agency of this state to determine whether a violation of the law has occurred, or to determine the owner(s) of an abandoned vehicle.

**002.05** Law enforcement agency means any agency of this state empowered and authorized by law to enforce the laws of this state, to investigate violations of the law, and to make arrests.

**002.06** Local authority means the county in which a vehicle was abandoned, or if the vehicle was abandoned within the corporate limits of a city or village, the city or village.

**002.07** Minibike means a two-wheel device which has a total wheel and tire diameter of less than 14 inches or an engine-rated capacity of less than 45 cubic centimeters displacement or any other two-wheel device primarily designed by the manufacturer for off-road use only. Minibike does not include an electric personal assistive mobility device.

**002.08** Mobile home means a movable or portable dwelling constructed to be towed on its own chassis, connected to utilities, and designed with or without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit, and shall include a manufactured home as defined in section 71-4603. Mobile home does not include a mobile home or manufactured home for which an affidavit of affixture has been recorded pursuant to section 60-169;

**002.098** Motor vehicle means any vehicle propelled by any power other than muscular power except (1) mopeds, (2) farm tractors, (3) self-propelled equipment designed and used exclusively to carry and apply fertilizer, chemicals, or related products to agricultural soil and crops, agricultural floater-spreader implements, and other implements of husbandry designed for and used primarily for tilling the soil and harvesting crops or feeding livestock, (4) power unit hay grinders or a combination which includes a power

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unit and a hay grinder when operated without cargo, (5) vehicles which run only on rails or tracks, (6) off-road designed vehicles, including, but not limited to, golf carts, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles, snowmobiles registered or exempt from registration under Neb. Rev. Stat. §§ 60-3,207 to 60-3,219, and minibikes, (7) road and general-purpose construction and maintenance machinery not designed or used primarily for the transportation of persons or property, including, but not limited to, ditchdigging apparatus, asphalt spreaders, bucket loaders, leveling graders, earthmoving carryalls, power shovels, earthmoving equipment, and crawler tractors, (8) self-propelled chairs used by persons who are disabled, and (9) electric personal assistive mobility devices, and (10) low-speed vehicles.

**002.1009** **Private property** means any privately-owned property not included within the definition of public property.

**002.119** Public property means any public right-of-way, street, highway, alley or park, or other state, county, or municipally owned property.

**002.124** State agency means any agency of this state which is empowered and authorized by law to seize and dispose of vehicles.

**002.132** Semitrailer means any trailer so constructed that its weight and that of its load rests upon or is carried by the towing vehicle.

**002.143** Trailer means any device without motive power designed for carrying persons or property and being towed by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**002.154** Vehicle means a motor vehicle, all-terrain vehicle, minibike, trailer, or semitrailer as provided in Neb. Rev. Stat. § 60-136 and cabin trailer as provided in Neb. Rev. Stat. § 60-107.

### **003** PROCEDURE FOR COUNTIES, CITIES, OR VILLAGES.

**003.01** Determine the Value of the Vehicle. The value of a vehicle for the purposes of this Chapter is the wholesale value of the vehicle as described in the most recent issue of the applicable *NADA guide*, or other reliable pricing method if the *NADA guide* is not available. It is not necessary to determine the exact value of the vehicle, but rather whether such value is more or less than two hundred fifty dollars (\$250.00). The general condition of the vehicle shall also be taken into account when making this determination. In determining the value of the vehicle, any contents of the vehicle shall not be considered.

**003.02** Vehicles with a Value of Two Hundred Fifty Dollars (\$250.00) or Less. The title to any abandoned vehicle which at the time it was abandoned did not have either current license plates or valid "In Transit" decals issued by a licensed automobile dealer attached to it and which has a value of two hundred fifty dollars (\$250.00) or less vests immediately with the county, city, or village in which it was abandoned. The appropriate county official shall issue a new title in the name of the county, city, or village at no cost to the county, city, or village. Any liens existing against the previous title shall be extinguished.

**003.03** Vehicles with a Value of over Two Hundred Fifty Dollars (\$250.00). Inquiry as to Last Registered Owner(s). When an abandoned vehicle is determined to have a value of more than two hundred fifty dollars (\$250.00), the county, city, or village shall make an inquiry as to the last registered owner(s) as follows:

**003.03A** If the vehicle bears Nebraska license plates, regardless of whether they are current or not, "In Transit" decals, or no license plates, an inquiry shall be made to the Department. Any vehicle bearing hand made "In Transit" decals shall be considered a vehicle without license plates for the purposes of this Chapter; or

**003.03B** If the vehicle has current license plates issued by a state other than Nebraska, "In Transit" decals or temporary license plates issued by a state other than Nebraska, the inquiry shall be made to the Department of Motor Vehicles or appropriate agency responsible for vehicle records of that state in the manner provided for and upon payment of the fee established by that state.

**003.04 Notice to Last Registered Owner(s) and Lienholder(s).** After the last registered owner(s) of the vehicle has been determined, the county, city, or village shall send notice to the owner(s) at his or her last-known address by certified or registered United States mail. The notice shall state that the vehicle in question has been determined to be an abandoned vehicle and if not claimed will be sold or auctioned after five days of the date the notice was mailed, or if the county, city, or village intends to retain the vehicle, that title to the vehicle will vest in the county, city, or village 30 days after the date the notice was mailed. If any liens are found to exist against the title of the vehicle as a result of the inquiry described in subsection 003.03 of these rules and regulations, a copy of this notice shall also be sent by certified or registered United States mail to each lienholder.

**003.05 No Notice Required If Unable to Determine the Owner or Lienholder.** If the vehicle is in such a condition that vehicle identification numbers or other means of identification are not available to determine the last-registered owner or lienholder, the vehicle may be disposed of without notice.

**003.06 Not Registered.** If the vehicle is not required to be registered or the vehicle has never been registered, the city, county, or village shall follow the procedures above and use any ownership and lien information from the vehicle title and follow the notification procedures above.

**003.07 Publication of Notice of Intent to Retain Abandoned Vehicle.** If the county, city, or village has determined that it will retain an abandoned vehicle for its own use rather than sell or auction it, that county, city, or village shall also publish notice in a Nebraska newspaper of general circulation that it intends to retain the vehicle for its own use, and that title will vest with the county, city, or village 30 days following the date of publication of notice. This notice shall be published on the same date that the notice described in subsection 003.04 of these rules and regulations is sent to the last registered owner(s) and each lienholder, if any.

**003.08 Claiming the Vehicle.** The last registered owner(s) or any lienholder(s) may claim the vehicle within the period prescribed in subsection 003.04 of these rules and regulations by presenting acceptable identification and a copy of the notice to the appropriate official of the county, city, or village in which the vehicle was abandoned. Any person claiming the vehicle shall pay the county, city, or village or its contractual towing agent for the costs of towing and storing the vehicle.

**003.09 Vesting of Title.** If unclaimed, the title to any vehicle with a value of over two hundred fifty dollars (\$250.00) shall vest in the county, city or village as follows:

**003.09A** If the last registered owner(s) of the vehicle has been determined, five days from the date of mailing of notice to the last registered owner(s);



**003.09B** If the last registered owner(s) of the vehicle cannot be determined, the date on which the county, city, or village was so notified; or

**003.09C** If the county, city, or village intends to retain the vehicle for its own use, 30 days following the date of notice by publication, provided that 30 days has elapsed from the date of mailing of notice to the last registered owner(s).

**003.10 Issuance of Title. No Response by Owner(s) or Lienholder(s) Within 30 Days.**

Once title to a vehicle has vested with the county, city, or village as described in subsection 003.09 of these rules and regulations, the county, city or village shall wait an additional 30 days before applying for a title. If the owner(s) or lienholder(s) does not remove the vehicle ~~appear or respond~~ within 30 days from the vesting of title, a representative of the county, city, or village shall present the **AFFIDAVIT AND REQUEST FOR CERTIFICATE OF TITLE FOR MOTOR VEHICLE/ATV/MINIBIKE/MOTORBOAT – LAW ENFORCEMENT ONLY** to the appropriate county official of the county in which the vehicle is located. That county official shall issue a new title in the name of the county, city, or village at no cost to the county, city, or village.

**003.11 Disposition of Vehicle upon Receipt of Title.** Upon receipt of a title, the county, city, or village may sell or auction the vehicle or retain it for its own use. Nothing in this Chapter shall prevent a county, city, or village from transferring the title of a vehicle to an individual or company which towed or stored the vehicle in order to satisfy towing or storage costs.

**003.12 Liability.** The owner(s), lessee, or occupant of any private property from which an abandoned vehicle is removed shall not be liable for any loss or damage to the vehicle which occurs as a result of its removal. The county, city, or village or its contractual towing agent shall likewise not be liable for any loss or damage to such vehicle which occurs as a result of its removal from public or private property, towing, or storage.

**004 PROCEDURE FOR STATE AGENCIES.**

**004.01 Determine the Value of the Vehicle.** The value of a vehicle for the purposes of this Chapter is the wholesale value of the vehicle as described in the most recent issue of the applicable *NADA guide*, or other reliable pricing method if the *NADA guide* is not available. It is not necessary to determine the exact value of the vehicle, but rather whether such value is more or less than two hundred fifty dollars (\$250.00). The general condition of the vehicle shall also be taken into account when making this determination. In determining the value of the vehicle any contents of the vehicle shall not be considered.

**004.02 Vehicles with a Value of Two Hundred Fifty Dollars (\$250.00) or Less.** The state agency which caused the removal of a vehicle with a value of two hundred fifty dollars (\$250.00) or less shall deliver the vehicle to the county, city, or village in which the vehicle was found unless the vehicle is being held for investigative purposes by a law enforcement agency. The county, city, or village shall have custody of the vehicle and may dispose of it in accordance with section 003 of this Chapter.

**004.03 Vehicles with a Value of over Two Hundred Fifty Dollars (\$250.00). Inquiry as to Last Registered Owner(s).** When an abandoned vehicle is determined to have a value of more than two hundred fifty dollars (\$250.00), the state agency shall make an inquiry as to the last registered owner(s) as follows:

**004.03A** If the vehicle bears Nebraska license plates, regardless of whether they are current or not, "In Transit" decals, or no license plates, an inquiry shall be made to the Department. Any vehicle bearing hand made "In Transit" decals shall be considered a vehicle without license plates for the purposes of this Chapter; or

**004.03B** If the vehicle has current license plates issued by a state other than Nebraska, "In Transit" decals or temporary license plates issued by a state other than Nebraska, the inquiry shall be made to the Department of Motor Vehicles or appropriate agency responsible for vehicle records of that state in the manner provided for and upon payment of the fee established by that state.

**004.04 Notice to Last Registered Owner(s) and Lienholder(s).** After the last registered owner(s) of the vehicle has been determined, the state agency shall send notice to the owner(s) at his or her last-known address by certified or registered United States mail. The notice shall state that the vehicle in question has been determined to be an abandoned vehicle and if not claimed will be sold or auctioned after five days of the date the notice was mailed, or if the state agency intends to retain the vehicle, that title to the vehicle will vest in the state agency 30 days after the date the notice was mailed. If any liens are found to exist against the title of the vehicle as a result of the inquiry described in subsection 004.03 of these rules and regulations, a copy of this notice shall also be sent by certified or registered United States mail to each lienholder.

**004.05 No Notice Required If Unable to Determine the Owner or Lienholder.** If the vehicle is in such a condition that vehicle identification numbers or other means of identification are not available to determine the last-registered owner or lienholder, the vehicle may be disposed of without notice.

**004.06 Not Registered.** If the vehicle is not required to be registered or the vehicle has never been registered, the state agency shall follow the procedures above and use any ownership and lien information from the vehicle title and follow the notification procedures above.

**004.07 Publication of Notice of Intent to Retain Abandoned Vehicle.** If the state agency has determined that it will retain an abandoned vehicle for its own use rather than sell or auction it, that state agency shall also publish notice in a Nebraska newspaper of general circulation that it intends to retain the vehicle for its own use, and that title will vest with the state agency 30 days following the date of publication of notice. This notice shall be published on the same date that the notice described in subsection 004.04 of these rules and regulations is sent to the last registered owner(s) and each lienholder, if any.

**004.08 Claiming the Vehicle.** The last registered owner(s) or any lienholder(s) may claim the vehicle within the period prescribed in subsection 004.04 of these rules and

regulations by presenting acceptable identification and a copy of the notice to the appropriate official of the state agency having custody of the vehicle. Any person claiming the vehicle shall pay the state agency or its contractual towing agent for the costs of towing and storing the vehicle.

**004.09 Vesting of Title.** If unclaimed, the title to any vehicle with a value of over two hundred fifty dollars (\$250.00) shall vest with the state agency as follows:

**004.09A** If the last registered owner(s) or the vehicle has been determined, five days from the date of mailing of notice to the last registered owner(s);

**004.09B** If the last registered owner(s) of the vehicle cannot be determined, the date on which the state agency was so notified; or

**004.09C** If the state agency intends to retain the vehicle for its own use, 30 days following the date of notice by publication, provided that 30 days has elapsed from the date of mailing of notice to the last registered owner(s).

**004.10 Issuance of Title. No Response by Owner(s) or Lienholder(s) Within 30 Days.**

Once title to a vehicle has vested with a state agency as described in subsection 004.07 of these rules and regulations, the state agency shall wait an additional 30 days before applying for a title. If the owner(s) or lienholder(s) does not remove the vehicle appear or respond within 30 days from the vesting of title, a representative of that agency shall present the **AFFIDAVIT AND REQUEST FOR CERTIFICATE OF TITLE FOR MOTOR VEHICLE/ATV/MINIBIKE/MOTORBOAT – LAW ENFORCEMENT ONLY** to the Department, which will issue a new title in the name of the state agency at no cost.

**004.11 Disposition of Vehicle upon Receipt of Title.** Upon receipt of a title, the state agency may sell or auction the vehicle or retain it for its own use. Nothing in this Chapter shall prevent a state agency from transferring the title of a vehicle to an individual or company which towed or stored the vehicle in order to satisfy towing or storage costs.

**004.12 Liability.** The owner(s), lessee, or occupant of any private property from which an abandoned vehicle is removed shall not be liable for any loss or damage to the vehicle which occurs as a result of its removal. The state agency or its contractual towing agent shall likewise not be liable for any loss or damage to such vehicle which occurs as a result of its removal from public or private property, towing, or storage.

**005 PROCEDURE FOR VEHICLES HELD BY LAW ENFORCEMENT AGENCIES FOR INVESTIGATIVE PURPOSES.**

**005.01 Determine the Value of the Vehicle.** The value of a vehicle for the purposes of this Chapter is the wholesale value of the vehicle as described in the most recent issue of the applicable *NADA guide*, or other reliable pricing method if the *NADA guide* is not available. It is not necessary to determine the exact value of the vehicle, but rather

whether such value is more or less than two hundred fifty dollars (\$250.00). The general condition of the vehicle shall also be taken into account when making this determination. In determining the value of the vehicle, any contents of the vehicle shall not be considered.

**005.02 Vehicles with a Value of Two Hundred Fifty Dollars (\$250.00) or Less.** The title to any abandoned vehicle which at the time it was abandoned did not have either current license plates or valid "In Transit" decals issued by a licensed automobile dealer attached to it and which has a value of two hundred fifty dollars (\$250.00) or less vests immediately with the law enforcement agency. The appropriate official of the law enforcement agency shall present the **AFFIDAVIT AND REQUEST FOR CERTIFICATE OF TITLE FOR MOTOR VEHICLE/ATV/MINIBIKE/MOTORBOAT - LAW ENFORCEMENT ONLY** to the Department, which shall issue a new title in the name of the law enforcement agency at no cost. Any liens existing against the previous title shall be extinguished.

**005.03 Vehicles with a Value of over Two Hundred Fifty Dollars (\$250.00). Inquiry as to Last Registered Owner(s).** When an abandoned vehicle is determined to have a value of more than two hundred fifty dollars (\$250.00), the law enforcement agency shall make an inquiry as to the last registered owner(s) as follows:

**005.03A** If the vehicle bears Nebraska license plates, regardless of whether they are current or not, "In Transit" decals, or no license plates, an inquiry shall be made to the Department. Any vehicle bearing hand made "In Transit" decals shall be considered a vehicle without license plates for the purposes of this Chapter; or

**005.03B** If the vehicle has current license plates issued by a state other than Nebraska, "In Transit" decals or temporary license plates issued by a state other than Nebraska, the inquiry shall be made to the Department of Motor Vehicles or appropriate agency responsible for vehicle records of that state in the manner provided for and upon payment of the fee established by that state.

**005.04 Notice to Last Registered Owner(s) and Lienholder(s).** After the last registered owner(s) of the vehicle has been determined, the law enforcement agency shall send notice to the owner(s) at his or her last-known address by certified or registered United States mail. The notice shall state that the vehicle in question has been determined to be an abandoned vehicle and if not claimed will be sold or auctioned after five days of the date the notice was mailed, or if the law enforcement agency intends to retain the vehicle, that title to the vehicle will vest in the law enforcement agency 30 days after the date the notice was mailed. If any liens are found to exist against the title of the vehicle as a result of the inquiry described in subsection 005.03 of these rules and regulations, a copy of this notice shall also be sent by certified or registered United States mail to each lienholder. A copy of this notice shall also be sent to any person other than the last registered owner(s) who was found to be operating or in the possession of such vehicle at the time it was seized by the law enforcement agency.

**005.05 No Notice Required If Unable to Determine the Owner or Lienholder.** If the vehicle is in such a condition that vehicle identification numbers or other means of

identification are not available to determine the last-registered owner or lienholder, the vehicle may be disposed of without notice.

**005.06 Not Registered.** If the vehicle is not required to be registered or the vehicle has never been registered, the law enforcement agency shall follow the procedures above and use any ownership and lien information from the vehicle title and follow the notification procedures above.

**005.07 Publication of Notice of Intent to Retain Abandoned Vehicle.** If the law enforcement agency has determined that it will retain an abandoned vehicle for its own use rather than sell or auction it, the law enforcement agency shall also publish notice in a Nebraska newspaper of general circulation that it intends to retain the vehicle for its own use, and that title will vest with the law enforcement agency 30 days following the date of publication of notice. This notice shall be published on the same date that the notice described in subsection 005.04 of these rules and regulations is sent to the last registered owner(s), each lienholder, if any, or any person found to be operating or in possession of the vehicle at the time it was seized.

**005.08 Claiming the Vehicle.** The last registered owner(s), any lienholder(s), or person found to be operating or in possession of a vehicle at the time of its seizure by a law enforcement agency may claim the vehicle within the period prescribed in subsection 005.04 of these rules and regulations by presenting acceptable identification and a copy of the notice to the appropriate official of the law enforcement agency in which the vehicle was abandoned. Towing and storage costs shall be paid as follows:

**005.08A** By the owner or person operating or in the possession of the vehicle at the time of its seizure if such individual is charged with a misdemeanor or felony relating to the seizure of the vehicle; or

**005.08B** By the law enforcement agency if the owner(s) or person operating or in the possession of the vehicle at the time of its seizure is not charged with a misdemeanor or felony relating to the seizure of the vehicle, if such misdemeanor or felony is dismissed with prejudice, or if such individual is acquitted of the misdemeanor or felony charge following a criminal trial.

**005.09 Vesting of Title.** If unclaimed, the title to any vehicle with a value of over two hundred fifty dollars (\$250.00) shall vest with the law enforcement agency as follows:

**005.09A** Thirty (30) days following the date of notice to the last registered owner, lienholder, or person operating or in the possession of the vehicle at the time of its seizure; or

**005.09B** Immediately if no individual or company described in subsection 005.07A of these rules and regulations can be determined.

**005.10 Issuance of Title.** Once title to a vehicle has vested with the law enforcement agency as described in subsection 005.07 of these rules and regulations, the law enforcement agency shall wait an additional 30 days before applying for a title. If the

owner(s) or lienholder(s) does not appear or respond within 30 days from the vesting of title, the appropriate official of the law enforcement agency shall present the **AFFIDAVIT AND REQUEST FOR CERTIFICATE OF TITLE FOR MOTOR VEHICLE/ATV/MINIBIKE/MOTORBOAT – LAW ENFORCEMENT ONLY** to the appropriate county official or the Department, if a state agency which shall issue a new title in the name of the law enforcement agency at no cost.

**005.11 Disposition of Vehicle upon Receipt of Title.** Upon receipt of a title, the law enforcement agency may sell or auction the vehicle or retain it for its own use. Nothing in this Chapter shall prevent a law enforcement agency from transferring the title of a vehicle to an individual or company which towed or stored the vehicle in order to satisfy towing or storage costs.

**005.12 Liability.** The owner(s), lessee, or occupant of any private property from which an abandoned vehicle is removed shall not be liable for any loss or damage to the vehicle which occurs as a result of its removal. The law enforcement agency or its contractual towing agent shall likewise not be liable for any loss or damage to such vehicle which occurs as a result of its removal from public or private property, towing, or storage.

**006 LIENS.**

**006.01 Existing Liens.** To preserve a lien on a vehicle, the lienholder must respond to the notice sent pursuant to subsections 003.04, 004.04 or 005.04 of these rules and regulations and must claim and remove the vehicle within 30 days of the notice as provided in Neb. Rev. Stat. § 60-1903 or title will vest in the local authority or state agency.

**007 DISPOSITION OF PROCEEDS.**

**007.01 Proceeds From Sale or Auction of Vehicle.** The proceeds from any sale or auction of a vehicle pursuant to these rules and regulations, less towing, storage, and sale expenses, shall be held without interest for the benefit of the registered owner(s) or lienholder(s) for a period of two years following the date of sale or auction.

**007.02 Unclaimed Proceeds.** If the proceeds are not claimed within the two-year period, they shall be paid into the State General Fund or General Fund of the county, city or village.

**008 FEES.**

**008.01 Act of the Legislature.** If the Legislature should change any fee set out in these rules and regulations, the fee set in statute will be controlling and the fee amounts provided in the rules or regulations shall be void. Applicants will be charged the applicable fee set by the Legislature from the effective date of the act.

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