



NATIONAL ASSOCIATION OF SURETY BOND PRODUCERS

1828 L Street, NW, Suite 720
Washington, DC 20036-5104
Tel: 202.686.3700
Fax: 202.686.3656
www.nasbp.org

August 2, 2009

Ms. Deb Owens
Constituent Services Director
Office of the Attorney General
2115 State Capitol Building
Lincoln, NE 68509-8920

Dear Ms. Owens:

Thank you for your letter of July 28, 2009, which included a reference to and copy of Neb. Rev. Stat. § 60-1419. As you point out, Neb. Rev. Stat. § 60-1419 regulates the bond form referenced in NASBP's letter of July 14. NASBP respectfully requests that that bond form, the Nebraska Motor Vehicle Auction Dealer bond form, which apparently was last revised in 1984, be revised to omit the adjective "resident" modifying the word "agent." Neb. Rev. Stat. § 60-1419 makes very clear that any registered agent, regardless whether that agent is a resident or non-resident registered agent, complies with the dictates of Neb. Rev. Stat. § 60-1419. To that end, the bond form must be corrected so that "resident" is replaced with "registered" before the word "agent" below the signature line of the bond form.

Presently, confusion is occurring with respect to whether a non-resident licensed agent may execute this bond form, leading to additional costs and to unwarranted delays in persons obtaining motor vehicle dealer's licenses. Neb. Rev. Stat. § 60-1419 also makes clear that the Attorney General of the State of Nebraska prescribes the bond form. Therefore, your office properly directs the Nebraska Motor Vehicle Industry Licensing Board as to the correct form of the Nebraska Motor Vehicle Auction Dealer bond form, and we request that you apprise them of the needed correction.

Again, NASBP appreciates your consideration of and prompt attention to this important matter.

Sincerely,

Mark H. McCallum
General Counsel & Director of Government Relations

cc: Nebraska Motor Vehicle Industry Licensing Board
Richard A. Foss, NASBP

encl.