

**ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009**  
**COMMITTEE STATEMENT**  
**LB216**

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**Hearing Date:** Friday January 30, 2009  
**Committee On:** Judiciary  
**Introducer:** Wallman  
**One Liner:** Eliminate civil liability provisions relating to motor vehicle and aircraft guest statutes

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	5	Senators Ashford, Lathrop, Council, Rogert, McGill
<b>Nay:</b>	2	Senators Lautenbaugh, Coash
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Christensen

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**Proponents:**

Sen. Norm Wallman  
Andy Sibbersen

**Representing:**

Introducer  
NATA

**Opponents:**

Rex Rezac  
Coleen Nielsen

**Representing:**

NE Defense Counsel Association  
NE Insurance Information Service

**Neutral:**

**Representing:**

**Summary of purpose and/or changes:**

Several states have a version of a "guest statute." The guest statute provides that a passenger in a motor vehicle or aircraft who is injured through the negligence of the driver cannot recover damages for his or her injuries unless the driver is found to have been under the influence of an intoxicating liquor or to have committed gross negligence. Nebraska's versions of the guest statute are codified at N.R.S. Sec. 3-129.01, 25-21,237, and 25-21,238.

Legislative Bill 216 outright repeals the guest statutes, thereby allowing injured passengers to sue a driver or pilot for negligence.

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Brad Ashford, Chairperson