

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB226

Hearing Date: Thursday March 09, 2017
Committee On: Judiciary
Introducer: Wishart
One Liner: Provide for purchase of motor vehicles and insurance by certain juveniles, change foster care transition proposal provisions, and provide immunity from liability for caregivers

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
Nay:
Absent: 1 Senator Chambers
Present Not Voting:

Verbal Testimony:

Proponents: Senator Anna Wishart Sarah Helvey Brandy Gustoff Cassandra Blakely Larry Storer	Representing: Introducer Nebraska Appleseed Omaha Home for Boys Nebraska Children and Families Foundation Self
Opponents:	Representing:
Neutral:	Representing:

Summary of purpose and/or changes:

Section 1 provides a new provision to the Nebraska Juvenile Code that would establish that a child aged 16 years or older who has been adjudicated under Neb. Rev. Stat. Sec. 43-247(1), (2), (3)(a) or (b), or (4) is qualified and competent to contract for the cash purchase of a motor vehicle and for the purchase of a motor vehicle insurance policy with the consent of the court. The child would be responsible for paying the costs of the insurance premiums.

Nebraska law requires the preparation of a transition proposal for a child aged 14 years or older who is placed in foster care. Section 3 would provide that a transition proposal include information, planning, and assistance to obtain a driver's license, including providing the child with a driver's manual, identifying driver safety courses and resources to access a driver safety course, and identifying potential means to access a motor vehicle for such purposes.

Section 4 of the bill would amend Nebraska statute related to the age of majority to allow a person who is 16 years old or older and who is a ward of the state to enter into a contract for the cash purchase of a motor vehicle and a contract for the purchase of motor vehicle insurance with the consent of the court.

Section 5 of LB 226 would require the Normalcy Task Force to examine the costs and benefits of implementing or supporting a program under which children in foster care may be insured under a motor vehicle insurance policy. Recommendations from the task force would be submitted electronically to the Nebraska Children's Commission, the

Department of Health and Human Services, and the Health and Human Services Committee of the Nebraska Legislature on or before September 15, 2018.

Section 6 would allow a caregiver of a child in foster care who is at least 21 years of age and who has a motor vehicle operator's license to give permission to a child in foster care to obtain a learner's permit and a provision operator's permit. The caregiver would be held to the reasonable and prudent parent standard outlined in Neb. Rev. Stat. Sec. 43-4705 to determine whether to give such permission.

Section 7 would provide a caregiver who gives permission to a foster child to obtain a learner,s permit or provision operator,s permit with immunity from liability for harm caused to "a child or by a child if the caregiver has acted in accordance with the reasonable and prudent parent standard."

Explanation of amendments:

AM 1580 is a white-copy amendment that replaces the original bill.

It is substantially similar to the introduced copy of LB 226, with a few minor adjustments. First, the amendment removes a reference to the juvenile courts to clear up concerns about the need for intervention by the courts. Next, the amendment changes the name of the task force to the Nebraska Strengthening Families Act Committee to comport with changes made to the name last year in other legislation. Finally, the amendment changes the applicable dates in the bill from 2018 to 2019.

Laura Ebke, Chairperson