

LEGISLATIVE BILL 527

Approved by the Governor June 3, 1997

Introduced by Dw. Pedersen, 39

AN ACT relating to civil procedure; to amend section 25-21,239, Reissue Revised Statutes of Nebraska; to change provisions relating to liability for damages involving leased trucks; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 25-21,239, Reissue Revised Statutes of Nebraska, is amended to read:

25-21,239. The owner of any ~~leased~~ truck, truck-tractor, whether with or without trailer, or trailer, ~~leased for a period of less than thirty days or leased for any period of time and used for commercial purposes,~~ shall be jointly and severally liable with the lessee and the operator thereof for any injury to or the death of any person or persons, or damage to or the destruction of any property resulting from the operation thereof in this state, ~~except that the owner shall not be jointly and severally liable if there is in effect at the time the claim arises a valid liability insurance policy with coverage limits in the minimum amount of one million dollars per occurrence which is available to compensate any person with a claim arising out of the operation or use of the leased truck, truck-tractor, or trailer. This section shall not limit or reduce the owner's liability for his or her own acts or omissions which cause damage to any person or when the lessee is a related entity or by reason of any workers' compensation law.~~

Sec. 2. Original section 25-21,239, Reissue Revised Statutes of Nebraska, is repealed.