

ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026
COMMITTEE STATEMENT
LB132

Hearing Date: Wednesday February 05, 2025
Committee On: Judiciary
Introducer: Kauth
One Liner: Change provisions relating to admissibility of evidence of use of an occupant protection system or a three-point safety belt system

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

Vote Results:

Aye:	5	Senators Bosn, Hallstrom, Holdcroft, Storer, Storm
Nay:	3	Senators DeBoer, McKinney, Rountree
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator Kathleen Kauth
Kent Grisham

Andrew Richard

Bob Lannin
Karen Bailey

Opponents:

Mark Richardson

Neutral:

* ADA Accommodation Written Testimony

Representing:

Opening Presenter
Nebraska Trucking Association; Nebraska Insurance Federation
Sapp Bros, Inc; Nebraska Petroleum & Convenience Store Association
Self
Nebraska Defense Counsel Association

Representing:

Nebraska Association of Trial Attorneys

Representing:

Summary of purpose and/or changes:

LB 132 allows evidence that a person was not wearing a seat belt at the time he or she was injured to be admissible in any civil proceeding for purposes of determining liability, proximate cause, and mitigation of damages. Under current law, evidence of seat belt nonuse is not admissible to determine liability or proximate cause. It may be admitted for mitigation of damages, but any reduction in recovery is capped at 5 percent.

Explanation of amendments:

The committee amendment (AM 2732) limits the admissibility of seat belt nonuse evidence to the mitigation of damages only. The amendment preserves the current law prohibiting use of such evidence to determine liability or



proximate cause but increases the cap on the reduction of damages from 5 percent to 25 percent.

Carolyn Bosn, Chairperson

