

CLERK: Mr. President, LB 54 was introduced by Senator John DeCamp. (Title read.) The bill was read on January 9. It was referred to the Judiciary Committee for public hearing. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, this particular proposal or variations of it have been before the Legislature for just about more years than any legislator with the possible exception of Senator Marvel. What we are talking about here is the repeal of what is known as the "guest statute". So first of all, what is the guest statute? Well let me use an example and then explain a little more detail. This is an honest example, an actual example and the Judiciary Committee met the principles in it. The girl that testified before the Judiciary was a blind girl who not too many years ago climbed into a car that she normally always rides to school or wherever. The driver happened to be a different one than the normal driver. It was a brother or cousin or friend or whatever. They took off in what turned out to be a blinding snowstorm and somewhere between Beatrice and here the driver attempted to pass a big semi going up a hill at an excessive rate of speed in a blinding snowstorm and he hit head on another vehicle and the girl was one of the seriously injured ones. Others were killed. She received about every injury possible and one of them resulted in her being blind. Though she had in excess of \$50,000 so far in just medical expenses, she has yet to collect the first penny from the insurer of that car and that is the state of the law in this state and about four other states in the United States at this time. It is something called the guest statute and it is a fact not known by probably 1% or maybe even one-tenth of 1% of the population. It means that when Senator Haberman and I walk out of this building and I climb into his car to drive over to the Nebraska Club or wherever and Senator Haberman runs a red light, goes at an excessive rate of speed, does any other wild acts of negligence and injures me, I can't collect a thing because I am a guest and the law says that a guest in the car, which amounts to just about everybody who is riding in a car, a guest cannot collect damages except for something called gross negligence. Gross negligence has been defined by our Supreme Court as being essentially a complete and total lack of even a slight amount of care. The guest statutes were written into the state laws of almost all the states, some forty or more, back in the depression. The insurance companies