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FLOOR DEBATE

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vehicle to any permanently handicapped or disabled person or to his or her legal guardian, foster parent, or agent with proof of a permanent handicap. This is interpreted to mean that the plate will be issued either to the owner of the vehicle or to the other individuals specifically named. On the DMV web page is the actual step by step process of applying for handicapped license plates. It says at the start; The applicants must be the owner of the vehicle as shown on the title or the applicant's parents, legal guardian, foster parent, agent or the named lessee on the leased vehicle. The problem for a person driving a motor vehicle held in trust is that he or she is not the owner of that vehicle. The driver only has legal use of that automobile. So whereas a disabled owner of a vehicle would qualify for disabled plates, a disabled person who uses a vehicle held in trust would not. As you know, trust has become a common tool used by people to give money and/or property to loved ones after death free of court supervision. As the result, trust can save much time, worry, and money by preventing an estate from having to go through probate to clear title after someone passes away. In a nutshell, a trust is a creation of law established by a settlor or sometimes referred to as the grantor or a trustor for transfer of his or her assets to a trustee chosen to administer that property in favor of a beneficiary. What LB 846 would do is to add language stating specifically that such plates could be issued to a trust which owns the motor vehicle or motorcycle if a designated settlor, trustee, or a beneficiary of that trust could provide proof of a permanent handicap. My office approached DMV with the draft of this bill which they reviewed and approved and, in fact, we were told that this bill would actually benefit the department as addressing the needs of disabled individuals driving vehicles held in trust has been a problem for them in the past. We would all agree that the purpose of handicapped license plates is to assist disabled motorists in Nebraska who are legally driving their vehicles. LB 846 would assure that the letter of that law now actually conforms to those intentions. I would appreciate your vote to advance this bill and thank you, Mr. President. I return the rest of my time.

SENATOR CUDABACK: Are you through, Senator Hudkins? There is a motion on the desk. Mr. Clerk.