

Uninsured drivers risk penalties

Editor's Note: Shelley Stall, a lawyer for UNL Student Legal Services, will write a biweekly column answering students' legal questions.

Question: I just bought a car for \$250. My friend tells me I should buy car insurance, but I really can't afford it right now. Is it against the law to drive without insurance? What can happen to me? Signed, R.A.

Shelley Stall

Answer: If you can't afford basic automobile liability insurance, you can't afford to drive. Too many students find themselves in the middle of a nightmare when they cause an accident and do not have liability insurance. They risk losing their licenses and being sued for thousands of dollars.

Nebraska law now requires drivers who are involved in accidents to prove financial responsibility to the state Department of Motor Vehicles. In January, a new state law will require proof of financial responsibility in order to register a car. And automobile liability insurance is the easiest and least expensive way to prove financial responsibility.

Driver's License Revocation. When a car accident occurs, the police and the drivers involved are required to file accident reports. The Department of Motor Vehicles receives these reports, reviews them, and decides which

driver, if any, caused the accident. The driver responsible for the accident will be asked to either prove they had liability insurance at the time of the accident, post a bond for the estimated cost of damages and personal injuries to other people in the accident, file a release of liability through a negotiated settlement with the injured people or file a court judgment showing that the driver was sued and the court decided he was not responsible for the accident.

If drivers do not do one of these things within 90 days, their licenses, car registration and license plates will be revoked. If drivers are convicted of driving after their licenses are revoked, they could be sentenced for up to 90 days in jail and fined \$500.

Lawsuit for damages and personal injury. When drivers who have liability insurance are sued, the insurance company is obligated to provide attorneys to defend the lawsuit or pay the claim by negotiating a settlement.

If uninsured drivers are sued, they must hire a lawyer or negotiate for themselves.

Drivers can be sued for damage they caused to the other driver's car, which usually means the fair market value of the car before the accident. If someone is injured in the accident, drivers can

be sued for medical expenses, lost income, pain and suffering and attorney's fees.

If a court judgment finds drivers at fault, their assets will be subject to collection methods such as garnishing wages and bank accounts or attaching property. If they have no assets now, future earnings and property could be subject to collection because judgments can be renewed every five years. For some uninsured drivers in this predicament, the best solution is to discharge the debt in bankruptcy.

Criminal Sanctions. Under the new law (LB404, Section 60-302, 60-528 Nebraska Revised Statutes) effective in January, it is a Class II misdemeanor to drive a car without carrying proof of financial responsibility in the car.

Any driver unable to produce such proof upon request of a law enforcement officer shall have 10 days to show that financial responsibility was in existence at the time of the request. A Class II misdemeanor carries a maximum penalty of six months in jail and a \$1,000 fine.

If you have a legal problem or question for this column, send a letter to Ask Your Attorney, Shelley Stall, Student Legal Services, 335 Nebraska Union.

Budget request up 3%

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increase requests until the committee reviews them. The committee will decide later how much state employees' salaries will increase.

The NU system's current state appropriation is about \$165 million. This year's figure of about \$170 million marks a 3 percent increase. That amount will increase if faculty salary increases are approved.

Fall marks end of timelessness

GOODMAN from Page 4

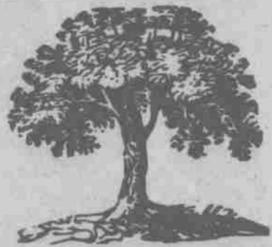
What, I wonder from my post in a hammock, would happen if we reclaimed a private Sabbath? What if we obeyed that most humane of the old religious injunctions: A day of rest?

I wonder if there might not be some freedom in the restriction. The freedom to not chauffeur, shop, clean. The freedom to spend time in the most profligate way, whole hours of it in leisure and pleasure, instead of frittering away the coinage in errands and obligations.

I don't know if I can reclaim this secular Sabbath, even for sanity. At the door to a summer cottage the chores of fall already knock, demanding attention. It is remarkably hard to transfer chunks of time from doing to being, to give ourselves as much time as our laundry. But this new year, I resolve to try.

What will I take home from my summer vacation? A bit of nothing. One day a week, maybe. With luck, it may even take root in the cool September weekends.

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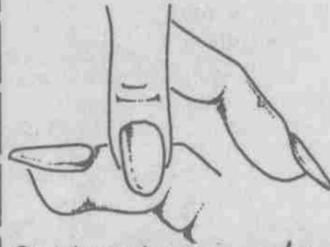
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