



28-3160 – Applications of minors; liability

- A. Except as provided in section 28-3161, the following person or persons shall sign and verify before a person authorized to administer oaths the application of a person under eighteen years of age for an instruction permit, a class G or M driver license or an endorsement to a class G or M driver license:
 - 1. If both the father and mother of the applicant are living, have custody of the applicant and are married to each other, either the father or the mother of the applicant.
 - 2. If both the father and mother of the applicant are living, have custody of the applicant and are not married to each other, both the father and mother of the applicant.
 - 3. If one parent of the applicant has custody of the applicant, the parent who has custody.
 - 4. If neither parent of the applicant is living, the person or guardian who has custody of the applicant or an employer of the applicant.
 - 5. If the applicant resides with a foster parent, the foster parent.
 - 6. If there is no guardian or employer of the applicant, a responsible person who is willing to assume the obligation imposed by this chapter on a person who signs the application of a minor.
- B. Negligence or wilful misconduct of a minor when driving a motor vehicle on a highway is imputed to the person who signs the application of the minor for a permit or license. Except as otherwise provided in subsection D of this section, the person who signs the application is jointly and severally liable with the minor for damage caused by the negligence or wilful misconduct.
- C. Notwithstanding section 25-214, subsection C, a spouse who signs the application pursuant to subsection A of this section binds the marital community.
- D. The parents or guardian of a minor are not liable under subsection B of this section during the time proof of financial responsibility is maintained by the minor or on behalf of the minor in the form and in amounts required by law for the operation of a motor vehicle the minor owns, or if the minor is not the owner of a motor vehicle, for the operation of any motor vehicle.

28-3161 – Application of student minor; instructor liability

- A. A person who is at least fifteen years of age, who is attending school and who is not living or residing with the person's parent or guardian may apply for a restricted instruction permit issued pursuant to section 28-3155. An approved instructor of the drivers training program for which the permit is issued may sign the application in lieu of the requirements of section 28-3160.
- B. The permit is valid only when the instructor who signed the application is in the vehicle with the permittee.
- C. If the person is under eighteen years of age, an approved instructor assumes the obligations imposed on a person signing the application of a minor only when the instructor who signed the application is in the vehicle with the permittee.
- D. The application for a restricted instruction permit shall include a statement that the instructor who signs the application understands that the instructor is liable for damage caused by negligence or wilful misconduct of the permittee while operating a motor vehicle when the instructor is in the vehicle.

28-3162 – Cancellation of minor's driver license; release from liability

- A. A person who signs the application of a minor for a driver license may file with the department a verified written request that the department cancel the driver license of the minor. On receipt of the request, the department shall cancel the driver license of the minor and the person who signed the application of the minor is released from the liability for subsequent negligence or wilful misconduct of the minor in operating a motor vehicle.
- B. A parent of a minor who applies for a driver license may file a verified written request to cancel the driver license if the parent has custody of the minor and if the parent is subject to section 28-3160, subsection A but does not sign the application.
- C. On receipt of satisfactory evidence of the death of the person or persons who signed the application of a minor for a driver license, the department shall cancel the driver license and shall not issue a new license until a new application is made, duly signed and verified as required by this chapter. This subsection does not apply if the minor has reached eighteen years of age.

28-3163 – Unlicensed minor; liability

An owner of a motor vehicle who causes or who knowingly permits an unlicensed minor to drive a vehicle on a highway and a person who gives or furnishes a motor vehicle to an unlicensed minor are jointly and severally liable with the minor for damages caused by the negligence or wilful misconduct of the minor in driving the vehicle.