

Written Testimony of Lisa Radtke in support of House Bill 1185

On July 15, 2018, my life was tipped upside down. My son, then age 15, who after a year of having his permit, had just received his official drivers license, and my husband, left our home in West Fargo and headed for a quick day trip to South Dakota. Around 11 a.m. I received the phone call that no one expects or wants to get... "There's been an accident". My son miraculously survived but unfortunately my husband and father to our 3 incredible children passed away on scene.

The minutes, days and weeks thereafter proved to be challenging not just emotionally but mentally and financially as well whereby so much unfairness of what happened continued to surface.

As I share my story, this bill touches on and supports 2 key areas that impacted my family.

- Minor privacy on accident report forms
- Liability for negligence of a minor driver

Once the formal accident report was filed, it didn't take long to land front page of the paper and 6 p.m. news, whereby one media outlet even went out our social media pages and used a handful of non-private photos for their article/story.

Because the current law views driving as an "adult" activity, minors information is fully published within the accident report and becomes a public document. As a result, while most media outlets were responsible and sensitive to the situation, despite being only 15, the media had full access to my son's name, address, Date of Birth and now a picture of which was used to "tell the story" with or without our permission. In any other situation where a minor is involved in a crime, their information is protected and we as the public are none the wiser. Why does the activity of driving change the requirements of protecting a minor's information from public knowledge?

Today because of the release of my son's information, a simple Google search of his name now and forever will bring back the story along with images of him and the accident utilized by the media.

As time passed and we entered into legal and insurance claims, we encountered more questions and unfairness resulting from the current law.

Due to my husband signing our son's license application, the current law imputed all damages to him as our son was deemed at fault. As a result, despite the fact that our son was fully insured per law, I could not legally claim on my husband's death through our auto/accident insurance policy. Additionally, I later discovered that had I signed the application, I could have legally claimed,

I shudder to think what would have happened to our family financially had my husband survived and needed long term care as we could not have drawn on our accident policy nor the little life insurance that was left.

In conclusion, while the past events of our story cannot be changed, I am hopeful that the proposed changes within House Bill 1185, will prevent and protect other families from having to bear additional hardships resulting from an already life changing experience.

Regards, Lisa Radtke