

February 4, 1976

SENATOR CAVANAUGH: OK, well thank you Senator Warner. Will someone in here with better logic than Senator Warner explain to me how you get protection out of making it a crime for a retailer to sell a bicycle without a reflector but it is not a crime to not have a reflector on a bicycle. If safety in the operation of bicycles is what you are after, rather than selling reflectors, the only reasonable law would be to require it on bicycles. I don't think that.....nobody here is concerned with safety. Otherwise you would start talking about safety requirements for bicycles. How can we in the State of Nebraska say that you have got to sell bicycles with reflectors on them but you don't have to own bikes with brakes on them? It is stupid.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, members of the Legislature. Government has an uncanny ability to create...to treat symptoms in social problems but they absolutely always ignore the substance of the issue and that is certainly the case in this bicycle squabble. Now, remember, this is the third year that we have been on that. At the time we originally passed it, the reflective tires were going to do the job, that they were going to be available in quantity and that they were going to be approximately the same price as the non-reflective tires and after the industry operating with this law in effect for two years, none of that came to pass. We're in the same position now. We are going to add reflectors to the spokes of the bicycles so that they will be more visible from the side. A 90 degree angle part. It does no good to see the bicycle that you are going to hit. What you need to do is get the bicycle where you can't hit it, or get the car where it can't hit the bicycle. Reflectors are not going to do that. Neither tires nor spoke reflectors. Now whether you penalize somebody, whether they put them on there or not, that is not going to do the job. What does do the job is first of all getting the motoring public to understand that bicycles do belong on the roads and thoroughfares and for automobiles to quit hitting them. It isn't that we don't see them, it is that we don't care. This bill does not in any way address itself to that problem. We must be realistic if we are going to solve the problem of people being killed on bicycles and LB 628 doesn't even come close to touching that problem. It does nothing more than spend some money by the public and fine the public for not doing the nonsensical things that we are asking. That money if it were properly channeled so that drivers could understand that bicycles belong, that bicycle drivers could quit driving out of driveways into thoroughfares coming 90 degrees to the flow of traffic, maybe we could get some realistic solutions to bicycle safety. This is nothing but a subterfuge in saying to the public that we are protecting you, and we're not. This is saying to the public that bicycling is now going to be more safe than it was before and that is not true. Now from a nighttime point of view we are all aware that dusk is the danger. We're well aware that at dusk those headlights will not travel the 400 feet to light those reflectors if you could see them. Now we further more know that the serious accidents in bicycles happen at blind intersections at 90 degree courses and by over taking the bicyclist. There is where the accidents happen and neither one of those major cases have