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AMENDMENTS TO LB 584

(Amendments to Standing Committee amendments, AM0961)

1           1.     Strike amendment 1 and insert the following new  
2 amendment:

3           "1.     Strike the original sections and insert the  
4 following new sections:

5           'Section 1.   Section 60-4,182, Reissue Revised Statutes  
6 of Nebraska, is amended to read:

7           60-4,182. In order to prevent and eliminate successive  
8 traffic violations, there is hereby provided a point system dealing  
9 with traffic violations as disclosed by the files of the director.  
10 The following point system shall be adopted:

11           (1) Conviction of motor vehicle homicide -- 12 points;

12           (2) Third offense drunken driving in violation of any  
13 city or village ordinance or of section 60-6,196, as disclosed by  
14 the records of the director, regardless of whether the trial court  
15 found the same to be a third offense -- 12 points;

16           (3) Failure to stop and render aid as required under the  
17 laws of this state in the event of involvement in a motor vehicle  
18 accident resulting in the death or personal injury of another -- 6  
19 points;

20           (4) Failure to stop and render aid as required under the  
21 laws of this state or any city or village ordinance in the event of  
22 a motor vehicle accident resulting in property damage if such  
23 accident is reported by the owner or operator within twelve hours

1 from the time of the accident -- 4 points, otherwise -- 8 points,  
2 and for purposes of this subdivision a telephone call or other  
3 notification to the appropriate peace officers shall be deemed to  
4 be a report;

5 (5) Driving a motor vehicle while under the influence of  
6 alcoholic liquor or any drug or when such person has a  
7 concentration of ten-hundredths of one gram or more by weight of  
8 alcohol per one hundred milliliters of his or her blood or urine or  
9 per two hundred ten liters of his or her breath in violation of any  
10 city or village ordinance or of section 60-6,196 -- 6 points;

11 (6) Willful reckless driving in violation of any city or  
12 village ordinance or of section 60-6,214 or 60-6,217 -- 6 points;

13 (7) Careless driving in violation of any city or village  
14 ordinance or of section 60-6,212 -- 4 points;

15 (8) Negligent driving in violation of any city or village  
16 ordinance -- 3 points;

17 (9) Reckless driving in violation of any city or village  
18 ordinance or of section 60-6,213 -- 5 points;

19 (10) Speeding in violation of any city or village  
20 ordinance or any of sections 60-6,185 to 60-6,190 and 60-6,313:

21 (a) Not more than five miles per hour over the speed  
22 limit -- 1 point;

23 (b) More than five miles per hour but not more than ten  
24 miles per hour over the speed limit -- 2 points; and

25 (c) More than ten miles per hour over the speed limit --  
26 3 points, except that one point shall be assessed upon conviction  
27 of exceeding by not more than ten miles per hour, two points shall

1 be assessed upon conviction of exceeding by more than ten miles per  
2 hour but not more than fifteen miles per hour, and three points  
3 shall be assessed upon conviction of exceeding by more than fifteen  
4 miles per hour the speed limits provided for in subdivision (1)(e),  
5 (f), or (g) of section 60-6,186;

6 (11) Failure to yield to a pedestrian not resulting in  
7 bodily injury to a pedestrian -- 2 points;

8 (12) Failure to yield to a pedestrian resulting in bodily  
9 injury to a pedestrian -- 4 points; and

10 (13) All other traffic violations involving the operation  
11 of motor vehicles by the operator for which reports to the  
12 Department of Motor Vehicles are required under sections 60-497.01  
13 and 60-497.02, not including violations involving an occupant  
14 protection system pursuant to section 60-6,270, parking violations,  
15 violations for operating a motor vehicle without a valid operator's  
16 license in the operator's possession, muffler violations,  
17 overwidth, overheight, or overlength violations, motorcycle or  
18 moped protective helmet or eye protection violations, or  
19 overloading of trucks -- 1 point.

20 All such points shall be assessed against the driving  
21 record of the operator as of the date of the violation for which  
22 conviction was had. Points may be reduced by the department under  
23 section 60-4,188.

24 In all cases, the forfeiture of bail not vacated shall be  
25 regarded as equivalent to the conviction of the offense with which  
26 the operator was charged.

27 The point system shall not apply to persons convicted of

1 traffic violations committed while operating a bicycle.

2           Sec. 2.     Section 60-6,279, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           60-6,279. (1) Except as provided in subsection (2) of  
5 this section, a ~~A~~ person shall not operate or be a passenger on a  
6 motorcycle or moped on any highway in this state unless such person  
7 is wearing a protective helmet of the type and design manufactured  
8 for use by operators of such vehicles and unless such helmet is  
9 secured properly on his or her head with a chin strap while the  
10 vehicle is in motion. All such protective helmets shall be  
11 designed to reduce injuries to the user resulting from head impacts  
12 and shall be designed to protect the user by remaining on the  
13 user's head, deflecting blows, resisting penetration, and spreading  
14 the force of impact. Each such helmet shall consist of lining,  
15 padding, and chin strap and shall meet or exceed the standards  
16 established in the United States Department of Transportation's  
17 Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218,  
18 for motorcycle helmets.

19           (2) A person shall be exempt from subsection (1) of this  
20 section if he or she (a) is at least twenty-one years of age, (b)  
21 is equipped with eye protection, (c) carries proof of health  
22 insurance coverage equivalent to or exceeding the standards of the  
23 Comprehensive Health Insurance Pool Act, and (d) carries proof of  
24 successful completion of a motorcycle safety course under the  
25 Motorcycle Safety Education Act. Such proof of insurance and  
26 course completion shall be available for inspection upon demand of  
27 any law enforcement officer. For purposes of this subsection, eye

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1 protection means (i) glasses, (ii) a protective face shield  
2 attached to a protective helmet, (iii) goggles, or (iv) a  
3 windshield on the motorcycle that rises a minimum of fifteen inches  
4 above the handlebar.

5           Sec. 3. Original sections 60-4,182 and 60-6,279, Reissue  
6 Revised Statutes of Nebraska, are repealed.'."