



Ninety-Ninth Legislature - First Session - 2005
Introducer's Statement of Intent
LB 70

Chairperson: Tom Baker
Committee: Transportation and Telecommunications
Date of Hearing: January 25, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Currently all motorcycle and moped operators and passengers are required to wear protective helmets on state highways. LB 70 would allow certain motorcycle and moped operators and passengers, who are 21 or older, the freedom to choose whether or not to wear a helmet while operating a motorcycle or moped. All motorcycle operators and passengers under the age of 21 will continue to be required to wear protective helmets.

LB 70 will add \$5 to the motorcycle registration fee, starting October 1, 2005 to fund the Motorcycle Safety Education Fund allowing for the expected increase in demand by motorcycle operators to enroll in a motorcycle safety course. After January 1, 2007 the \$5 will remain to provide funds for use according to 60-2133.

LB 70 will maintain the Motorcycle Safety Education Fund until January 1, 2007, at which time the name of the fund will be known as the Motorcycle Safety and Training Fund.

LB 70 exempts operators and passengers who are 21 and over, *on or after* January 1, 2007 from the helmet requirement, provided that they wear eye protection, and carry proof of successful completion of an approved motorcycle safety course.

Additionally, LB 70 also provides an exemption to the helmet requirement for motorcycle and moped operators and passengers who were born *prior* to January 1, 1986, provided they wear eye protection and had a Class M license *prior* to January 1, 2005. They will not be required to carry proof of successful completion of an approved motorcycle safety course.

Finally, LB 70 allows for law enforcement officers to enforce by primary action, the mandatory use of eye protection by motorcycle and moped operators. It would also change the *minimum* fine for operating a motorcycle without a Class M license or endorsement from \$10 to \$75.

Principal Introducer: _____
Senator Adrian M. Smith