

ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009
COMMITTEE STATEMENT
LB93

Hearing Date: Tuesday March 10, 2009
Committee On: Transportation and Telecommunications
Introducer: Howard
One Liner: Prohibit smoking in a motor vehicle with an occupant under sixteen years of age

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye: 8 Senators Campbell, Fischer, Gay, Hadley, Janssen, Lautenbaugh,
Louden, Stuthman

Nay:

Absent:

Present Not Voting:

Proponents:

Senator Gwen Howard
Mark Welsch

Representing:

Introducer
Group to Alleviate Smoking Pollution of Nebraska, Inc.

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 93 makes it unlawful to smoke in a motor vehicle when accompanied by an occupant under sixteen.

The bill requires a fine of \$50 to \$100. If an individual voluntarily participates in state-sanctioned smoking cessation program, such fine shall be refunded upon successful completion of the course.

A violation shall be a primary offense, and an officer may stop the vehicle if he or she witnesses a violation. The citation will not become part of the individual's driving record.

A violation shall not constitute evidence of negligence, shall not limit the liability of an insurer, or diminish any recovery of damages arising out of the use of the vehicle.

For purposes of this section, smoking means the lighting or possession of any cigarette, cigar, pipe, or other smoking material.

Deb Fischer, Chairperson