

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 52

Introduced by Krist, 10.

Read first time January 06, 2011

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motorcycles; to amend section 60-6,279,
2 Reissue Revised Statutes of Nebraska; to change helmet
3 provisions; to require eye protection; and to repeal the
4 original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,279, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,279 (1) A person shall not operate or be a passenger
4 on a motorcycle or moped on any highway in this state unless such
5 person is wearing eye protection.

6 (2) Except as otherwise provided in subsections (3) and
7 (4) of this section, a ~~A~~ person shall not operate or be a passenger
8 on a motorcycle or moped on any highway in this state unless such
9 person is wearing a protective helmet of the type and design
10 manufactured for use by operators of such vehicles and unless such
11 helmet is secured properly on his or her head with a chin strap while
12 the vehicle is in motion. All such protective helmets shall be
13 designed to reduce injuries to the user resulting from head impacts
14 and shall be designed to protect the user by remaining on the user's
15 head, deflecting blows, resisting penetration, and spreading the
16 force of impact. Each such helmet shall consist of lining, padding,
17 and chin strap and shall meet or exceed the standards established in
18 the United States Department of Transportation's Federal Motor
19 Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for motorcycle
20 helmets.

21 (3) A person who is at least twenty-one years of age is
22 exempt from subsection (2) of this section.

23 (4) A person who is over fifteen years of age but less
24 than twenty-one years of age is exempt from subsection (2) of this
25 section if he or she carries proof of successful completion of a

1 motorcycle safety course under the Motorcycle Safety Education Act.
2 Such proof of course completion shall be available for inspection
3 upon demand of any law enforcement officer.

4 (5) Except for the eye protection requirements of this
5 section, enforcement of this section by state or local law
6 enforcement agencies shall be accomplished only as a secondary action
7 when an operator or passenger has been cited or charged with another
8 violation of the Nebraska Rules of the Road.

9 (6) For purposes of this section, eye protection means
10 glasses that cover the orbital region of a person's face, a
11 protective face shield attached to a protective helmet, goggles, or a
12 windshield on the motorcycle that protects the operator's and
13 passenger's horizontal line of vision in all operating positions.

14 (7) A person exempt from subsection (2) of this section
15 shall have the words "helmet not required" printed on his or her
16 Class M operator's license or on his or her operator's license
17 underneath the Class M endorsement.

18 Sec. 2. Original section 60-6,279, Reissue Revised
19 Statutes of Nebraska, is repealed.