

AMENDMENTS TO LB188

Introduced by Schumacher, 22.

1 1. On page 3, strike lines 22 through 31 and all amendments thereto
2 and insert the following new subsection:

3 "(5) For purposes of this section, a passenger in or on the fleeing
4 vehicle shall not be considered an innocent third party if the political
5 subdivision sustains the burden of proof that such passenger:

6 (a) Promoted, provoked, or persuaded the driver to engage in flight
7 from law enforcement personnel; or

8 (b) Is subject to arrest pursuant to an arrest warrant or for a
9 felony which is the proximate cause of the pursuit and, prior to the
10 termination of the pursuit, the pursuing law enforcement officer
11 generally identifies the passenger and the existence of the warrant or
12 such underlying felony to a supervising law enforcement officer or the
13 Nebraska State Patrol dispatch system."

14 2. On page 4, strike lines 1 through 3 and all amendments thereto.

15 3. On page 5, strike lines 24 through 31 and all amendments thereto
16 and insert the following new subsection:

17 "(5) For purposes of this section, a passenger in or on the fleeing
18 vehicle shall not be considered an innocent third party if the state
19 sustains the burden of proof that such passenger:

20 (a) Promoted, provoked, or persuaded the driver to engage in flight
21 from law enforcement personnel; or

22 (b) Is subject to arrest pursuant to an arrest warrant or for a
23 felony which is the proximate cause of the pursuit and, prior to the
24 termination of the pursuit, the pursuing law enforcement officer
25 generally identifies the passenger and the existence of the warrant or
26 such underlying felony to a supervising law enforcement officer or the
27 Nebraska State Patrol dispatch system."

1 4. On page 6, strike lines 1 through 5 and all amendments thereto.