

January 9, 1980

LB 374

General File Passed Over. The Chair now recognizes Senator Nichol. I am sorry. I move too rapidly. The Chair recognizes the Clerk.

CLERK: Mr. President, LB 374, read title. The bill was read on January 17 of 1979. It was referred to the Judiciary Committee for public hearing. The committee advanced the bill to General File, Mr. President. It was considered by the body on April 26 of last year and at that time it failed to advance.

SPEAKER MARVEL: The Chair recognizes Senator Nichol. Do you want to move the advancement of the bill?

SENATOR NICHOL: Yes, Mr. Chairman. I move for the advancement of LB 374.

SPEAKER MARVEL: Okay, the Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, the subject matter of this bill was brought to the attention of the Judiciary Committee by the County Judges Association. Presently the judges in the State of Nebraska are empowered to place certain restrictions on defendants operation of motor vehicles. Many of these restrictions are placed upon the operator of a motor vehicle after a defendant has been placed on probation for some driving offense. Such defendants are now allowed to retain their driver's license but no entry is made on the license itself and no mechanism currently exists whereby police officers who stop such defendants for subsequent offenses are put on notice that such persons are driving on a restricted license. This bill suggests establishing a procedure whereby courts can require the defendant to deposit their Nebraska operator's license with the clerk of the court in three instances; number one, where the court has allowed postponement of the payment of any fine or costs; number two, where the court has granted probation; or three, where the court has required completion of a driver's improvement course. The court will then issue a document containing a photocopy of the defendant's operating license and also outlining the restrictions on that license. For example, if a defendant given probation for drunk driving is allowed to operate a motor vehicle only to and from work, such notation will be made on the document issued by the court, so that if he is subsequently stopped for a driving offense and is outside the course of his employment, the law enforcement officer would immediately have notice of that situation. If the only purpose of depositing the license with the court is

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