

CLERK: LB 958, Mr. President, was a bill introduced by Senators Horgan, and a number of legislators. (Read title.) The bill was introduced on January 8, at that time referred to the Transportation Committee, advanced to General File. I do have committee amendments pending by Transportation. (See AM2930 on page 962 of the Legislative Journal.)

SPEAKER BAACK: The Chair of the Transportation Committee, Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members of the Legislature. LB 958, as the Clerk has recorded, is what is commonly known as the seat belt law. I will save the policy arguments for the proponents, particularly Senator Horgan, who will deliver to you his purpose, and those of many others introducing this legislation, but the Standing Committee amendments have made some changes, rather dramatic changes, but the purpose and the effect of the law will still be the same, and I want to outline to you what the changes in the committee amendment are. First, it adds to the bill and reenacts Sections 39-6,103.05. This section provides for enforcement of the mandatory seat belt requirements on automobiles and they will be accomplished by state, local law enforcement officials, and only in a secondary enforcement manner. Now what does that mean? It means that if a law enforcement officer sees you going down the street, and the only violation that he or she observes is that you do not have your seat belt on, then that is not an offense you can be detained for or arrested for. That would be primary enforcement. If, however, you are stopped for another traffic offense, or some other violation of the law, or let's say you are stopped as a matter of an arrest warrant, and you are not wearing your seat belt, then you are subject to enforcement and can be charged at that point in time. The second change, on page 34, if you would look at line 16, the bill is amended by the committee to provide that the mandatory seat belt requirement apply only to the driver and to the other front seat passengers. Now the bill as originally written was for everyone in the vehicle. Now that is not the case. The committee felt that this should be a front seat only requirement. There were some other policy discussions, but the committee settled on a front seat only. That still, under my understanding, would qualify us for the federal funds and would also qualify us not to have some of our highway funds diverted. Change three, now on page 34, line 9, it provides an operator