

April 8, 1992

LB 958

SENATOR HORGAN: If 25 members of the body want to have a bill that requires all occupants of the vehicle to wear a safety restraint, I would be delighted but,...

SENATOR CHAMBERS: Okay.

SENATOR HORGAN: ...in my estimation, that's not going to happen and what would happen is there would not be 25 votes to advance the bill and I would be opposed to that.

SENATOR CHAMBERS: Now, would you be in favor of requiring each person who does not wear the restraint to be chargeable with the infraction for not wearing the restraint?

SENATOR HORGAN: I would be opposed to that.

SENATOR CHAMBERS: Why are you opposed to that?

SENATOR HORGAN: Well, it goes back to the discussion we had earlier about the person who is driving the automobile needs to be responsible for what is going on in that automobile and our other laws consistently deal with that that say the driver of the automobile is responsible for those types of actions that occur and I think it just makes good sense that the driver of the automobile be the one that gets the ticket because he or she is the one that's out on the road driving that automobile.

SENATOR CHAMBERS: Then what I'm going to do, Mr. Speaker, I'm going to divide the question because it is divisible, in my opinion. The first part would just deal with the requirement that everybody in the vehicle wear the restraint. The second part would go to whether or not people not wearing the restraint should be ticketed for doing so and I think those are two distinct items which can be handled separately so I would divide the question myself.

SPEAKER BAACK: Senator Chambers, I need to take a look at the amendment. I'm sure you're probably correct. I just want to take a look at the amendment.

SENATOR CHAMBERS: Sure, sure.

SPEAKER BAACK: Senator Chambers, it clearly is divisible. Which piece of the amendment would you want to take up first?