

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

May 13, 1999

LB 585

says "road closed". There are provisions existing in the law already relative to when a political subdivision can temporarily close a road for various reasons, but I don't know enough about the impact of this amendment to be in favor of it. I'm not going to offer a long attack against it, but I cannot vote in favor of it.

PRESIDENT MAURSTAD: Thank you, Senator Chambers. Further discussion? Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President and members, I hesitate to prolong this discussion, but I would like to ask Senator Hudkins a question, if I may.

PRESIDENT MAURSTAD: Senator Hudkins.

SENATOR HUDKINS: Yes.

SENATOR WEHRBEIN: I understand exactly where you're at. I assume that...and I've seen EMS directing traffic just last week when we had the plane crash near Murray, and I understand their concern. However, I was wondering why did the county attorney not...can't prosecute under present laws? Is it because they don't recognize EMS and firefighters and so forth as true traffic control officers?

SENATOR HUDKINS: Senator Wehrbein, I can't speak for the county attorney that declined to prosecute it as willful reckless driving. I don't know.

SENATOR WEHRBEIN: Okay. Well, what I'm concerned about is the very issues that many have raised and I won't prolong it. If...I mean, it's not uncommon...people to stick up road closed signs. Part of it is carelessness on the part of county workers. Those road closed signs stay up all day long and they'll only be working a couple of hours. The road that is there...I just had it happen to me. The road that I...you know, you desperately need to take that day to get livestock in, to move machinery, rather than go miles out of your way. You want to go through that road, there's a road closed sign and, technically being what many will do, if you're on that road and you're not supposed to be, you're going to be nailed. Now that