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sees who is driving...

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...and is able to connect the driver to the offense. In this case, you don't have anybody on the scene, if there...if it's not a peace officer, authorized to issue a citation. How are they going to prove who was driving and committed the violation? Many things that seem, on their face, to have an allure really cannot stand. I believe if you pass this, it will be ruled unconstitutional in the first case that anybody brings...

PRESIDENT MAURSTAD: Time. Thank you, Senator Chambers. Senator Vrtiska. Senator Vrtiska waives off. Senator Tyson.

SENATOR TYSON: Thank you, Mr. President and members of the body. The difficulty with the Hudkins amendment as I see it is that it does not...does not conform to reality. If you have an emergency situation...let's say that a truck laid down in the ditch, rolled partially over, and you have emergency personnel there. Now the chances are, at least in the...out in the country, that you will have a police officer there, but police officers are sometimes thin on the ground and you've got people with tow trucks, possibly a rural fire department, one thing and the other, people there to take care of the situation, to clear the road and to prevent...and to permit traffic to flow. The problem that I see with the Hudkins amendment comes primarily trying to strip out as little as possible traffic control devices. You very seldom see a road closed sign, but you may very well see someone flagging traffic down, and I think these are the people, sometimes in uniform, sometimes not, that have to be protected. Senator Hudkins, if she would yield for a moment?

PRESIDENT MAURSTAD: Senator Hudkins.

SENATOR HUDKINS: Yes.

SENATOR TYSON: Are these not the people whose safety and security you seek to enhance by this amendment?