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LB 303

SENATOR CUDABACK: Thank you, Senator Brown. We're discussing FA1195, offered by Senator Brown to the committee amendment to LB 303. Senator Erdman, followed by Senator Mossey and others.

SENATOR ERDMAN: Mr. President, I would yield my time to Senator Smith.

SENATOR CUDABACK: Senator Smith, you've almost five minutes.

SENATOR SMITH: Thank you, Mr. President and members. I will, I guess, add a bit of clarity about the inebriated drivers. That was cited in this study that is supposed to be so "prohelmet," but they admitted the fact that alcohol is often a connection with unhelmeted riders. So my point is that an injury in that case wouldn't necessarily be prevented if a helmeted rider was there. We need to get to the root of the problem. In that case it's alcohol-impaired drivers, and in all cases, it's the number of accidents on motorcycles. Helmets don't prevent accidents. In fact, there would be even some statistics that shows that it could cause some accidents, but I'm not going to go in that direction. What I want to do is point out the fact that there are a lot of conclusions made here today that have no more backing than a little bit of emotional anecdotal situations. And with all due respect, I hope that we can arrive at public policy on more facts than just emotion. We hear about the costs associated with this, although I haven't heard any specifics in terms of how many are we caring for right now who were injured prior to 1989? How many are we caring for right now that were injured subsequent to 1989, the enactment of the helmet law, but the helmet didn't make a difference? And we're trying to...our current policy is to try to affect that personal decision when there, in my opinion, is not enough evidence to prove otherwise. And I want to go to some general things here because I believe that this amendment is strictly a delaying tactic. But when we look at all the facts and there is...and the term "risk" was mentioned by the prior speaker, prior member speaking, and there is probably no sector of business or of society than...who studies risk more than insurance companies. And they have actuaries who look into the fine numbers and I'm not aware of insurance companies who rate up motorcycle riders. I'm not aware of that. Now, incidentally, no insurance companies showed