

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

April 9, 2003

LB 303

pass up the chance to make some remarks on this issue. I've, by the way, gone full circle on helmet laws. I introduced a helmet law a number of years ago. I moved to the education option after that. But most of you know me, that I'm a pro-choice senator, and this is one of those areas where I say, you know, government doesn't have to intrude. If it doesn't have to intrude, I'd just as soon it didn't. I think Senator Jensen is right, however, when he says...I believe Senator Jensen, this does save lives. I agree completely. And I think, by the way, Senator Jensen is completely consistent in his strategy, I mean in his philosophy. If I were he, I would regard this as a pro-life vote, voting for...against LB 303 is a pro-life vote. You're going to save lives. Those hard hats save lives, and motorcycle helmets save lives. I'm absolutely convinced that that's right, and it seems to me that that's a consistent perspective. For myself, you're past the age of 21, you're talking about adults. You're going to put some training on this thing. You've done what you need to do, but do you have to take...is this a requirement, an obligation that we need to do? Yeah, I got to say, Senator Brashear makes a good argument. There are social costs to this behavior. We do get injured parties, not because so much motorcycle drivers are bad drivers but because they're invisible to other drivers who hit them. Seventy percent of the accidents are caused by cars, not by motorcycles, but as Aesop's fable says, whether the rock hits the pitcher or the pitcher hits the rock, it will be bad for the pitcher. And that's the case with a car and a motorcycle accident. It's bad for the motorcycle. On the other hand, we don't cut people out on an assumption of risk doctrine for smoking or for bad diet or for obesity or for failing to take care of themselves when they know they have a genetic code of one kind or another. We don't cut them off because they don't have safe sex, they have unprotected sex. We allow people to make stupid choices all the time and we cover for them because in the end their humanity is greater than the individual, foible, or bad choice that they made. We're more connected by the fact that we're a shared part of society rather than we say, you know what, you did an act that disqualifies you from being part of the social fabric. There is another slight little variation of this that disturbs me, and that is we have a relatively equivalent concept for adults, and that's your seat