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April 19, 2005 LB 70

insurance company, and perhaps I'm wrong, perhaps I'm wrong, but I don't know of a single insurance company who has pulled out of South Dakota, from insuring motorcyclists in South Dakota, or insuring unhelmeted motorcyclists in Wyoming, or unhelmeted motorcyclists in Colorado, Kansas, Iowa and, as a whole, a majority of the states across the nation that allow the freedom to decide whether or not to go with a helmet. Actually, LB 70 is more restrictive...

SENATOR CUDABACK: One minute.

SENATOR SMITH: ...than our neighboring states, in terms of the education requirement. So let's set the emotion aside. I've been in a motorcycle accident myself, and I've seen a couple and, believe me, I don't like that. It's given me second thoughts to the policy as a whole, but I'll guarantee you that the safety training will do more to prevent an accident from even occurring in the first place than any helmet would ever offer. In fact, I would argue that if you wanted to wear a helmet in a car right now, with the current state statutes banning headphones because it obstructs hearing, you could not wear a helmet in a car if you wanted to because it would be obstructive to hearing. So let's set the emotions aside, let's look at the freedom as it's associated with responsibility,...

SENATOR CUDABACK: Time.

SENATOR SMITH: ...and we can have a win-win scenario. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Smith and Senator Stuthman. Senator Mines, followed by Senator Engel and others. Senator Mines.

SENATOR MINES: Thank you, Mr. President. Give my time to Senator Beutler.

SENATOR CUDABACK: Senator Beutler, about five minutes.

SENATOR BEUTLER: Senator Mines, thank you. I hope I don't get too humdrum with you, but there are a whole large number of