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LB 70

Smith.

SENATOR FRIEND: Thank you, Mr. President, members of the Legislature. Really quickly, people have been talking about things being muddled up in everybody's minds. I wanted to make sure that one thing that seems to be continually, I guess, encroaching on mine is halfway cleared up. Would Senator Smith...I should have come up and asked you beforehand about this. Would Senator Smith yield to a question?

SENATOR CUDABACK: Senator Smith, would you yield?

SENATOR SMITH: Yes.

SENATOR FRIEND: Senator, if I'm an irresponsible adult and I have a five-year-old on the back of my motorcycle and I'm driving down the road, I'm driving without a helmet on, and my five-year-old doesn't have a helmet on either...and don't tell me that doesn't happen. I've seen it happen. I saw it happen three days ago. I don't want to hear that come up. An adult without a helmet on and a kid on the back without a helmet. Senator Smith, current law--and if anybody else wants to try to field this--what happens to those two people? What happens to the guy driving that motorcycle? What kind of fine is he issued at that point when he's pulled over?

SENATOR SMITH: Fifty dollars.

SENATOR FRIEND: Fifty dollar fine. The \$50 fine is issued, right now, current law. What happens after that fine is issued?

SENATOR SMITH: Nothing, to my knowledge.

SENATOR FRIEND: So let me get this straight. The law enforcement officer pulls this guy over, issues him the ticket, and lets him drive away with the five-year-old on the back? Or does he put the five-year-old in the back of a cruiser and drive that five-year-old home? What happens in that situation?

SENATOR SMITH: Current law I don't believe stipulates what happens from that point. So they could drive off and hope they