

By Russ Pankonin

The Imperial Republican

Owners of small vehicles, known as mini-trucks, got a step closer to being able to legally use the vehicles on state roads and highways.

Sen. Mark Christensen's LB 650, authorizing their use, advanced to final reading after floor action Monday.

In his weekly tele-conference, Christensen said he doesn't believe any opposition will surface before the bill comes up for final reading and passage. That could occur late next week.

The bill outlines the definition of mini-trucks and rules for their operation. They will be limited to 55 mph and will not be allowed on interstates or expressways.

Occupation Tax Bill Hearing

Senators on the Natural Resources Committee heard Christensen's bill to fix the closed case aspect of the occupation tax, LB 862, last week.

The bill seeks to open up the use of an occupation tax to river basins that are under regulation and where a majority of the natural resources districts in the basin require metering.

Christensen said he was frustrated with a late interpretation of the bill's language by the Department of Natural Resources that could have put the bill in jeopardy.

He said DNR delivered the interpretation to the committee 90 minutes before the hearing but he got it only minutes before having to testify on the bill.

Since then, Christensen has met with DNR to work out language on the bill, so it can be amended in committee and advanced to the floor. He said committee members indicated they will advance the bill to the floor.

Christensen remains alert to two water bills introduced by Sen. Tom Carlson of Holdrege.

Christensen said the bills, LB 1054 and LB 1056, would be detrimental to irrigation in the Republican Basin.

Hearings on those bills were scheduled for Wednesday, Feb. 10.

Another Carlson bill, LB 1057, that would form a task force to look at the sustainability of irrigation in the Republican basin was heard in committee last week.

He said it appears Carlson will make the bill his priority bill.

Christensen said his biggest problem with the bill is that the task force would be appointed by the governor rather than by the people in the basin.

Motorcycle Helmet

Law Revisited

By today (Thursday), Christensen said they will have finished the 25th Legislative Day of a 60-day session. The Legislature will have a recess day this Friday, allowing senators four days back home in their Districts, including Presidents Day on Monday, Feb. 15.

Last week, Christensen said the floor debate was dominated by LB 200, which would change motorcycle helmet requirements. It would allow operators 21 and older the freedom to choose to ride with or without a helmet. In addition, any operator or rider ages 15 to 20 years old that successfully completes a motorcycle safety course and carries proof of completion may also choose to ride with or without a helmet.

The bill makes enforcement of this section a secondary action, similar to the seatbelt law, the senator said.

Moreover, the bill requires eye protection for a motorcycle rider, which shall be glasses, a protective face shield, goggles, or a windshield on the motorcycle. Lack of eye protection would be a primary action for law enforcement.

“This is the second time since I have been down here that a bill to allow motorcycle operators the choice to wear a helmet has been debated on the floor of the Unicameral. It is always a lively debate,” he said.

Last week, amendment AM1720 to LB 200, brought by the introducer, was adopted. It required additional medical reimbursement insurance of at least \$1 million upon the registration of the motorcycle.

In addition, the amendment put in place a five-year sunset on the helmet sections of the bill, so that an evaluation of the effects of allowing certain motorcycle operators the choice to wear a helmet or not could be studied.

A floor amendment to add a requirement for long-term care insurance for all operators was

adopted then reconsidered after the body was further informed that such insurance would be too costly of a requirement for a large portion of operators. A motion to bracket the bill (postpone debate) to Feb. 9, prevailed, to workout concerns from interested parties.

"While I understand and respect the views on both sides of the debate, I have come down on the side of freedom to choose the risks we take; we do this in so many other areas of life. The costs of motorcycle accidents are still dwarfed by all other motor vehicle accidents," he noted.

"Government's primary job is to provide order and structure within society, to restrain evil, and protect people from harming others.

"Helmets do not prevent accidents; they are the protection of last resort for an inherently dangerous activity," Christensen said.

He noted 30 states provide some form of helmet choice for adult or trained riders. Nebraska is an island among neighboring states, with only Missouri having a mandatory helmet law similar to Nebraska's.

"I believe it is reasonable to adopt some form of helmet choice and review it after five years."

If people have any questions, comments, or concerns regarding bills or any other issue, Christensen encourages them to call his office at 402-471-2805. His legislative website can be found at <http://news.legislature.ne.gov/dist44/>.

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