

PRESIDENT: Senator Moylan, back to you.

SENATOR MOYLAN: Mr. President, members of the Legislature this is a protective bill for bicycles, I was asked by the Department of Motor Vehicles to introduce it and I think that it is a very good bill because the number of bicycles that are being used now-a-days has increased tremendously and the accident rate has increased also and the casualty in Nebraska, the majority of them are under 15 years of age. So all that this bill does is require after January 1976 that there be reflective material on the rim of the tire the side of the tire, and on the front and on the back of course which is required now, and also on the pedals, so that it can be distinguished up to 400 feet, and sometimes up to 600 feet in the light of a car. There was no opposition to this bill and I would move that it be advanced to E & R for Initial.

PRESIDENT: Alright, Senator Barnett do you want to be heard on the issue.

SENATOR BARNETT: Mr. President, I have a question of Senator Moylan. Senator Moylan, as I read the bill now as it is amended, section one on the first page says that no person shall operate a bicycle on or after January 1st unless it is equipped with this reflectorized equipment. Then you have now added a penalty which will be no less than \$5.00 I really question whether a eight or nine year old child or a ten or twelve year old child could come up with the \$5 if they are caught for this. I wonder if there was that much consideration give that fine.

SENATOR MOYLAN: Yes there was. That was discussed in committee. In fact I had asked for no less than \$10 to \$25 and members of the committee thought that that was a little high so I came down to \$5 or \$15 it is, but I think that any child that has a bicycle has also got a parent, the one that bought it and I think that they should be responsible to have it equipped with material to make this safe for that child to ride.

SENATOR BARNETT: So in other words, you are not fining the child, you are going to fine the parent.

SENATOR MOYLAN: Well that is in material, whether you fine the child. He would probably be ticketed, but I don't care who pays the fine.

SENATOR BARNETT: I don't think that...actually I think that the bill is alright, but I think that the fine is wrong. That is what I am getting at. I would just as soon, if it is agreeable, I'm going to ask or ask your opinion to take the minimum off and let the judge decide whether the child should be fined or whether the parent should be fined and who should pay the fine. Or who should write essays. This is another way of fining juveniles and getting their attention. You know that, as an attorney. I wonder if this would be a better situation to the....

SENATOR MOYLAN: Yes, yes, that is true. There was some discussion to this penalty in the committee and I am willing if the majority of the body thinks that would be a better situation, I would have no objection to that. It is a matter of enforcing the law as all the penalties are in there for. The law is no good unless there is some type of penalty on it. So I think that if you can come up with a section that will put some kind of a penalty on anyone that