

May 14, 1985

LB 496

SENATOR CHAMBERS: Do you think that the average officer on the street who might be trying to enforce the seat belt law will have as much knowledge about seat belts as Senator Goll?

SENATOR HANNIBAL: Probably not.

SENATOR CHAMBERS: Thank you. All I'm trying to get across is that people have put together a complex amendment trying to close all types of loopholes without giving thought to the individuals who must enforce the law. They are going to be required to guess at whether or not a seat belt complies or not and...

SPEAKER NICHOL: One minute.

SENATOR CHAMBERS: ...the best thing probably would be to just leave people alone. If an officer made a mistake and convicted or arrested somebody, giving a ticket is the equivalent of an arrest in this state, arrested somebody illegally, then there could perhaps be a lawsuit against the officer for false arrest. So you're creating a situation where the officer is required to guess. Either he or she is going to say anything in a car that somebody buckles around himself or herself is lawful or none of them are, but to ask them to figure what these various regulations are and what they require when those of us who are going to vote on them don't even know, I think is a little unfair to law enforcement. I just thought I'd throw that in. Senator Schmit, you've probably got a good amendment here, as good as anything else in the bill.

SPEAKER NICHOL: Senator Cal Carsten.

SENATOR CARSTEN: Mr. President, before I vote finally on this bill, I had a question asked me the other day that I couldn't answer and I'm going to ask Senator Schmit if he will respond to a question that I'd like to ask him.

SENATOR SCHMIT: Yes, I'll try to respond, Senator.

SENATOR CARSTEN: This individual had bought a van. The van was finished by an individual. When it was delivered originally from a dealer there were two front seats. He felt...the purchaser then went ahead and put in two more seats plus the back end with the cushions and so forth. Now