

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 200**

Introduced by Janssen, 15; Stuthman, 22.

Read first time January 12, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motorcycles; to amend section 60-6,279,  
2 Reissue Revised Statutes of Nebraska; to change helmet  
3 provisions; to require eye protection; and to repeal the  
4 original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-6,279, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-6,279 (1) A person shall not operate or be a passenger  
4 on a motorcycle or moped on any highway in this state unless such  
5 person is wearing eye protection.

6           (2) Except as otherwise provided in subsections (3) and  
7 (4) of this section, a A person shall not operate or be a  
8 passenger on a motorcycle or moped on any highway in this state  
9 unless such person is wearing a protective helmet of the type  
10 and design manufactured for use by operators of such vehicles  
11 and unless such helmet is secured properly on his or her head  
12 with a chin strap while the vehicle is in motion. All such  
13 protective helmets shall be designed to reduce injuries to the user  
14 resulting from head impacts and shall be designed to protect the  
15 user by remaining on the user's head, deflecting blows, resisting  
16 penetration, and spreading the force of impact. Each such helmet  
17 shall consist of lining, padding, and chin strap and shall meet or  
18 exceed the standards established in the United States Department of  
19 Transportation's Federal Motor Vehicle Safety Standard No. 218, 49  
20 C.F.R. 571.218, for motorcycle helmets.

21           (3) A person who is at least twenty-one years of age is  
22 exempt from subsection (2) of this section.

23           (4) A person who is over fifteen years of age but less  
24 than twenty-one years of age is exempt from subsection (2) of this  
25 section if he or she carries proof of successful completion of a

1 motorcycle safety course under the Motorcycle Safety Education Act.  
2 Such proof of course completion shall be available for inspection  
3 upon demand of any law enforcement officer.

4 (5) Except for the eye protection requirements of this  
5 section, enforcement of this section by state or local law  
6 enforcement agencies shall be accomplished only as a secondary  
7 action when an operator or passenger has been cited or charged with  
8 another violation of the Nebraska Rules of the Road.

9 (6) For purposes of this section, eye protection means  
10 glasses that cover the orbital region of a person's face, a  
11 protective face shield attached to a protective helmet, goggles,  
12 or a windshield on the motorcycle that protects the operator's and  
13 passenger's horizontal line of vision in all operating positions.

14 (7) A person exempt from subsection (2) of this section  
15 shall have the words "helmet not required" printed on his or her  
16 Class M operator's license or on his or her operator's license  
17 underneath the Class M endorsement.

18 Sec. 2. Original section 60-6,279, Reissue Revised  
19 Statutes of Nebraska, is repealed.