

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 39**

Introduced by Hilkemann, 4.

Read first time January 10, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-6,268  
2 and 60-6,270, Revised Statutes Cumulative Supplement, 2018; to  
3 change passenger restraint system enforcement from a secondary  
4 offense to a primary offense; to require the use of occupant  
5 protection systems for each vehicle occupant; to repeal the original  
6 sections; and to outright repeal section 60-6,271, Reissue Revised  
7 Statutes of Nebraska.  
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,268, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 60-6,268 ~~(1)~~—A person violating any provision of subsection (1) or  
4 (2) of section 60-6,267 shall be guilty of an infraction as defined in  
5 section 29-431 and shall be fined twenty-five dollars for each violation.  
6 The failure to provide a child restraint system for more than one child  
7 in the same vehicle at the same time, as required in such subsection,  
8 shall not be treated as a separate offense.

9 ~~(2) Enforcement of subsection (2) or (8) of section 60-6,267 shall~~  
10 ~~be accomplished only as a secondary action when an operator of a motor~~  
11 ~~vehicle has been cited or charged with a violation or some other offense~~  
12 ~~unless the violation involves a person under the age of eighteen years~~  
13 ~~riding in or on any portion of the vehicle not designed or intended for~~  
14 ~~the use of passengers when the vehicle is in motion.~~

15 Sec. 2. Section 60-6,270, Revised Statutes Cumulative Supplement,  
16 2018, is amended to read:

17 60-6,270 (1) Except as provided in subsection (2) or (3) of this  
18 section, no driver shall operate a motor vehicle upon a highway or street  
19 in this state unless the driver and each ~~front-seat~~ occupant in the  
20 vehicle are wearing occupant protection systems and all occupant  
21 protection systems worn are properly adjusted and fastened.

22 (2) Except as otherwise provided in subsection (3) of this section,  
23 no driver shall operate an autocycle upon a highway or street of this  
24 state unless the driver is wearing a three-point safety belt system and  
25 it is properly adjusted and fastened.

26 (3) The following persons shall not be required to wear an occupant  
27 protection system or a three-point safety belt system:

28 (a) A person who possesses written verification from a physician  
29 that the person is unable to wear an occupant protection system or a  
30 three-point safety belt system for medical reasons;

31 (b) A rural letter carrier of the United States Postal Service while

1 performing his or her duties as a rural letter carrier between the first  
2 and last delivery points; and

3 (c) A member of an emergency medical service while involved in  
4 patient care.

5 (4) For purposes of this section, motor vehicle means a vehicle  
6 required by section 60-6,266 to be equipped with an occupant protection  
7 system or a three-point safety belt system.

8 Sec. 3. Original sections 60-6,268 and 60-6,270, Revised Statutes  
9 Cumulative Supplement, 2018, are repealed.

10 Sec. 4. The following section is outright repealed: Section  
11 60-6,271, Reissue Revised Statutes of Nebraska.