

Nebraska Secretary of State

Petition Sponsor Sworn Statement

RECEIVED
OCT 19 2021
SECRETARY OF STATE

Petition: Motorcycle Helmet Law
(Brief description of petition for identification purposes)

Sponsor Name: Robert Rhodes

Street Address: 2423 N 190 Creek Road NE 68022

Phone Number: 402-639-3792 **Email:** drhodes79@gmail.com

Sponsor Name: Brenda Foutner

Street Address: 700 S. Tabor North Platte NE 69101

Sponsor Name: _____

Street Address: _____

Sponsor Name: _____

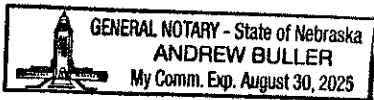
Street Address: _____

(Please attach copies of this page if there are more than four sponsors.)

STATE OF NEBRASKA)
COUNTY OF Lancaster) ss.

I hereby swear that this is a complete list containing the names and street addresses of every person, corporation, or association sponsoring the aforementioned petition.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19 day of October, 2021
(Day) (Month) (Year)



[Signature]
Signature of Sponsor

Subscribed in my presence and sworn to before me this 19 day of October, 2021
(Day) (Month) (Year)

by Robert Rhodes
(Printed name of sponsor appearing before Notary)

[Signature]
Signature of Notary Public

(SEAL)

RECEIVED

NOV 09 2021

SECRETARY OF STATE

The object of this petition is to: Eliminate the helmet requirement for autocycles, motorcycles, and mopeds.

AN ACT relating to motor vehicles; to amend sections 60-4,182 and 60-6,279, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to protective helmets; to require eye protection as prescribed; to repeal the original sections; and to outright repeal sections 60-6,278, 60-6,280, and 60-6,281, Reissue Revised Statutes of Nebraska.

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

Section 1. Section 60-4,182, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,182 In order to prevent and eliminate successive traffic violations, there is hereby provided a point system dealing with traffic violations as disclosed by the files of the director. The following point system shall be adopted:

- (1) Conviction of motor vehicle homicide - 12 points;
- (2) Third offense drunken driving in violation of any city or village ordinance or of section 60-6,196, as disclosed by the conviction record of the court's order - 12 points;
- (3) Failure to stop and render aid as required under section 60-697 in the event of involvement in a motor vehicle accident resulting in the death or personal injury of another - 6 points;
- (4) Failure to stop and report as required under section 60-696 or any city or village ordinance in the event of a motor vehicle accident resulting in property damage - 6 points;
- (5) Driving a motor vehicle while under the influence of alcoholic liquor or any drug or when such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood or per two hundred ten liters of his or her breath in violation of any city or village ordinance or of section 60-6,196 - 6 points;
- (6) Willful reckless driving in violation of any city or village ordinance or of section 60-6,214 or 60-6,217 - 6 points;
- (7) Careless driving in violation of any city or village ordinance or of section 60-6,212 - 4 points;
- (8) Negligent driving in violation of any city or village ordinance - 3 points;
- (9) Reckless driving in violation of any city or village ordinance or of section 60-6,213 - 5 points;

(10) Speeding in violation of any city or village ordinance or any of sections 60-6,185 to 60-6,190 and 60-6,313:

(a) More than five miles per hour but not more than ten miles per hour over the speed limit - 2 points;

(b) More than ten miles per hour but not more than thirty-five miles per hour over the speed limit - 3 points, except that one point shall be assessed upon conviction of exceeding by not more than ten miles per hour, two points shall be assessed upon conviction of exceeding by more than ten miles per hour but not more than fifteen miles per hour, and three points shall be assessed upon conviction of exceeding by more than fifteen miles per hour but not more than thirty-five miles per hour the speed limits provided for in subdivision (1)(f), (g), (h), or (i) of section 60-6,186; and

(c) More than thirty-five miles per hour over the speed limit - 4 points;

(11) Failure to yield to a pedestrian not resulting in bodily injury to a pedestrian - 2 points;

(12) Failure to yield to a pedestrian resulting in bodily injury to a pedestrian - 4 points;

(13) Using a handheld wireless communication device in violation of section 60-6,179.01 or texting while driving in violation of subsection (1) or (3) of section 60-6,179.02 - 3 points;

(14) Using a handheld mobile telephone in violation of subsection (2) or (4) of section 60-6,179.02 - 3 points;

(15) Unlawful obstruction or interference of the view of an operator in violation of section 60-6,256 - 1 point;

(16) A violation of subsection (1) of section 60-6,175 - 3 points; and

(17) All other traffic violations involving the operation of motor vehicles by the operator for which reports to the Department of Motor Vehicles are required under sections 60-497.01 and 60-497.02 - 1 point.

Subdivision (17) of this section does not include violations involving an occupant protection system or a three-point safety belt system pursuant to section 60-6,270; parking violations; violations for operating a motor vehicle without a valid operator's license in the operator's possession; muffler violations; overwidth, overheight, or overlength violations; motorcycle or moped eye protection violations; ~~autoeyele, motoreycle, or moped protective helmet violatiens~~; or overloading of trucks.

All such points shall be assessed against the driving record of the operator as of the date of the violation for which conviction was had. Points may be reduced by the department under section 60-4,188.

In all cases, the forfeiture of bail not vacated shall be regarded as equivalent to the conviction of the offense with which the operator was charged.

The point system shall not apply to persons convicted of traffic violations committed while operating a bicycle as defined in section 60-611 or an electric personal assistive mobility device as defined in section 60-618.02.

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

60-6,279 A person shall not operate a motorcycle or moped on any highway in this state unless such person is using eye protection. For purposes of this section, eye protection means glasses that cover the orbital region of a person's face, a protective face shield attached to a protective helmet, goggles, or a windshield on the motorcycle or moped that protects the operator's horizontal line of vision in all operating positions. ~~(1) A person shall not operate or be a passenger in an autoeycle described in subsection (2) of this section, on a motoreycle other than an autoeycle, or on a moped on any highway in this state unless such person is wearing a protective helmet of the type and design manufactured for use by operators of such vehicles and unless such helmet is secured properly on his or her head with a chin strap while the vehicle is in motion. All such protective helmets shall be designed to reduce injuries to the user resulting from head impacts and shall be designed to protect the user by remaining on the user's head, deflecting blows, resisting penetration, and spreading the force of impact. Each such helmet shall consist of lining, padding, and chin strap and shall meet or exceed the standards established in the United States Department of Transportation's Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for motoreycle helmets.~~

~~(2) This section applies to an autoeycle that has a seating area that is not completely enclosed.~~

Sec. 3. Original sections 60-4,182 and 60-6,279, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 4. The following sections are outright repealed: Sections 60-6,278, 60-6,280, and 60-6,281, Reissue Revised Statutes of Nebraska.

This section becomes operative on January 12, 2023.

INITIATIVE PETITION



For Secretary of State Use Only

The object of this petition is to: (See reverse side for actual text of measure)

Eliminate the helmet requirement for autocycles, motorcycles, and mopeds.

To the Honorable Robert Evnen, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of _____, respectfully demand that the following proposed law shall be referred to the registered voters of the state for their approval or rejection at the general election to be held on the 8th day of November 2022, and each for himself or herself says: I have personally signed this petition on the date opposite my name; I am a registered voter of the State of Nebraska and county of _____ and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is required to be filed with the Secretary of State; and my printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.

WARNING TO PETITION SIGNERS-- VIOLATION OF ANY OF THE FOLLOWING PROVISIONS OF LAW MAY RESULT IN THE FILING OF CRIMINAL CHARGES: Any person who signs any name other than his or her own to any petition or who is not qualified to sign the petition shall be guilty of a Class I misdemeanor. Any person who falsely swears to a circulator's affidavit on a petition, who accepts money or other things of value for signing a petition, or who offers money or other things of value in exchange for a signature upon any petition shall be guilty of a Class IV felony.

#	DATE	SIGNATURE	PRINTED NAME	DATE OF BIRTH	ADDRESS (Street Number & Name)	CITY OR VILLAGE	ZIP CODE
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Not more than twenty signatures on one sheet shall be counted. Nebraska Revised Statute §32-1409

STATE OF NEBRASKA)
) ss _____, (name of circulator) being first duly sworn, deposes and says that he or she is the circulator
 COUNTY OF _____) signed the petition containing _____ signatures, that he or she is at least eighteen years of age, that each person whose name appears on the petition personally
 and that the date was personally affixed by the person signing such petition, that the affiant believes that each signer has written his or her
 name, street and number or voting precinct, and city, village, or post office address correctly, that the affiant believes that each signer was qualified to sign the petition, and that the affiant stated to each signer
 the object of the petition as printed on the petition before he or she affixed his or her signature to the petition.

Circulator

Address

City, State, Zip

Subscribed and sworn to before me, a notary public, this _____ day of _____, 20__ at _____, Nebraska.

(Seal)

Notary Public

Proposed Statutory Language:

(underscored language indicates added language, ~~strike through~~ indicates language being removed)

A BILL

AN ACT relating to motor vehicles; to amend sections 60-4,182 and 60-6,279, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to protective helmets; to require eye protection as prescribed; to repeal the original sections; and to outright repeal sections 60-6,278, 60-6,280, and 60-6,281, Reissue Revised Statutes of Nebraska.

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- (4) Failure to stop and report as required under section 60-696 or any city or village ordinance in the event of a motor vehicle accident resulting in property damage - 6 points;
- (5) Driving a motor vehicle while under the influence of alcoholic liquor or any drug or when such person has a concentration of eight-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood or per two hundred ten liters of his or her breath in violation of any city or village ordinance or of section 60-6,196 - 6 points;
- (6) Willful reckless driving in violation of any city or village ordinance or of section 60-6,214 or 60-6,217 - 6 points;
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