

LEGISLATIVE BILL 259

Approved by the Governor April 19, 1985

Introduced by Marsh, 29

AN ACT relating to relating to rules of the road; to amend section 39-6,103.01, Reissue Revised Statutes of Nebraska, 1943; to provide an exception to the use of child passenger restraint systems as prescribed; to repeal the original section; and to declare an emergency.

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

Section 1. That section 39-6,103.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,103.01. (1) Any person, who resides in Nebraska and drives any motor vehicle which has or is required to have seat safety belts, shall ensure that all children under the age of four being transported in such vehicle use a child passenger restraint system, of a type which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Safety Administration as of August 26, 1983, or use a seat safety belt for children over age one. This subsection shall apply to every motor vehicle which is equipped with seat safety belts or is required to be equipped with restraint systems pursuant to Federal Motor Vehicle Safety Standard 208 except taxicabs, mopeds, motorcycles, and any motor vehicle designated by the manufacturer as a 1963 year model or earlier which is not equipped with a seat safety belt.

(2) Whenever any physician licensed to practice medicine in Nebraska determines, through accepted medical procedures, that use of a child passenger restraint system by a particular child would be harmful by reason of the child's weight, physical condition, or other medical reason, the provisions of subsection (1) of this section shall be waived. The driver of any vehicle transporting such a child shall carry on his or her person or in the vehicle a signed written statement of the physician identifying the child and stating the grounds for such waiver.

(3) The drivers of authorized emergency vehicles, as defined in section 39-602, shall not be subject to the requirements of subsection (1) of this section when operating such authorized emergency vehicles pursuant to their employment.

Sec. 2. That original section 39-6,103.01, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act

LB 259

LB 259

shall be in full force and take effect, from and after its passage and approval, according to law.