

## LEGISLATIVE BILL 575

Approved by the Governor April 22, 1993

Introduced by Kristensen, 37; Coordsen, 32; Robinson, 16; Hartnett, 45;  
Byars, 30; Horgan, 4; Hudkins, 21

AN ACT relating to vehicles; to amend sections 13-1201, 39-622, 39-631, 39-633, 39-654, 39-660, 39-669.02, 39-669.04, 39-669.05, 39-673, 39-686, 39-690, 39-691, 39-6,104.04, 39-6,125, 39-6,127, 39-6,129, 39-6,130, 39-6,137, 39-6,162, 39-6,163, 39-6,179, 60-302.03, 60-323, 60-325, 60-328, 60-506.01, 60-515, 60-561, 60-1006, 60-2013, 60-2803, 60-2807, and 74-592, Reissue Revised Statutes of Nebraska, 1943, sections 28-306, 39-669.06, 39-669.22, 39-669.24, 39-669.26, 39-6,103.06, 39-6,103.07, 39-6,134, 39-6,138, 39-6,177, and 60-301, Revised Statutes Supplement, 1992, section 39-6,123, Reissue Revised Statutes of Nebraska, 1943, as amended by section 349, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, section 60-1001, Reissue Revised Statutes of Nebraska, 1943, as amended by section 484, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, section 60-106, Revised Statutes Supplement, 1992, as amended by section 6, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, section 2, Legislative Bill 340, Ninety-third Legislature, First Session, 1993, and section 2, Legislative Bill 346, Ninety-third Legislature, First Session, 1993, section 60-302, Revised Statutes Supplement, 1992, as amended by section 16, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and section 3, Legislative Bill 346, Ninety-third Legislature, First Session, 1993, and sections 110 and 154, Legislative Bill 370, Ninety-third Legislature, First Session, 1993; to authorize discount bus fares for low-income persons; to rename an act; to change the penalty for motor vehicle homicide; to define and redefine terms; to change provisions relating to overtaking vehicles, operation of and equipment for bicycles, towing of vehicles, operation of school buses, abstracts of conviction, parking, registration violations, child passenger restraint systems, noise and smoke prevention equipment, and vehicle-use reports; to change penalties for reckless and willful reckless driving; to change and eliminate penalties for certain speed, equipment, and weight violations; to change, transfer, and eliminate provisions relating to accident reports; to change the time when certain lights and other equipment must be used; to change and provide

exceptions from certain width, length, and vehicle marking requirements; to change fees for certain permits; to harmonize provisions; to provide operative dates; and to repeal the original sections, and also sections 60-505, 60-505.03, 60-505.04, and 60-506, Reissue Revised Statutes of Nebraska, 1943, and section 39-6,183, Reissue Revised Statutes of Nebraska, 1943, as amended by section 5, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and section 287, Legislative Bill 370, Ninety-third Legislature, First Session, 1993.

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

Section 1. That section 13-1201, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

13-1201. Sections 13-1201 to 13-1212 and section 2 of this act shall be known and may be cited as the Nebraska Public Transportation Act of 1975.

Sec. 2. Recipients of state funds under the Nebraska Public Transportation Act for any city bus system operating over regularly scheduled routes in cities of the primary and metropolitan classes may provide or designate that fares charged low-income persons may be discounted up to one-half of the rates generally applicable to other persons at peak hours for each one-way trip. Such recipient of state funds under the act may designate certain peak hours during which this section shall not apply. For purposes of this section, low-income persons shall mean persons whose income is at or below one hundred fifty percent of the current amount determined and published periodically by the federal government as the national poverty income level without regard to other resources.

Sec. 3. That section 28-306, Revised Statutes Supplement, 1992, be amended to read as follows:

28-306. (1) A person who causes the death of another unintentionally while engaged in the operation of a motor vehicle in violation of the law of the State of Nebraska or in violation of any city or village ordinance commits motor vehicle homicide.

(2) Except as provided in subsection (3) of this section, motor vehicle homicide is a Class I misdemeanor.

(3)(a) If the proximate cause of the death of another is the operation of a motor vehicle in violation of section 39-669.01 or 39-669.03, motor vehicle homicide is a Class IV felony.

(b) If the proximate cause of the death of another is the operation of a motor vehicle in violation of section 39-669.07, motor vehicle homicide is a Class IV felony and the court shall, as part of the judgment of conviction, order the person not to drive any motor vehicle for any purpose for a period of at least sixty days and not more than fifteen years from the date ordered by the court and shall order that the operator's license of such person be revoked for the same period. The revocation shall not run concurrently with any jail term imposed.

(c) If the proximate cause of the death of another is the operation of a motor vehicle in violation of section 39-669.07, motor vehicle homicide is a Class III felony if the defendant has a prior conviction under section 39-669.07 or a city or village ordinance enacted pursuant to such section and the court shall, as part of the judgment of conviction, order the person not to drive any motor vehicle for any purpose for a period of at least sixty days and not more than fifteen years from the date ordered by the court and shall order that the operator's license of such person be revoked for the same period. The revocation shall not run concurrently with any jail term imposed.

Sec. 4. That section 110, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

Sec. 110. Cabin trailer shall mean a trailer or semitrailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, whether used for such purposes or instead permanently or temporarily for the advertising, sale, display, or promotion of merchandise or services or for any other commercial purpose except transportation of property for hire or transportation of property for distribution by a private carrier. Cabin trailer shall not mean a trailer or semitrailer which is permanently attached to real estate. There shall be three classes of cabin trailers:

(1) Camping trailer which shall include cabin trailers ~~eight feet~~ one hundred two inches or less in width and forty feet or less in length and adjusted mechanically smaller for towing;

(2) Mobile home which shall include cabin trailers more than ~~eight feet~~ one hundred two inches in width or more than forty feet in length; and

(3) Travel trailer which shall include cabin trailers not more than ~~eight feet~~ one hundred two inches in width nor more than forty feet in length from front hitch to rear bumper.

Sec. 5. That section 154, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

Sec. 154. School bus shall mean any motor vehicle ~~that~~ which complies with the color and identification requirements as provided in the laws of this state or set forth in the ~~most recent edition of Minimum Standards for School Buses, produced and sponsored by the National Commission on Safety Education of the National Education Association 1990 Revised Edition of the National Standards for School Buses and National Standards for School Bus Operations, available from the National Safety Council,~~ and which is used to transport children to or from school or in connection with school activities but shall not include buses operated by common carriers in urban transportation of school children.

Sec. 6. That section 39-622, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-622. Except ~~where~~ when overtaking and passing on the right is permitted, the following rules shall govern the overtaking and passing of vehicles proceeding in the same direction:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall first give a visible signal of his or her intention and shall pass to the left of the other vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle;

(2) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle; and

(3) The driver of a vehicle outside the corporate limits of any incorporated city or village, when overtaking ~~bicycles, animals, animal drawn vehicles, or farm vehicles~~ implements of husbandry proceeding in the same direction, shall give an audible signal of his or her intention to pass from one hundred to three hundred feet from the implement ~~vehicle or animal~~ and then pass without giving another audible signal.

Sec. 7. That section 39-631, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-631. No person shall drive on the shoulders of highways, except that:

(1) ~~vehicles~~ Vehicles may be driven ~~onto~~ on the shoulders of ~~roadways~~ highways (a) by federal mail carriers while delivering the United States mail or (b) to safely remove a vehicle from ~~traffic lanes and a roadway~~;

(2) ~~implements~~ Implements of husbandry may be driven ~~onto~~ on the shoulders of ~~roadways~~ highways; and

(3) Bicycles may be operated on paved shoulders of highways included in the state highway system other than Nebraska segments of the National System of Interstate and Defense Highways.

Sec. 8. That section 39-633, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-633. Use of a freeway and entry thereon by the following shall be prohibited at all times except by permit from the Department of Roads or from the local authority in the case of freeways not under the jurisdiction of the ~~Department of Roads~~ department, and the ~~Department of Roads~~ department or the appropriate local authority shall not issue such permit except in extreme emergency:

(1) Pedestrians except in areas specifically designated for that purpose;

(2) ~~hitchhikers~~ Hitchhikers or walkers;

(3) ~~vehicles~~ Vehicles not self-propelled;

(4) ~~bicycles~~ Bicycles, motor-driven cycles, and motor scooters not having motors of more than ten horsepower;

(5) ~~animals~~ Animals led, driven on the hoof, ridden, or drawing a vehicle;

(6) ~~funeral~~ Funeral processions;

(7) ~~parades~~ Parades or demonstrations;

(8) ~~vehicles~~ Vehicles, except emergency vehicles, unable to maintain minimum speed as provided in ~~sections 39-601 to 39-612~~

the Nebraska Rules of the Road;

- (9) ~~construction~~ Construction equipment;
- (10) ~~implements~~ Implements of husbandry, whether self-propelled or towed;
- (11) ~~vehicles~~ Vehicles with improperly secured attachments or loads;
- (12) ~~vehicles~~ Vehicles in tow, ~~not being towed with a type of hitch approved by the department when the connection consists of a chain, rope, or cable,~~ except disabled vehicles which shall be removed from such freeway at the nearest interchange; ~~and except trailers and semitrailers being drawn by a motor vehicle;~~
- (13) ~~vehicles~~ Vehicles with deflated pneumatic, metal, or solid tires; or ~~vehicles with~~ continuous metal treads; except maintenance vehicles;
- (14) ~~any~~ Any person standing on or near a roadway for the purpose of soliciting or selling to an occupant of any vehicle; or
- (15) ~~overdimensional~~ Overdimensional vehicles.

Sec. 9. That section 39-654, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-654. ~~All~~ (1) Except as provided in subsection (2) of this section, all hand and arm signals required by ~~sections 39-601 to 39-612~~ the Nebraska Rules of the Road shall be given from the left side of the vehicle with the left arm in the following manner and such signals shall indicate as follows:

- (a) ~~(1)~~ Left turn--hand and arm extended to the left horizontally;
- (b) ~~(2)~~ Right turn--hand and ~~arm~~ forearm extended upward; and
- (c) ~~(3)~~ Stop or decrease speed--hand and arm extended downward.

(2) Any person operating a bicycle may signal a right turn by fully extending the right arm and pointing.

Sec. 10. That section 39-660, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-660. (1) ~~The driver of any motor vehicle upon~~ Upon meeting or overtaking, from the front or rear, any school bus on which the stop warning signal lights are flashing, ~~the driver of a motor vehicle~~ shall reduce the speed of such vehicle to not more than twenty-five miles per hour, ~~and~~ shall bring such vehicle to a complete stop when the school bus stop signal arm is extended, and shall remain stopped until the stop signal arm is retracted and the school bus resumes motion or until signaled by the bus driver to proceed. This section shall not apply to approaching traffic in the opposite direction on a ~~dual-highway divided by a median strip~~ divided highway or to approaching traffic when there is displayed a sign as provided in subsection (7) of this section, ~~which sign directs~~ directing traffic to proceed. Any person violating this subsection shall be guilty of a Class IV misdemeanor.

(2) Except as provided in subsection (7) of this section, the

driver of any school bus, ~~used for the transportation of school children,~~ when stopping to receive or discharge pupils, shall turn on flashing stop warning signal lights at a distance of not less than three hundred feet when inside the corporate limits of any ~~town or city or village~~ and not less than five hundred feet nor more than one thousand feet in any area outside the corporate limits of any ~~town or city or village~~ from the point where such pupils are to be received or discharged from the bus. At the point of receiving or discharging pupils, the ~~bus~~ driver shall bring the ~~school~~ bus to a stop and extend a stop signal arm. After receiving or discharging pupils, the bus driver shall turn off the flashing stop warning signal lights, retract the stop signal arm, and then proceed on the route. No school bus shall stop to load or unload pupils unless there is at least four hundred feet of clear vision in each direction of travel.

(3) All pupils shall be received and discharged from the right front entrance of every school bus. If such pupils must cross a highway roadway, the ~~bus~~ driver shall instruct such pupils to cross in front of the school bus and the ~~bus~~ driver shall keep such school bus halted with the flashing stop warning signal lights ~~flashing~~ turned on and the stop signal arm extended until such pupils have reached the opposite side of such roadway.

(4) The driver of a vehicle upon a divided highway ~~with separate roadways~~ need not stop upon meeting or passing a school bus which is on a different roadway or when upon a freeway and such school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

(5) Every school bus ~~used for the transportation of school children~~ shall bear upon the front and rear thereof plainly visible signs containing the words school bus in letters not less than eight inches high.

(6) When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school, all markings thereon indicating school bus shall be covered or concealed. The stop signal ~~arms~~ arm and system of alternately flashing stop warning signal lights shall not be operable through the usual controls.

(7) When a school bus is (a) parked in a designated school bus loading area which is out of the flow of traffic and which is adjacent to a school site or (b) parked on a roadway which possesses more than one lane of traffic flowing in the same direction and which is adjacent to a school site, ~~a school~~ the bus driver shall engage only the ~~hazard warning~~ flashing stop warning signal lights when receiving or discharging pupils if a school bus loading area warning sign is displayed. Such signs shall not be directly attached to any school bus but shall be free standing and placed at the rear of a parked school bus or line of parked school buses. No school district shall utilize a school bus loading area warning sign unless such sign complies with the requirements of section 39-660.01.

Sec. 11. That section 39-669.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-669.02. Every person convicted of reckless driving shall,

~~upon a first conviction, be guilty of a Class III misdemeanor, be punished by imprisonment in the county jail for a period of not less than five days nor more than thirty days, or by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by both such a fine and imprisonment.~~

Sec. 12. That section 39-669.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-669.04. Every person convicted of willful reckless driving shall, ~~be punished upon a first conviction, be guilty of a Class III misdemeanor, by imprisonment for a period of not less than ten days nor more than thirty days, or by a fine of not less than fifty dollars nor more than one hundred dollars, or by both such fine and imprisonment;~~ and the court shall, as part of the judgment of conviction, order such person not to drive any motor vehicle for any purpose for a period of not less than thirty days nor more than one year from the date ordered by the court of his final discharge from the county jail, or the date of the payment or satisfaction of such fine, whichever is the later; and shall order that the operator's license of such person be revoked for a like period. The revocation shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked. The revocation shall not run concurrently with any jail term imposed.

Sec. 13. That section 39-669.05, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-669.05. Upon a second conviction of any person for either reckless driving or willful reckless driving, ~~he shall be punished by imprisonment for not less than thirty days nor more than sixty days, by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment and the trial judge the person shall be guilty of a Class II misdemeanor, and the court shall order the person so convicted, as part of the judgment of conviction, not to drive a motor vehicle of any description for any purpose within this state for a period of not less than sixty days nor more than two years from the date ordered by the court of his final discharge from the county jail, or the date of payment or satisfaction of such fine, whichever is the later;~~ and shall order that the operator's license of such person be revoked for a like period. The revocation shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked. The revocation shall not run concurrently with any jail term imposed.

If ~~and if~~ the motor vehicle which such person was operating in such reckless or willful reckless manner is registered in the name of such person, the motor vehicle shall be impounded in a reputable garage by the court for a period of not less than two months nor ~~greater~~ more than one year at the expense and risk of the owner thereof, ~~except that~~ ; ~~PROVIDED,~~ any motor vehicle so impounded shall be released to the holder of a bona fide lien thereon, executed prior to such impounding, when possession of such motor vehicle is requested in writing

by such lienholder for the purpose of foreclosing and satisfying ~~his lien thereon~~ the lien.

Sec. 14. That section 39-669.06, Revised Statutes Supplement, 1992, be amended to read as follows:

39-669.06. Upon a third or subsequent conviction of any person for either reckless driving or willful reckless driving, ~~he or she shall be imprisoned in the Department of Correctional Services adult correctional facility for not less than one year nor more than three years~~ the person shall be guilty of a Class I misdemeanor. The court shall, as part of the judgment of conviction, order such person not to drive any motor vehicle for any purpose for a period of one year from the date ordered by the court of his or her final discharge from the Department of Correctional Services adult correctional facility and shall order that the operator's license of such person be revoked for a like period. The revocation shall be administered upon sentencing, upon final judgment of any appeal or review, or upon the date that any probation is revoked. The revocation shall not run concurrently with any jail term imposed. The court shall transmit a copy of the judgment of conviction to the Department of Motor Vehicles for revocation of the operator's license of the person so convicted.

Sec. 15. That section 39-669.22, Revised Statutes Supplement, 1992, be amended to read as follows:

39-669.22. An abstract of the court record of every case in which a person is convicted of violating any provision of Chapter 39, articles 6 and 7, Chapter 60, articles 4 and 5, or any amendments thereto or any traffic regulations in city or village ordinances shall be transmitted within thirty days of sentencing or other disposition by the court to the Director of Motor Vehicles. Any abstract received by the director more than thirty days after the date of ~~conviction~~ sentencing or other disposition shall be reported by the director to the State Court Administrator. The director shall not assess such person with any points under section 39-669.26 for such violation when the person is placed on probation therefor, except that any person violating section 28-306, 39-669.01, 39-669.03, 39-669.07, 39-669.08, 39-6,104.01, or 39-6,104.02 who is placed on probation shall be assessed the same points as if such person were not placed on probation, until the director is advised by the court that such person previously placed on probation has violated the terms of his or her probation and such probation has been revoked. Upon receiving notice of such revocation of probation, the director shall assess to such person the points which such person would have been assessed had the person not been placed on probation. When a person fails to successfully complete probation, it shall be the duty of the court to notify the director immediately.

Sec. 16. That section 39-669.24, Revised Statutes Supplement, 1992, be amended to read as follows:

39-669.24. To enable the ~~Director of Motor Vehicles~~ director punctually and economically to perform his or her ministerial duties in revoking or suspending operators' licenses and to insure



uniformity in the keeping of the records of operators' licenses suspended or revoked by courts of the state, the director shall authorize electronic transmission of abstract-of-conviction reports. The director in consultation with the State Court Administrator shall prescribe the standard format of abstract-of-conviction reports. ~~The report shall include all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment, and the amount of any fine or forfeiture.~~

In the administration of sections 39-669.22 to 39-669.24 or of any section of the Motor Vehicle Operator's License Act, the powers and duties conferred upon the director or his or her subordinates or successors with respect to the revocation or suspension of any operator's license or driving privileges are ministerial in character. The director may revoke or suspend operators' licenses only when positively directed to do so by the terms of the abstract of the judgment of conviction transmitted by the trial court except as otherwise provided in section 39-669.27 and Chapter 60, articles 4 and 5.

Sec. 17. That section 39-669.26, Revised Statutes Supplement, 1992, be amended to read as follows:

39-669.26. 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 of Motor Vehicles. 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 39-669.07, as disclosed by the records of the director, regardless of whether the trial court found the same to be a third offense -- 12 points;
- (3) Failure to stop and render aid as required under the laws of this state 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 render aid as required under the laws of this state or any city or village ordinance in the event of a motor vehicle accident resulting in property damage if such accident is reported by the owner or operator within twelve hours from the time of the accident -- 4 points, otherwise -- 8 points, and for purposes of this subdivision a telephone call or other notification to the appropriate peace officers shall be deemed to be a report;
- (5) Driving a motor vehicle while under the influence of alcoholic liquor or any drug or when such person has a concentration of ten-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood or urine or per two hundred ten liters of his or her breath in violation of any city or village ordinance or of section 39-669.07 -- 6 points;
- (6) Willful reckless driving in violation of any city or village ordinance or of section 39-669.03 or 39-669.05 -- 6 points;
- (7) Careless driving in violation of any city or village ordinance or of section 39-669 -- 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 39-669.01 -- 5 points;

(10) Speeding in violation of any city or village ordinance or of section 39-662, 39-663, or 39-666: (a) Not more than five miles per hour over the speed limit -- 1 point; (b) more than five miles per hour but not more than ten miles per hour over the speed limit -- 2 points; and (c) more than ten 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 the speed limits provided for in subdivision (2)(c), (d), or (f) of section 39-662 or subdivision (1)(c), (d), (e), or (g) or (3)(c), (d), or (h) of section 39-666;

(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; and

(13) 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 39-669.22 and 39-669.23, not including violations involving an occupant protection system pursuant to section 39-6,103.07, 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 protective helmet violations, or overloading of trucks -- 1 point.

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 39-669.37.

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.

Sec. 18. That section 39-673, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-673. (1) Except as otherwise provided in this section, any vehicle stopped or parked upon a two-way roadway where parking is permitted shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or edge of such roadway. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking.

(2) Except when otherwise provided by a local authority, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of such roadway, in the

direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or edge of the roadway; or its left-hand wheels within twelve inches of the left-hand curb or edge of such roadway.

(3) ~~Local~~ A local authority may permit angle or center parking on any roadway, except that angle or center parking shall not be permitted on any federal-aid highway or on any part of the state highway system unless the Director-State Engineer has determined that such roadway is of sufficient width to permit angle or center parking without interfering with the free movement of traffic.

(4) The Department of Roads or a local authority may prohibit or restrict stopping, standing, or parking on highways under ~~their respective jurisdictions~~ its respective jurisdiction outside the corporate limits of any city or village and erect and maintain proper and adequate signs thereon. No person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

Sec. 19. That section 39-686, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-686. (1) Any person who ~~rides~~ operates a bicycle upon a ~~roadway~~ highway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under ~~sections 39-601 to 39-6122~~, the Nebraska Rules of the Road except for special bicycle regulations in ~~sections 39-601 to 39-6122~~ and the rules, except for those provisions of ~~sections 39-601 to 39-6122~~ the rules which by their nature can have no application, and except as provided in section 39-631.

(2) Regulations applicable to bicycles shall apply whenever a bicycle ~~shall be~~ is operated upon any highway or upon any path set aside by the Department of Roads or a local authority for the exclusive use of bicycles.

Sec. 20. That section 39-690, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-690. (1) Any person who operates a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under conditions then existing shall ride as near to the right-side-of right-hand curb or right-hand edge of the roadway as practicable; ~~exercising due care when passing a standing vehicle or one proceeding in the same direction~~ except when:

(a) Overtaking and passing another bicycle or vehicle proceeding in the same direction;

(b) Preparing for a left turn onto a private road or driveway or at an intersection;

(c) Reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or right-hand edge of the roadway, including fixed or moving objects, stopped or moving vehicles, bicycles, pedestrians, animals, or surface hazards;

(d) Riding upon a lane of substandard width which is too narrow for a bicycle and a vehicle to travel safely side by side within the

lane; or

(e) Lawfully operating a bicycle on the paved shoulders of a highway included in the state highway system as provided in section 39-631.

Any person who operates a bicycle upon a roadway with a posted speed limit of thirty-five miles per hour or less on which traffic is restricted to one direction of movement and which has two or more marked traffic lanes may ride as near to the left-hand curb or left-hand edge of the roadway as practicable. Whenever a person operating a bicycle leaves the roadway to ride on the paved shoulder or leaves the paved shoulder to enter the roadway, the person shall clearly signal his or her intention and yield the right-of-way to all other vehicles.

(2) Any person who ~~rides~~ operates a bicycle upon a ~~roadway~~ highway shall not ride more than single file except on paths or parts of ~~roadways~~ highways set aside for the exclusive use of bicycles.

(3) ~~Whenever~~ Except as provided in section 39-631, ~~whenever~~ a usable path for bicycles has been provided adjacent to a ~~roadway~~ highway, a person operating a bicycle ~~riders~~ shall use such path and shall not use such ~~roadway~~ highway.

(4) ~~Local~~ A local authority may, by ordinance, further regulate the operation of bicycles and may provide for the registration and inspection of bicycles.

Sec. 21. That section 39-691, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-691. (1) ~~Any bicycle when~~ When in use at nighttime, ~~a bicycle~~ shall be equipped with a ~~light on the front which shall emit a white~~ light visible from a distance of at least five hundred feet to the front on a clear night and with a red reflector on the rear of a type ~~which is~~ approved by the ~~department or~~ Department of Motor Vehicles or a local authority ~~and which shall be~~ is visible on a clear night from all distances between one hundred feet and six hundred feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. ~~A light-emitting a~~ red light visible from a distance of five hundred feet to the rear may be used in addition to such red reflector.

(2) Any bicycle used on a highway shall be equipped with a ~~brake or brakes~~ which will enable the operator to ~~make the braked wheel skid~~ stop the bicycle within twenty-five feet of the point of braking when moving at a speed of ten miles per hour on dry, level, clean pavement.

Sec. 22. That section 39-6,103.06, Revised Statutes Supplement, 1992, be amended to read as follows:

39-6,103.06. Any person who violates ~~subsection (1) of~~ section 39-6,103.07 shall be guilty of a traffic infraction as defined in section 39-602 and shall be fined twenty-five dollars, but no court costs shall be assessed against him or her nor shall any points be assessed against the driving record of such person. Regardless of the number of persons in such vehicle not wearing an occupant protection system pursuant to ~~subdivision (1)(a) of~~ section 39-6,103.07, only one violation shall be assessed against the driver of such motor vehicle for each time the

motor vehicle is stopped and a violation of such ~~subdivision~~ section is found.

Sec. 23. That section 39-6,103.07, Revised Statutes Supplement, 1992, be amended to read as follows:

39-6,103.07. (1) Except as provided in subsection (2) of this section, no driver shall operate a motor vehicle upon a highway or street in this state unless ~~(a)~~ the driver and each front-seat occupant in the vehicle are wearing occupant protection systems, ~~(b) any child passenger required by section 39-6,103.01 to be transported in a child passenger restraint system is using such restraint system, and (c) and~~ all occupant protection systems ~~and child passenger restraint systems worn or used~~ are properly adjusted and fastened.

(2) The following persons shall not be required to wear an occupant protection system:

(a) A person who possesses written verification from a physician that the person is unable to wear an occupant protection system for medical reasons;

(b) A rural letter carrier of the United States Postal Service while performing his or her duties as a rural letter carrier between the first and last delivery points; and

(c) A member of an ambulance or rescue service unit while involved in patient care.

(3) For purposes of this section, motor vehicle shall mean a vehicle required by section 39-6,171 to be equipped with an occupant protection system.

Sec. 24. That section 39-6,104.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,104.04. (1) The operator of any vehicle involved in an accident resulting in injuries or death to any person or damage to the property of any one person, including such operator, to an apparent extent of more than five hundred dollars shall within ten days, ~~as provided by section 60-505,~~ forward a report of such accident to the Department of Motor Vehicles Roads. If the operator is physically incapable of making the report, the owner of the motor vehicle involved in the accident shall, within ten days from the time he or she learns of the accident, report the matter in writing to the Department of Roads. The Department of Roads or Department of Motor Vehicles may require operators involved in accidents to file supplemental reports of accidents upon forms furnished by it whenever the original report is insufficient in the opinion of ~~the~~ either department. The operator or the owner of the motor vehicle shall make such other and additional reports relating to the accident as either department requires. Such records shall be retained for the period of time specified by the State Records Administrator pursuant to the Records Management Act.

(2) The report of accident required by this section shall be in two parts. Part I shall be in such form as the Department of Roads may prescribe and shall disclose full information concerning the accident. Part II shall be in such form as the Department of Motor Vehicles may

prescribe and shall disclose sufficient information to disclose whether or not the financial responsibility requirements of the Motor Vehicle Safety Responsibility Act are met through the carrying of liability insurance. The form used for the report shall be so perforated that the parts may be readily separated.

(3) Upon receipt of a report of accident, the Department of Roads shall determine the reportability and classification of the accident and enter all information into a computerized data base. Upon completion, the department shall separate the parts of the accident report and shall forward Part II of the report to the Department of Motor Vehicles for processing as provided in section 60-506.01.

(4) Such reports shall be without prejudice. All reports made by an officer of the Nebraska State Patrol, sheriffs or their deputies, police officers, and village marshals, or made to or filed with such officers in their respective offices or departments, or with, by, filed with or made by or to any other law enforcement agency of the state shall be open to public inspection, but accident reports filed pursuant to section 60-505 by the operator or owner of a motor vehicle pursuant to this section shall not be open to public inspection. The fact that such reports have a report by an operator or owner has been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof or statement contained therein in the report shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents nor shall the report be referred to in any way or be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages.

(5) The failure by any person to report an accident as provided in this section or to correctly give the information required in connection with the report shall be a Class V misdemeanor.

Sec. 25. That section 39-6,123, Reissue Revised Statutes of Nebraska, 1943, as amended by section 349, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

~~39-6,123.~~ Each truck shall be equipped with a rearview mirror which shall be kept clean, repaired, and installed.

~~Any person operating any truck in violation of this section or any owner of a truck who permits operation of the truck in violation of this section shall be deemed guilty of a traffic infraction and, upon conviction thereof for the first, second, or third offense, shall be fined not less than ten dollars and not more than one hundred dollars. Upon the third conviction of violation of this section by the owner or operator of a truck, in addition to the fine, the license of the truck shall be revoked either by the trial court or by the Director of Motor Vehicles. In that event, the number plates and certificates of registration of the truck shall be returned to the county treasurer who issued them. The tribunal or Department of Motor Vehicles depriving the licensee of his or her license shall have authority, upon good cause shown, to order that a license be again issued to the licensee.~~

Sec. 26. That section 39-6,125, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,125. (1) It shall be unlawful, ~~after September 2, 1977;~~ for any person to operate on the roadway of any ~~public road of this state~~ highway any slow-moving vehicle or equipment, any animal-drawn vehicle, or any other machinery, designed for use at speeds less than twenty-five miles per hour, including all road construction or maintenance machinery except when engaged in actual construction or maintenance work either guarded by a ~~flagman~~ flagperson or clearly visible warning signs, which normally travels or is normally used at a speed of less than twenty-five miles per hour unless there is displayed on the rear thereof an emblem as described in; and displayed as provided in subsection (2) of this section. The requirement of such emblem shall be in addition to any lighting devices required by law. The emblem shall not be displayed on objects which are customarily stationary in use except while being transported on the roadway of any ~~public road of this state~~ highway.

(2) The emblem ~~required by subsection (1) of this section~~ shall be of substantial construction; and shall be a base-down equilateral triangle of fluorescent yellow-orange film with a base of fourteen inches and an altitude of twelve inches. Such triangle shall be bordered with reflective red strips having a minimum width of one and three-fourths inches, with the vertices of the overall triangle truncated such that the remaining altitude shall be a minimum of fourteen inches. The emblem shall comply with the current standards and specifications for slow-moving vehicle emblems of the American Society of Agricultural Engineers. Such emblem shall be mounted on the rear of such vehicle at a height of two to six feet above the roadway; and shall be maintained in a clean, reflective condition.

~~(3) Any person who shall violate the provisions of this section shall be fined not more than five dollars.~~

Sec. 27. That section 39-6,127, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,127. Every vehicle, including road rollers, road machinery, combines, farm machinery, wagons, racks, and farm tractors, (1) having a width, including load, of eighty inches or more or (2) having any part thereof or having any load thereupon which extends forty inches or more to the left of the center of the chassis shall display, when driven, pulled, operated, or propelled upon any highway during the period from ~~one-half hour after sunset until one-half hour before to~~ sunrise and at all other times when there is not sufficient light to render such vehicle clearly discernible, two clearance lights on the left side of such vehicle. One of such clearance lights shall be located at the front and display an amber light visible, under normal atmospheric conditions, from a distance of three hundred feet to the front of such vehicle. The other clearance light shall be located at the rear and display a red light visible, under normal atmospheric conditions, from a distance of three hundred feet to the rear of the vehicle. The light at the rear shall be so located as not to be

confused with the taillight by those approaching from the rear. Such lights shall be located on a line with the extreme outer point of such vehicle or the load thereon, except that suitable reflectors of like color and equal visibility may be substituted for such clearance lights. The installation of all lamps shall be made in such a manner that no hazard will be created by their use on the highway.

Sec. 28. That section 39-6,129, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,129. No person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any motor vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering. Any person who ~~shall violate any of the provisions of~~ violates this section shall be guilty of a Class ~~V~~ IV misdemeanor.

Sec. 29. That section 39-6,130, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,130. Whenever the load on any vehicle ~~shall extend~~ extends more than four feet beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than twelve inches both in length and width, except that between ~~one-half hour after sunset and one-half hour before sunrise~~, there shall be displayed at the end of any such load a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

Sec. 30. That section 39-6,134, Revised Statutes Supplement, 1992, be amended to read as follows:

39-6,134. (1) All commercial trailers with a carrying capacity of more than ten thousand pounds and semitrailers shall be equipped on each wheel with brakes that can be operated from the driving position of the towing vehicle.

(2) ~~Travel~~ Cabin trailers as defined in sections 39-602 and 71-4603 and recreational trailers ~~as defined in section 39-602~~ having a gross loaded weight of three thousand pounds or more but less than six thousand five hundred pounds shall be equipped with brakes on at least two wheels, and such trailers with a gross loaded weight of six thousand five hundred pounds or more shall be equipped with brakes on each wheel. The brakes shall be operable from the driving position of the towing vehicle. Such trailers shall also be equipped with a breakaway, surge, or impulse switch on the trailer so that the trailer brakes are activated ~~should~~ if the trailer ~~become~~ becomes disengaged from the towing vehicle. For purposes of this subsection, recreational trailer shall mean a vehicular unit without motive power primarily designed for transporting a motorboat as defined in section 37-1204 or a vessel as defined in section 37-1203.

(3) Cabin trailers, recreational trailers, and utility trailers as defined in section 60-301, when being towed upon a highway, shall be



securely connected to the towing vehicle by means of two safety chains or safety cables in addition to the hitch or other primary connecting device. Such safety chains or safety cables shall be so attached and shall be of sufficient breaking load strength so as to prevent any portion of such trailer drawbar from touching the roadway if the hitch or other primary connecting device becomes disengaged from the towing vehicle. Each trailer described in subsection (2) of this section shall be equipped with two safety chains which shall have a breaking load strength of three thousand pounds each. Such trailer shall be attached to the towing vehicle so that the tongue of the trailer will not touch the roadway should the trailer become disengaged from the towing vehicle.

Sec. 31. That section 39-6,137, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,137. Every vehicle shall be equipped, maintained, and operated so as to prevent excessive or unusual noise. No person shall drive a motor vehicle on a highway unless such motor vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation, ~~to prevent excessive or unusual noise or annoying smoke.~~ It shall be unlawful to use a muffler cutout, bypass, or similar device on any motor vehicle upon a highway.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

Sec. 32. That section 39-6,138, Revised Statutes Supplement, 1992, be amended to read as follows:

39-6,138. (1) Every motor vehicle upon a highway within this state during the period from ~~a half hour after~~ sunset to ~~a half hour before~~ sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the highway at a distance of five hundred feet ahead, shall be equipped with lighted front and rear lamps as respectively required in this section for different classes of vehicles.

(2) Every motor vehicle, other than a motorcycle, road roller, road machinery, or farm tractor, shall be equipped with two or more headlamps, at the front of and on opposite sides of the motor vehicle, and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such vehicle, which headlamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142.

(3) Every farm tractor upon a highway within this state during the period from ~~a half hour after~~ sunset to ~~a half hour before~~ sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the highway at a distance of five hundred feet ahead, shall be equipped with two or more headlamps, at the front or on opposite sides of the tractor, and with a lamp on the

rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such tractor, which headlamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142.

(4) Every motorcycle shall be equipped with at least one and not more than two headlamps and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such motor vehicle, which headlamp or lamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142.

(5) It shall be unlawful for any owner or operator of any motor vehicle to operate such vehicle upon a highway unless (a) the condition of the lamps and electric circuit is such as to give substantially normal light output, (b) the taillight shows red directly to the rear, the glass in the taillight is unbroken, the lamp is securely fastened, and the electric circuit is free from grounds or shorts, (c) there is no more than one spot lamp except for law enforcement personnel, government employees, and public utility employees, (d) there are no more than two auxiliary driving lamps, any such auxiliary lamps are mounted on the front at a point not less than twelve inches nor more than forty-two inches above the level surface upon which the vehicle stands, and every such auxiliary lamp meets the statutory requirements for headlamps, (e) if equipped with any lighting device, other than headlamps, spot lamps, or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five candlepower, such lighting device is so directed that no part of the beam from the device will strike the level of the surface on which the vehicle stands at a distance of more than fifty feet from the vehicle, and (f) if equipped with side cowl or fender lamps, there are no more than two such lamps and each such side cowl or fender lamp emits an amber or white light.

Sec. 33. That section 39-6,162, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,162. Any motor vehicle required by section 39-6,127 to have clearance lights, while operating on the highways during the period from ~~one-half hour after~~ sunset to ~~one-half hour before~~ sunrise, shall at all times be equipped with at least three portable flares, or red emergency reflectors referred to in section 39-6,163, which may be plainly visible for a distance of five hundred feet.

Sec. 34. That section 39-6,163, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,163. The operator of any motor vehicle required by section 39-6,127 to have clearance lights shall, immediately upon bringing his or her vehicle to a stop upon or immediately adjacent to the traveled portion of the highway at any time during the period of from ~~one-half hour after~~ sunset to ~~one-half hour before~~ sunrise, (1) place one lighted flare or one red emergency reflector at the side of such vehicle just inside the white line marking the center of paved highways and near the center of dirt or gravel highways, (2) place one lighted flare or one red emergency

reflector approximately one hundred feet to the rear of such vehicle, and (3) place one lighted flare or one red emergency reflector approximately one hundred feet to the front of such vehicle. The operator shall maintain such lighted flares or red emergency reflectors in such positions during the time such vehicle remains parked, except that motor vehicles transporting flammables shall be required to use two flares or two red emergency reflectors to be placed as described in this section to the front and rear but shall not be permitted to place open flame flares adjacent to such vehicles.

Sec. 35. That section 39-6,177, Revised Statutes Supplement, 1992, be amended to read as follows:

39-6,177. (1) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any portion of the National System of Interstate and Defense Highways. The Director-State Engineer shall adopt and promulgate rules and regulations, consistent with federal requirements, designating safety devices which shall be excluded in determining vehicle width.

(2) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any highway which is not a portion of the National System of Interstate and Defense Highways, except that such prohibition shall not apply to:

(a) Farm equipment in temporary movement during daylight hours or during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with, in the normal course of farm operations;

(b) Combines eighteen feet or less in width, while in the normal course of farm operations and while being driven during daylight hours or during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with;

(c) Combines in excess of eighteen feet in width, while in the normal course of farm operations, while being driven during daylight hours for distances of twenty-five miles or less on highways, and while preceded by a well-lighted pilot vehicle or flagperson, except that such combines may be driven on highways while in the normal course of farm operations for distances of twenty-five miles or less and while preceded by a well-lighted pilot vehicle or flagperson during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with;

(d) Combines and vehicles used in transporting combines, and only when transporting combines, to be engaged in harvesting, while being transported into or through the state during daylight hours, when the total width including the width of the combine being transported does not exceed fifteen feet, except that vehicles used in transporting combines may, when necessary to the harvesting operation, travel unloaded for distances not to exceed twenty-five miles, while the combine to be transported is engaged in a harvesting operation;

(e) Farm equipment dealers hauling, driving, delivering, or

picking up farm equipment, ~~including portable livestock buildings~~ not exceeding ~~fourteen~~ fifteen feet in width; or implements of husbandry during daylight hours and not in inclement weather;

(f) Alfalfa harvesting machinery in temporary movement during daylight hours and hours of darkness when (i) the clearance light requirements of section 39-6,127 are fully complied with, (ii) there is, on the front vehicle and above the line of the regular lights of such vehicle, a flashing, amber-colored light at least four inches in diameter and clearly visible to traffic approaching from any direction, and (iii) there is a well-lighted pilot vehicle or flagperson at least three hundred feet in advance of such vehicles to give warning of the approach of overwidth equipment, and such prohibition shall not apply to equipment of thirteen feet or less in width to be used in highway or other public construction or in agricultural land treatment in temporary movement during daylight hours on roads other than dustless-surfaced state highways and for necessary access to points on such highways;

(g) Livestock forage vehicles loaded or unloaded that comply with subsection (2) of section 39-6,100;

(h) During daylight hours only, vehicles en route to pick up, delivering, or returning unloaded from delivery of baled livestock forage which, including the load if any, may be twelve feet in width;

(i) Mobile homes or prefabricated livestock buildings not exceeding sixteen feet in width and with an outside tire width dimension not exceeding one hundred twenty inches moving during daylight hours;

(j) A rubber-tired crane with a fixed load when (i) such vehicle will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (ii) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane, specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (iii) such vehicle will be escorted by another vehicle or vehicles assigned by the city, (iv) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven thousand pounds, if a three-axle crane, and (v) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds; or

(k) Vehicles which have been issued a permit pursuant to section 39-6,181.01.

(3) The Director-State Engineer, with respect to highways under his or her jurisdiction, may designate certain highways upon which vehicles of no more than ninety-six inches in width may be permitted to travel. Highways so designated shall be limited to one or more of the

following: (a) Highways with traffic lanes of ten feet or less; (b) highways upon which are located narrow bridges; and (c) highways which because of sight distance, surfacing, unusual curves, topographic conditions, or other unusual circumstances would not in the opinion of the Director-State Engineer safely accommodate vehicles of more than ninety-six inches in width.

Sec. 36. That section 39-6,179, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,179. (1)(a) No vehicle shall exceed a length of forty feet, extreme overall dimensions, inclusive of front and rear bumpers including load, except that:

(i) ~~a~~ A bus may exceed the forty-foot limitation by up to but not to exceed six inches when such excess length is caused by the projection of a front or rear safety bumper constructed, treated, or manufactured so that it absorbs energy upon impact; ~~;~~

(ii) ~~a~~ A truck-tractor may exceed the forty-foot limitation; ~~;~~

(iii) ~~a~~ A semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation; ~~;~~ and

(iv) ~~a~~ A semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was not actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation but shall not exceed a length of fifty-three feet including load.

(b) No combination of vehicles shall exceed a length of sixty-five feet, extreme overall dimensions, inclusive of front and rear bumpers and including load, except:

(i) ~~one~~ One truck and one trailer, loaded or unloaded, used in transporting a combine to be engaged in harvesting, while being transported into or through the state during daylight hours ~~and~~ if the total length does not exceed seventy-five feet including load; ~~;~~

(ii) ~~a~~ A truck-tractor single semitrailer combination; ~~;~~  
~~and~~

(iii) ~~a~~ A truck-tractor semitrailer trailer combination, but the semitrailer trailer portion of such combination shall not exceed sixty-five feet inclusive of connective devices; ~~and~~

(iv) A driveaway saddlemount vehicle transporter combination and driveaway saddlemount with fullmount vehicle transporter combination, but the total overall length shall not exceed seventy-five feet.

(c) Two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each when the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six, thirty-seven, or thirty-eight feet; except as provided in section 39-6,180.02. Such vehicles shall be subject to section 39-6,185.

(d) A truck shall be construed to be one vehicle for the

purpose of determining length.

(e) A trailer shall be construed to be one vehicle for the purpose of determining length.

(2) Subsection (1) of this section shall not apply to: Extra-long vehicles which have been issued a permit pursuant to section 39-6,179.01; vehicles which have been issued a permit pursuant to section 39-6,181.01; the temporary moving of farm machinery during daylight hours in the normal course of farm operations; the movement of unbaled livestock forage vehicles, loaded or unloaded; the movement of public utility or other construction and maintenance material and equipment at any time; farm equipment dealers hauling, driving, delivering, or picking up farm equipment or implements of husbandry within the county in which the dealer maintains his or her place of business, or in any adjoining county or counties, and return; the overhang of any motor vehicle being hauled upon any lawful combination of vehicles, but such overhang shall not exceed the distance from the rear axle of the hauled motor vehicle to the closest bumper thereof; or any rubber-tired crane with a fixed load when (a) such vehicle will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (b) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane, specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (c) such vehicle will be escorted by another vehicle or vehicles assigned by the city, (d) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven thousand pounds, if a three-axle crane, and (e) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds.

(3) The length limitations of this section shall be exclusive of safety and energy conservation devices; such as rearview mirrors, turnsignal ~~lamps~~ lights, marker ~~lamps~~ lights, steps and handholds for entry and egress, flexible fender extensions, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors, and other devices necessary for safe and efficient operation of commercial motor vehicles, except that no device excluded from the limitations of this section shall have by its design or use the capability to carry cargo.

Sec. 37. That section 60-106, Revised Statutes Supplement, 1992, as amended by section 6, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, section 2, Legislative Bill 340, Ninety-third Legislature, First Session, 1993, and section 2, Legislative Bill 346,

Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-106. (1)(a) Application for a certificate of title shall be made upon a form prescribed by the Department of Motor Vehicles and shall be sworn to before a notary public or other officer empowered to administer oaths. All applications shall be accompanied by the fee prescribed in section 60-115.

(b) All applications for a certificate of title to a mobile home as defined in subdivision ~~(9)(e) of section 39-602~~ (2) of section 110, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, shall be accompanied by a mobile home transfer statement prescribed by the Tax Commissioner. The mobile home transfer statement shall be filed by the applicant with the county clerk of the county of application for title. The county clerk shall issue a certificate of title to a mobile home but shall not deliver the certificate of title unless the mobile home transfer statement accompanies the application for title, except that the failure to provide the mobile home transfer statement shall not prevent the notation of a lien on the face of the certificate of title to the mobile home pursuant to section 60-110 and delivery to the holder of the first lien. The mobile home transfer statement and the information contained in the statement shall be confidential and only available to tax officials.

(2)(a) If the motor vehicle has tax situs in Nebraska, the application shall be filed with the county clerk of the county in which the vehicle has tax situs as defined in section 77-1238.

(b) If the applicant is a nonresident, the application shall be filed in the county in which the transaction is consummated.

(c) All applicants registering a vehicle pursuant to section 60-305.09 shall file the application for title to the vehicle with the Department of Motor Vehicles. The department shall deliver the certificate to the applicant if there are no liens on the vehicle. If there are any liens on the vehicle, the department shall deliver or mail the certificate of title to the holder of the first lien on the day of issuance. All certificates of title issued by the department shall be issued in the manner prescribed for the county clerk in section 60-107.

(3) If a certificate of title has previously been issued for the motor vehicle in this state, the application for a new certificate of title shall be accompanied by the certificate of title duly assigned unless otherwise provided for in sections 60-102 to 60-117. If a certificate of title has not previously been issued for the motor vehicle in this state or if a certificate of title is unavailable pursuant to subsection (4) of section 3 of this act, the application, unless otherwise provided for in sections 60-102 to 60-117, shall be accompanied by a manufacturer's or importer's certificate, as provided for in such sections, a duly certified copy thereof, a certificate of title, a court order issued by a court of record, a manufacturer's certificate of origin, or an assigned registration certificate, if the law of the state from which the motor vehicle was brought into this state does not have a certificate of title law. The county clerk shall retain the evidence of title presented by the applicant and on which the certificate of title is issued.

(4) The county clerk shall use reasonable diligence in ascertaining whether or not the statements in the application for a certificate of title are true by checking the application and documents accompanying the same with the records of motor vehicles in his or her office. If he or she is satisfied that the applicant is the owner of such motor vehicle and that the application is in the proper form, the county clerk shall issue a certificate of title over his or her signature and sealed with his or her seal.

(5) In the case of the sale of a motor vehicle, the certificate of title shall be obtained in the name of the purchaser upon application signed by the purchaser, except that (a) for titles to be held by husband and wife, applications may be accepted upon the signature of either one as a signature for himself or herself and as agent for his or her spouse and (b) for an applicant providing proof that he or she is a handicapped or disabled person as defined in section 18-1738, applications may be accepted upon the signature of the applicant's parent, legal guardian, foster parent, or agent.

(6) In all cases of transfers of motor vehicles, commercial trailers, semitrailers, or cabin trailers, the application for a certificate of title shall be filed within thirty days after the delivery of such vehicle or trailer. A licensed dealer need not apply for certificates of title for motor vehicles, commercial trailers, semitrailers, or cabin trailers in stock or acquired for stock purposes, but upon transfer of such vehicle or trailer in stock or acquired for stock purposes, the licensed dealer shall give the transferee a reassignment of the certificate of title on such vehicle or trailer or an assignment of a manufacturer's or importer's certificate. If all reassignments on the certificate of title have been used, the licensed dealer shall obtain title in his or her name prior to any subsequent transfer.

(7) An application for a certificate of title shall include a statement that an identification inspection has been conducted on the vehicle unless (a) the title sought is a salvage certificate of title as defined in section 60-129 or a nontransferable certificate of title provided for in section 60-131, (b) the surrendered ownership document is a Nebraska certificate of title, a manufacturer's statement of origin, an importer's statement of origin, a United States Government Certificate of Release of a motor vehicle, or a nontransferable certificate of title issued under section 60-131, (c) the application for a certificate of title contains a statement that such vehicle is to be registered under section 60-305.09, or (d) the vehicle is a cabin trailer. The statement that an identification inspection has been conducted shall be furnished by the county sheriff of the county in which application is made or by any other holder of a current certificate of training issued pursuant to section 60-121 and shall be in a format as determined by the Department of Motor Vehicles. The county clerk may accept a certificate of inspection, approved by the Superintendent of Law Enforcement and Public Safety, from an officer of a state police agency of another state. For each inspection a fee of ten dollars shall be paid to the county treasurer. All such fees shall be credited to the county sheriff's vehicle inspection account within the county



general fund. The identification inspection required by this subsection shall include examination and notation of the current odometer reading and a comparison of the vehicle identification number with the number listed on the ownership records, except that if a lien is registered against a vehicle and recorded on the vehicle's ownership records, the county clerk shall provide a copy of the ownership records for use in making such comparison. If such numbers are not identical or if there is reason to believe further inspection is necessary, the person performing the inspection shall make a further inspection of the vehicle which may include, but shall not be limited to, examination of other identifying numbers placed on the vehicle by the manufacturer and an inquiry into the numbering system used by the state issuing such ownership records to determine ownership of a vehicle. The identification inspection shall also include a statement that the vehicle identification number has been checked for entry in the National Crime Information Center and the Nebraska Crime Information Service. If there is cause to believe that odometer fraud exists, written notification shall be given to the office of the Attorney General. If after such inspection the sheriff or his or her designee determines that the vehicle is not the vehicle described by the ownership records, no statement shall be issued. In the case of an assembled vehicle such inspection shall include, but not be limited to, an examination of the records showing the date of receipt and source of each major component part as defined in section 60-2601.

(8) If a county board consolidates services under the office of a designated county official other than the county clerk pursuant to section 1 of this act:

(a) Applications under subsections (1) and (2) of this section shall be submitted to the designated county official;

(b) The designated county official shall perform the duties imposed on the county clerk under subsections (1) and (4) of this section;

(c) The designated county official may accept certificates of inspection under the conditions described in subsection (7) of this section; and

(d) The designated county official shall act as office of record for title documents, applications, odometer statements, certificates of inspections, and lien and cancellation of lien notations.

Sec. 38. That section 60-301, Revised Statutes Supplement, 1992, be amended to read as follows:

60-301. For purposes of Chapter 60, article 3, unless the context otherwise requires:

(1) Agricultural products shall mean field crops and horticultural, viticultural, forestry, nut, dairy, livestock, poultry, bee, and farm products, including sod grown on the land owned or rented by the farmer, and the byproducts derived from any of them;

(2) Apportionable vehicle shall mean any vehicle used in two or more jurisdictions that allocate or proportionally register vehicles and used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property. Apportionable

vehicle shall not include any recreational vehicle, vehicle displaying restricted plates, vehicle not required to be licensed as a commercial vehicle, bus used in the transportation of chartered parties, or government-owned vehicle. Such vehicle shall either (a) have a gross vehicle weight in excess of twenty-six thousand pounds, (b) have three or more axles, regardless of weight, or (c) be used in combination when the weight of such combination exceeds twenty-six thousand pounds gross vehicle weight. Vehicles or combinations of vehicles having a gross vehicle weight of twenty-six thousand pounds or less and two-axle vehicles may be proportionally registered at the option of the registrant;

(3) Cabin trailer shall mean any vehicle without motive power designed for living quarters and for being drawn by a motor vehicle and not exceeding ~~eight feet~~ one hundred two inches in width, forty feet in length, or thirteen and one-half feet in height;

(4) Commercial trailer shall mean any trailer or semitrailer designed, used, or maintained for the transportation of persons or property for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property and shall not include farm trailers, fertilizer trailers, utility trailers, or cabin trailers;

(5) Commercial vehicle shall mean any motor vehicle used or maintained for the transportation of persons or property for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property and shall not include farm trucks;

(6) Farm trailer shall mean any trailer or semitrailer (a) used exclusively to carry a farmer's or rancher's own supplies, farm equipment, and household goods to or from the owner's farm or ranch, (b) used by the farmer or rancher to carry his or her own agricultural products, livestock, and produce to or from storage and market and attached to a passenger car, commercial-licensed vehicle registered for sixteen tons or less, or farm-licensed vehicle, or (c) used by a farmer or rancher to carry his or her own agricultural products, livestock, and produce to and from market. Such trailers shall carry on their license plate, in addition to the registration number, the letter X. Farm trailer shall not include a trailer so used when attached to a farm tractor;

(7) Farm trucks shall mean trucks, including combinations of trucks or truck-tractors and trailers or semitrailers, of farmers or ranchers (a) used exclusively to carry a farmer's or rancher's own supplies, farm equipment, and household goods to or from the owner's farm or ranch, (b) used by the farmer or rancher to carry his or her own agricultural products, livestock, and produce to or from storage or market, (c) used by farmers or ranchers in exchange of service in such hauling of such supplies or agricultural products, livestock, and produce, or (d) used occasionally to carry camper units or to pull boats or cabin trailers. Such trucks shall carry on their license plates, in addition to the registration number, the designation farm and the words NOT FOR HIRE;

(8) Fertilizer trailer shall mean any trailer, including gooseneck applicators or trailers, designed and used exclusively to carry or apply agricultural fertilizer or agricultural chemicals and having a gross

weight, including load thereon, of twenty thousand pounds or less. Such trailers shall carry on their license plate, in addition to the registration number, the letter X;

(9) Film vehicle shall mean any rented or leased passenger car used exclusively by nonresident production companies temporarily on location in Nebraska producing a feature film, television commercial, documentary, or industrial or educational videotape production;

(10) Fleet shall mean one or more apportionable vehicles;

(11) Highways shall mean public streets, roads, turnpikes, parks, parkways, drives, alleys, and other public ways used for the passage of road vehicles;

(12) In-state miles shall mean total miles operated (a) in the State of Nebraska during the preceding year by the motor vehicle or vehicles registered and licensed for fleet operation and (b) in noncontracting reciprocity states by vehicles that are base-plated in Nebraska;

(13) Local truck shall mean a truck and combinations of trucks, truck-tractors, or trailers or semitrailers operated solely within an incorporated city or village or within ten miles of the corporate limits of the city or village in which they are owned, operated, and registered. Such trucks shall carry on their license plates, in addition to the registration number, the designation of local truck;

(14) Minibike shall mean a two-wheel motor vehicle which has a total wheel and tire diameter of less than fourteen inches or an engine-rated capacity of less than forty-five cubic centimeters displacement;

(15) Moped shall mean a bicycle with fully operative pedals for propulsion by human power, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty cubic centimeters, which produces no more than two brake horsepower and is capable of propelling the bicycle at a maximum design speed of no more than thirty miles per hour on level ground;

(16) Motor vehicle shall mean any vehicle propelled by any power other than muscular power, except (a) mopeds, (b) farm tractors, (c) self-propelled equipment designed and used exclusively to carry and apply fertilizer, chemicals, or related products to agricultural soil and crops and other implements of husbandry designed for and used primarily for tilling the soil and harvesting crops or feeding livestock, (d) power unit hay grinders or a combination which includes a power unit and a hay grinder when operated without cargo, (e) vehicles which run only on rails or tracks, (f) off-road designed vehicles, including, but not limited to, golf carts, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles as defined in section 60-2801, snowmobiles, and minibikes, ~~and~~ (g) road and general-purpose construction and maintenance machinery not designed or used primarily for the transportation of persons or property, including, but not limited to, ditchdigging apparatus, asphalt spreaders, bucket loaders, leveling graders, earthmoving carryalls, power shovels, earthmoving equipment, and crawler tractors, and (h) self-propelled invalid chairs;

(17) Motorcycle shall mean any motor vehicle, except a tractor or an all-terrain vehicle as defined in section 60-2801, having a seat or saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground;

(18) Noncontracting reciprocity state shall mean any state which is not a party to any type of contracting agreement between the State of Nebraska and one or more other jurisdictions for registration purposes on commercial vehicles and, as a condition to operate on the highways of that state, (a) does not require any type of vehicle registration or allocation of vehicles for registration purposes or (b) does not impose any charges based on miles operated, other than those that might be assessed against fuel consumed in that state, on any vehicles which are part of a Nebraska-based fleet;

(19) Owner shall mean a person, firm, or corporation which holds a legal title of a vehicle. If (a) a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, (b) a vehicle is subject to a lease of thirty days or more with an immediate right of possession vested in the lessee, or (c) a mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, or mortgagor shall be deemed the owner for the purpose of Chapter 60, article 3. For such purpose, there are hereby adopted and incorporated by reference the provisions of Article XI, International Registration Plan, adopted by the American Association of Motor Vehicle Administrators, as revised November 1976;

(20) Park shall mean to stop a vehicle for any length of time, whether occupied or unoccupied;

(21) Passenger car shall mean a motor vehicle designed and used to carry ten passengers or less and not used for hire;

~~(21)~~ (22) Self-propelled mobile home shall mean a vehicle with motive power designed for living quarters;

~~(22)~~ (23) Semitrailer shall mean any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle;

~~(23)~~ (24) Total fleet miles shall mean the total number of miles operated in all jurisdictions during the preceding year by the vehicles in such fleet during such year;

(24) (25) Trailer shall mean any vehicle without motive power designed for carrying persons or property and being pulled by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle;

~~(25)~~ (26) Transporter shall mean any person lawfully engaged in the business of transporting vehicles not his or her own solely for delivery thereof (a) by driving singly, (b) by driving in combinations by the towbar, fullmount, or saddlemount methods or any combinations thereof, or (c) when a truck or tractor draws a semitrailer or tows a

trailer;

~~(26)~~ ~~(27)~~ Truck-tractor shall mean any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load being drawn;

~~(27)~~ ~~(28)~~ Trucks shall mean motor vehicles equipped or used for the transportation of property;

~~(28)~~ ~~(29)~~ Utility trailer shall mean a trailer having a gross weight, including load thereon, of nine thousand pounds or less attached to a motor vehicle and used exclusively to carry miscellaneous items of personal property. Such trailers shall carry on their license plate, in addition to the registration number, the letter X; and

~~(29)~~ ~~(30)~~ Vehicle shall mean any device in, upon, or by which any person or property is or may be transported or drawn upon a public highway except devices moved solely by human power or used exclusively upon stationary rails or tracks.

Sec. 39. That section 60-302, Revised Statutes Supplement, 1992, as amended by section 16, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and section 3, Legislative Bill 346, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

60-302. (1) No motor vehicle, trailer, semitrailer, or cabin trailer, unless otherwise expressly provided, shall be operated or parked on the highways of this state unless such vehicle is registered in accordance with Chapter 60, article 3. There shall be a rebuttable presumption that any vehicle stored and kept more than thirty days in the state is being operated or parked on the highways of this state and shall be registered in accordance with Chapter 60, article 3. Every owner of a vehicle required to be registered shall make application for registration to the county treasurer of the county in which the vehicle has tax situs as defined in section 77-1238. The application shall be a copy of a certificate of title or, in the case of a renewal of a registration, the application shall be the previous registration period's certificate. A salvage certificate of title as defined in section 60-129 and a nontransferable certificate of title provided for in section 60-131 shall not be valid for registration purposes.

(2) All applications for registration of motor vehicles shall be accompanied by proof of financial responsibility. Proof of financial responsibility shall be evidenced by a copy of proof of financial responsibility filed pursuant to subdivision (2), (3), or (4) of section 60-528 bearing the seal of the Department of Motor Vehicles or by a certificate or policy of insurance. Such certificate or policy of insurance shall be written by an insurance carrier duly authorized to do business in this state and shall certify that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate or policy shall give the effective dates of such motor vehicle liability policy, which dates shall be evidence that the coverage is in effect on and following the date of registration, and shall designate, by explicit description or by appropriate reference, all motor vehicles covered

thereby.

(3) Any nonresident owner who desires to register a vehicle or vehicles in this state shall register in the county where the vehicle is domiciled or where the owner conducts a bona fide business.

(4) Each new application shall contain, in addition to such other information as may be required by the department, the name and post office address of the applicant and a description of the vehicle, including the color, the manufacturer, the identification number, and the weight of the vehicle required by Chapter 60, article 3. With such application and proof of financial responsibility, the applicant shall pay the proper registration fee as provided in sections 60-305.08 to 60-339 and shall state whether the vehicle is propelled by electricity, motor vehicle fuel as defined in section 66-482, or special fuel as defined in section 66-602, and if special fuel, the type of fuel. The form shall also contain a notice that bulk special or diesel fuel purchasers may be subject to federal excise tax liability. The department shall prescribe a form, containing such notice, for supplying the information for vehicles to be registered. The county assessor shall include the form in each mailing made pursuant to section 77-1240.01.

(5) The county treasurer or his or her agent shall collect, in addition to other registration fees, the sum of one dollar and fifty cents for each and every certificate issued, which fee shall be remitted by the county treasurer to the State Treasurer for credit to the State Recreation Road Fund.

(6) If a citation is issued to an owner of a vehicle for a violation of this section and the owner, within ten days of issuance of the citation, properly registers and licenses the vehicle not in compliance, pays all taxes and fees due, and provides proof of such registration to the prosecuting attorney, no prosecution for the offense cited shall occur.

(7) If a county board consolidates services under the office of a designated county official other than the county treasurer pursuant to section 1 of this act, the powers and duties of the county treasurer relating to registration under sections 60-301 to 60-347 shall be performed by the designated county official.

Sec. 40. That section 60-302.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-302.03. Any person who operates or parks a motor vehicle, semitrailer, or cabin trailer on any highway, which vehicle has not been registered as required by section 60-302, shall be subject to the penalty provided in section 39-6,188.

A person who parks a motor vehicle on any highway, which vehicle has been properly registered in this state but such registration has expired, shall not be in violation of this section or section 60-302 or subject to the penalty provided in section 64, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, unless thirty days have passed from the expiration of the prior registration.

Sec. 41. That section 60-323, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-323. Except as otherwise specifically provided, no person shall operate, drive, or park or cause to be operated, ~~or~~ driven, or parked a motor vehicle on the public highways; unless such vehicle ~~shall~~ at all times ~~have~~ has displayed one number plate on the back thereof and one number plate on the front thereof, which plates shall be furnished for it as hereinbefore provided.

In each registration period in which registration plates are not furnished, such plates shall have affixed thereto the renewal tabs furnished pursuant to section 60-311. In all cases such number plates shall be securely fastened in an upright position to the motor vehicle so as to prevent such plates from swinging; and at a minimum distance of twelve inches from the ground to the bottom of the plate. No person shall attach to or display on such motor vehicle any (1) number plate or certificate; other than as assigned to it for the current registration period, (2) fictitious or altered number plates or registration certificate, (3) number plates or registration certificate that ~~shall have~~ has been canceled by the Department of Motor Vehicles, or (4) number plates, in any registration period in which plates are not furnished, to which renewal tabs have not been affixed.

Sec. 42. That section 60-325, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-325. No person shall operate, ~~or~~ drive, or park a motor vehicle, commercial trailer, semitrailer, or utility trailer on the public highways unless such vehicle ~~shall~~ at all times ~~carry~~ carries in or upon it, subject to inspection by any peace officer, the registration certificate furnished for it. In the case of a motorcycle, the registration certificate shall be carried either in plain sight, affixed to the motorcycle, or in the tool bag or some convenient receptacle attached to the motorcycle.

Sec. 43. That section 60-328, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-328. The provisions of sections 60-301 to 60-326.01 relative to registration and display of registration numbers shall not apply to a motor vehicle owned by a nonresident of this state, other than a foreign corporation doing business in this state, ~~if~~ ~~;~~ ~~PROVIDED,~~ ~~that~~ the owner thereof ~~shall have~~ has complied with the provisions of the law of the foreign country, state, territory, or federal district of his or her residence relative to registration of motor vehicles and the display of registration numbers thereon; and ~~shall~~ conspicuously ~~display~~ displays his or her registration numbers as required thereby.

The provisions of this section shall be operative as to motor vehicles owned by a nonresident of this state only to the extent that, under the laws of the foreign country, state, territory, or federal district of his or her residence, like exemptions and privileges are guaranteed to motor vehicles duly registered under the laws of and owned by residents of this state; or to a vehicle duly licensed in the state of residence and operated by a nonresident agricultural worker, certified by the Department of Labor, Division of Employment, as engaged in temporary agricultural

employment in this state, for a period of not to exceed sixty days, ~~†~~ **PROVIDED, where** If a truck, truck tractor, semitrailer, or trailer is lawfully licensed under the laws of another state or province and is engaged in hauling grain or other seasonally harvested products from the field where they are harvested to storage or market during the period from June 1 to December 15 of each year or under emergency conditions, the right to operate over the highways of this state for a period of ninety days is shall be authorized by obtaining a permit therefor from the county treasurer or his or her agent. Such which permit shall be issued upon the payment of a fee of twenty dollars for a truck or one hundred fifty dollars for any combination of truck, truck tractor, semitrailer, or trailer, or of such amount as would be charged a resident of this state for a similar permit in the state of his residence, whichever is greater. The fees for such permits, when collected, shall be remitted to the Department of Motor Vehicles, which shall remit the same to the State Treasurer, who shall place the money in The fees for such permits, when collected, shall be remitted to the Department of Motor Vehicles which shall remit them to the State Treasurer for credit to the Highway Cash Fund.

Sec. 44. That section 60-506.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-506.01. The Department of Motor Vehicles shall, within ten days after receipt of ~~the report of the accident, forward Part II of such report;~~ Part II of a report of an accident pursuant to section 39-6,104.04, forward such part by United States mail; to the insurance company, if any, named in such report as furnishing liability insurance. Unless express denial of the truth of the statements shown on such Part II is received from the named insurance company by the ~~Department of Motor Vehicles~~ department within the time limited by section 60-507, it shall be presumed; for purposes of ~~Chapter 60, article 5, the Motor Vehicle Safety Responsibility Act~~ that such statements are true, and such presumption shall be accepted, when applicable, as satisfying the requirements of sections 60-508 and 60-509.

Sec. 45. That section 60-515, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-515. Neither ~~the report required by sections 60-505 and 60-506;~~ the action taken by the department pursuant to ~~sections 60-501 to 60-569~~ the Motor Vehicle Safety Responsibility Act, the findings, if any, of the department upon which such action is based, nor the security filed as provided in ~~sections 60-501 to 60-569~~ the act shall be referred to in any way, nor be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.

Sec. 46. That section 60-561, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-561. ~~Except for section 60-505;~~ The Motor Vehicle Safety Responsibility Act shall not apply with respect to any motor vehicle owned by the United States, the State of Nebraska, any political subdivision of this state, or any municipality therein. Except for ~~sections 60-505, 60-506, and~~ section 60-551, such act shall not apply with respect



to any motor vehicle which is subject to the requirements of section 75-307, nor shall sections 60-516 to 60-544 apply to any automobile liability policy which has not been certified as provided in sections 60-528 to 60-531 as proof of financial responsibility.

Sec. 47. That section 60-1001, Reissue Revised Statutes of Nebraska, 1943, as amended by section 484, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

~~60-1001.~~ (1) All motor vehicles acquired by the State of Nebraska shall be indelibly and conspicuously lettered, in plain letters of a contrasting color or reflective material:

(a) On each side thereof with the words State of Nebraska and following such words the name of whatever board, department, bureau, division, institution, including the University of Nebraska or state college, office, or other state expending agency of the state to which the motor vehicle belongs; and

(b) On the back thereof with the words State of Nebraska.

(2) This section shall not apply to motor vehicles used or controlled by:

(a) The Nebraska State Patrol, the Public Service Commission, the Game and Parks Commission, deputy state sheriffs employed by the Nebraska Brand Committee and State Fire Marshal for state law enforcement purposes, inspectors employed by the Nebraska Liquor Control Commission, and persons employed by the Tax Commissioner for state revenue enforcement purposes, the exemption for state law enforcement purposes and state revenue enforcement purposes being confined strictly to the seven agencies specifically named;

(b) The Department of Public Institutions or the Department of Correctional Services for the purpose of apprehending and returning escaped offenders or parole violators to facilities in the Department of Correctional Services and transporting offenders and personnel of the Department of Correctional Services and patients and personnel of the Division of Medical Services who are engaged in off-campus program activities;

(c) The Military Department;

(d) Vocational rehabilitation counselors and the Department of Health for the purposes of communicable disease control, for the prevention and control of those communicable diseases which endanger the public health, or used by such department in the enforcement of drug control laws; ~~and~~

(e) The Department of Agriculture for special investigative purposes; and

(f) The Nebraska Motor Vehicle Industry Licensing Board for investigative purposes.

Sec. 48. That section 60-1006, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-1006. (1) Each operator of a state-owned motor vehicle, except a special-use vehicle as prescribed in section 81-1011 or a motor

~~vehicle in which a state agency holds the title, members of the Nebraska State Patrol and operators of trucks and maintenance equipment of the Department of Roads,~~ shall report the points between which ~~said state-owned~~ the motor vehicle traveled each time used, ~~and the speedometer~~ odometer readings at such points, the time of arrival and departure, the necessity and purpose for such travel, ~~and the license number of such motor vehicle,~~ and the department to which such ~~state-owned~~ motor vehicle belongs.

(2)(a) Each operator of a special-use vehicle as prescribed in section 81-1011 or a motor vehicle in which a state agency holds the title shall follow the policy and use the travel report form which shall be established by the director or designated head of the state agency owning such vehicle. The form shall include, but not be limited to, the name of the operator, the license number of the vehicle, the total daily mileage or total hours of daily operation, and any other information the director or designated head deems relevant.

(b) State agencies leasing or renting motor vehicles from the transportation services bureau pursuant to sections 81-1008.01 and 81-1010 shall be required to report motor vehicle usage pursuant to subsection (1) of this section on travel forms prescribed by the chief of the transportation services bureau.

(3) Such travel reports shall be transmitted at the end of each month by every operator to the director or designated head of ~~his department, board, bureau, or commission~~ the operator's state agency, and such reports, after review by the director or designated head of the agency, department, board, bureau, or commission, shall be retained by the agency except the travel reports on motor vehicles leased or rented from the transportation services bureau. The travel reports on motor vehicles leased or rented from the transportation services bureau shall be transmitted to the chief of such bureau ~~transmitted to the Purchasing Agent~~ on or before the ~~tenth~~ seventh day of the month following such use of a ~~state-owned~~ motor vehicle.

(4) Such travel reports shall thereafter be open to public inspection for a period of two years, after which they may be destroyed, except ~~---PROVIDED~~, that; when public inspection of a particular record would be detrimental to the investigation of a criminal case, such particular record shall be withheld from public inspection upon written certificate to that effect by the head of the law enforcement agency concerned.

(5) For purposes of this section, state agency shall include an agency, department, board, bureau, or commission of the state except the transportation services bureau.

Sec. 49. That section 60-2013, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-2013. (1) No person shall operate a snowmobile upon any public way, shoulder, or inside bank or slope of any street or highway or highway right-of-way except as provided in sections 60-2001 to 60-2023. Subject to regulation by the Department of Roads and by local

authorities, in their respective jurisdictions, a snowmobile may be operated on the roadway of any street or highway, on the right-hand side of such roadway and in the same direction as the highway traffic, except that ; **PROVIDED**, no snowmobile shall be operated at any time within the right-of-way of any interstate highway or freeway within this state. ;

(2) A snowmobile may make a direct crossing of a street or highway at any hour of the day if:

(a) The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The snowmobile is brought to a complete stop before crossing the shoulder or main-traveled way of the highway;

(c) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

(d) In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway; and

(e) ~~If~~ When the crossing is made between ~~the hours of one-half hour after~~ sunset and ~~one-half hour before~~ sunrise or in conditions of reduced visibility, both front and rear lights are on. ;

(3) No snowmobile shall be operated upon a public street or highway unless equipped with at least one headlamp, one taillamp, each of minimum candlepower as prescribed by regulations of the director, with reflector material of a minimum area of sixteen square inches mounted on each side forward of the handlebars, and with brakes each of which shall conform to standards prescribed by rule of the director. ;

(4) A snowmobile may be operated upon a public street or highway other than as provided by subsection (2) of this section in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical. ;

(5) Unless otherwise provided in sections 60-2001 to 60-2023, all provisions of Chapters 39 and 60 shall apply to the operation of snowmobiles upon streets and highways; except for those relating to required equipment; and ~~except~~ those which by their nature have no application. ; ~~and~~

(6) No person shall operate a snowmobile upon any private lands without first having obtained permission of the owner, lessee, or operator of such lands.

Sec. 50. That section 60-2803, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-2803. Every all-terrain vehicle shall display a lighted headlight and taillight during the period of time from ~~one-half hour after~~ sunset to ~~one-half hour before~~ sunrise and at any time when visibility is reduced due to insufficient light or unfavorable atmospheric conditions.

Sec. 51. That section 60-2807, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-2807. If an accident results in the death of any person

or in the injury of any person which requires the treatment of the person by a physician, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident in the same manner as provided in section ~~60-505~~ 39-6,104.04.

Sec. 52. That section 74-592, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

74-592. Every person, firm, or corporation operating or controlling any railroad running through or within the State of Nebraska shall equip each of its track motor cars used during the period from ~~thirty minutes before~~ sunset to ~~thirty minutes after~~ sunrise; with (1) an electric headlight of such construction either permanent or portable and with sufficient candlepower to render plainly visible at a distance of not less than three hundred feet in advance of such track motor car; any track obstruction, landmark, warning sign, or grade crossing; and (2) a red rear electric light of such construction and with sufficient candlepower as to be plainly visible at a distance of three hundred feet. Such motor cars shall be equipped with a shield of sufficient width and height to afford reasonable protection to the employees transported by it, part of which shall be a windshield of transparent shatterproof material.

Sec. 53. Sections 1, 2, 4 to 6, 8, 10 to 16, 18, 24 to 27, 29, 31 to 34, 36, 37, 44 to 47, 49 to 52, and 55 of this act shall become operative on January 1, 1994. The other sections of this act shall become operative on their effective date.

Sec. 54. That original sections 39-631, 39-654, 39-686, 39-690, 39-691, 39-6,129, 60-302.03, 60-323, 60-325, 60-328, and 60-1006, Reissue Revised Statutes of Nebraska, 1943, sections 28-306, 39-669.26, 39-6,103.06, 39-6,103.07, 39-6,134, 39-6,177, and 60-301, Revised Statutes Supplement, 1992, and section 60-302, Revised Statutes Supplement, 1992, as amended by section 16, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and section 3, Legislative Bill 346, Ninety-third Legislature, First Session, 1993, are repealed.

Sec. 55. That original sections 13-1201, 39-622, 39-633, 39-660, 39-669.02, 39-669.04, 39-669.05, 39-673, 39-6,104.04, 39-6,125, 39-6,127, 39-6,130, 39-6,137, 39-6,162, 39-6,163, 39-6,179, 60-506.01, 60-515, 60-561, 60-2013, 60-2803, 60-2807, and 74-592, Reissue Revised Statutes of Nebraska, 1943, sections 39-669.06, 39-669.22, 39-669.24, and 39-6,138, Revised Statutes Supplement, 1992, section 39-6,123, Reissue Revised Statutes of Nebraska, 1943, as amended by section 349, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, section 60-1001, Reissue Revised Statutes of Nebraska, 1943, as amended by section 484, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, section 60-106, Revised Statutes Supplement, 1992, as amended by section 6, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, section 2, Legislative Bill 340, Ninety-third Legislature, First Session, 1993, and section 2, Legislative Bill 346, Ninety-third Legislature, First Session, 1993, and sections 110 and 154, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, and also sections 60-505, 60-505.03, 60-505.04, and 60-506, Reissue Revised Statutes of Nebraska, 1943, and

section 39-6,183, Reissue Revised Statutes of Nebraska, 1943, as amended by section 5, Legislative Bill 112, Ninety-third Legislature, First Session, 1993, and section 287, Legislative Bill 370, Ninety-third Legislature, First Session, 1993, are repealed.