

AMENDMENTS TO LB 307

Introduced by Transportation and Telecommunications

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 60-6,356, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-6,356 (1) ~~Except as provided in subsections (2)-~~
6 ~~through (5) of this section,~~ an An all-terrain vehicle shall
7 not be operated on any highway of this state. The controlled-access
8 highway, and the crossing of any controlled-access highway shall
9 not be permitted.

10 ~~(2) The crossing of a highway shall be permitted only if:~~

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

14 ~~(b) The vehicle is brought to a complete stop before~~
15 ~~crossing the shoulder or roadway of the highway;~~

16 ~~(c) The operator yields the right-of-way to all oncoming~~
17 ~~traffic that constitutes an immediate potential hazard;~~

18 ~~(d) In crossing a divided highway, the crossing is made~~
19 ~~only at an intersection of such highway with another highway; and~~

20 ~~(e) Both the headlight and taillight of the vehicle are~~
21 ~~on when the crossing is made.~~

22 (2) An all-terrain vehicle may be operated on any
23 highway, other than a controlled-access highway, in accordance

1 with the operating requirements of subsection (3) of this section:

2 (a) Outside the corporate limits of a city, village,
3 or unincorporated village if incidental to the vehicle's use for
4 agricultural purposes;

5 (b) Within the corporate limits of a city or village
6 if authorized by the city or village by ordinance adopted in
7 accordance with this section; or

8 (c) Within an unincorporated village if authorized by the
9 county board of the county in which the unincorporated village is
10 located by resolution in accordance with this section.

11 (3) An all-terrain vehicle may be operated ~~on a highway~~
12 as authorized in subsection (2) of this section when such operation
13 occurs only between the hours of sunrise and sunset, ~~and such~~
14 ~~operation is incidental to the vehicle's use for agricultural~~
15 ~~purposes.~~ Any person operating an all-terrain vehicle ~~on a highway~~
16 as authorized in subsection (2) of this section shall have a valid
17 Class O operator's license or a farm permit as provided in section
18 60-4,126 and shall not operate such vehicle at a speed in excess
19 of thirty miles per hour. When ~~operated on a highway,~~ operating
20 an all-terrain vehicle as authorized in subsection (2) of this
21 section, the headlight and taillight of the vehicle shall be on
22 and the vehicle shall be equipped with a bicycle safety flag which
23 extends not less than five feet above ground attached to the rear
24 of such vehicle. The bicycle safety flag shall be triangular in
25 shape with an area of not less than thirty square inches and shall
26 be day-glow in color.

27 (4) All-terrain vehicles may be operated without

1 complying with subsection (3) of this section on highways in
2 parades which have been authorized by the State of Nebraska or
3 any department, board, commission, or political subdivision of the
4 state.

5 (5) The crossing of a highway, other than a
6 controlled-access highway, shall be permitted by an all-terrain
7 vehicle without complying with subsection (3) of this section only
8 if:

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

12 (b) The vehicle is brought to a complete stop before
13 crossing the shoulder or roadway of the highway;

14 (c) The operator yields the right-of-way to all oncoming
15 traffic that constitutes an immediate potential hazard;

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

18 (e) Both the headlight and taillight of the vehicle are
19 on when the crossing is made.

20 ~~(5)~~ (6) All-terrain vehicles may be operated on highways,
21 other than controlled-access highways, outside the corporate limits
22 of any municipality by electric utility personnel within the course
23 of their employment in accordance with the operation requirements
24 of subsection (3) of this section, except that the operation of the
25 vehicle pursuant to this subsection need not be incidental to the
26 use of the vehicle for agricultural purposes. limited to the hours
27 between sunrise and sunset.

1 (7) A city or village may adopt an ordinance authorizing
2 the operation of all-terrain vehicles within the corporate limits
3 of the city or village if the operation is in accordance with
4 subsection (3) of this section. The city or village may place other
5 restrictions on the operation of all-terrain vehicles within its
6 corporate limits.

7 (8) A county board may adopt a resolution authorizing the
8 operation of all-terrain vehicles within any unincorporated village
9 within the county if the operation is in accordance with subsection
10 (3) of this section. The county may place other restrictions on
11 the operation of all-terrain vehicles within the unincorporated
12 village.

13 Sec. 2. Original section 60-6,356, Reissue Revised
14 Statutes of Nebraska, is repealed.