

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 35**

Introduced By: Janssen, 15;  
Read first time: January 4, 2007  
Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend  
2 section 60-6,186, Reissue Revised Statutes of Nebraska, and  
3 section 60-4,182, Revised Statutes Cumulative Supplement,  
4 2006; to clarify speed limits on certain freeways; to  
5 harmonize provisions; to delete obsolete provisions; and to  
6 repeal the original sections.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-4,182 Revised Statutes Cumulative  
2 Supplement, 2006 , is amended to read:

3           60-4,182. In order to prevent and eliminate successive  
4 traffic violations, there is hereby provided a point system dealing  
5 with traffic violations as disclosed by the files of the director. The  
6 following point system shall be adopted:

7           (1) Conviction of motor vehicle homicide - 12 points;

8           (2) Third offense drunken driving in violation of any city  
9 or village ordinance or of section 60-6,196, as disclosed by the  
10 records of the director, regardless of whether the trial court found  
11 the same to be a third offense - 12 points;

12           (3) Failure to stop and render aid as required under section  
13 60-697 in the event of involvement in a motor vehicle accident  
14 resulting in the death or personal injury of another - 6 points;

15           (4) Failure to stop and report as required under section  
16 60-696 or any city or village ordinance in the event of a motor  
17 vehicle accident resulting in property damage - 6 points;

18           (5) Driving a motor vehicle while under the influence of  
19 alcoholic liquor or any drug or when such person has a concentration  
20 of eight-hundredths of one gram or more by weight of alcohol per one  
21 hundred milliliters of his or her blood or per two hundred ten liters  
22 of his or her breath in violation of any city or village ordinance or  
23 of section 60-6,196 - 6 points;

24           (6) Willful reckless driving in violation of any city or  
25 village ordinance or of section 60-6,214 or 60-6,217 - 6 points;

26           (7) Careless driving in violation of any city or village  
27 ordinance or of section 60-6,212 - 4 points;

1 (8) Negligent driving in violation of any city or village  
2 ordinance - 3 points;

3 (9) Reckless driving in violation of any city or village  
4 ordinance or of section 60-6,213 - 5 points;

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

7 (a) Not more than five miles per hour over the speed limit -  
8 1 point;

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

11 (c) More than ten miles per hour over the speed limit - 3  
12 points, except that one point shall be assessed upon conviction of  
13 exceeding by not more than ten miles per hour, two points shall be  
14 assessed upon conviction of exceeding by more than ten miles per hour  
15 but not more than fifteen miles per hour, and three points shall be  
16 assessed upon conviction of exceeding by more than fifteen miles per  
17 hour the speed limits provided for in subdivision (1)(e), (f), ~~or~~  
18 (g), or (h) of section 60-6,186

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

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

23 (13) All other traffic violations involving the operation of  
24 motor vehicles by the operator for which reports to the Department of  
25 Motor Vehicles are required under sections 60-497.01 and 60-497.02,  
26 not including violations involving an occupant protection system  
27 pursuant to section 60-6,270, parking violations, violations for

1 operating a motor vehicle without a valid operator's license in the  
2 operator's possession, muffler violations, overwidth, overheight, or  
3 overlength violations, motorcycle or moped protective helmet  
4 violations, or overloading of trucks - 1 point.

5 All such points shall be assessed against the driving record  
6 of the operator as of the date of the violation for which conviction  
7 was had. Points may be reduced by the department under section  
8 60-4,188.

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

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

15 Sec. 2. Section 60-6,186 Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 60-6,186. (1) Except when a special hazard exists that  
18 requires lower speed for compliance with section 60-6,185, the limits  
19 set forth in this section and sections 60-6,187, 60-6,188, 60-6,305,  
20 and 60-6,313 shall be the maximum lawful speeds unless reduced  
21 pursuant to subsection (2) of this section, and no person shall drive  
22 a vehicle on a highway at a speed in excess of such maximum limits:

- 23 (a) Twenty-five miles per hour in any residential district;  
24 (b) Twenty miles per hour in any business district;  
25 (c) Fifty miles per hour upon any highway that is not  
26 dustless surfaced and not part of the state highway system;  
27 (d) Fifty-five miles per hour upon any dustless-surfaced

1 highway not a part of the state highway system;

2 ~~(e)(i) Until September 1, 1996, fifty five miles per hour~~  
 3 ~~upon any part of the state highway system other than an expressway or~~  
 4 ~~a freeway; and~~

5 ~~(ii) Beginning on and after September 1, 1996, sixty (e)~~  
 6 Sixty miles per hour upon any part of the state highway system other  
 7 than an expressway or a freeway, except that the Department of Roads  
 8 may, where existing design and traffic conditions allow, according to  
 9 an engineering study, authorize a speed limit five miles per hour  
 10 greater;

11 (f) Sixty-five miles per hour upon an expressway that is  
 12 part of the state highway system; ~~and~~

13 (g) Sixty-five miles per hour upon a freeway that is part  
 14 of the state highway system but not part of the National System of  
 15 Interstate and Defense Highways; and

16 ~~(g)~~ (h) Seventy-five miles per hour upon a freeway that  
 17 is part of the state highway system and ~~upon~~ the National System of  
 18 Interstate and Defense Highways, except that the maximum speed limit  
 19 shall be sixty miles per hour for:

20 (i) Any portion of a ~~freeway and~~ the National System of  
 21 Interstate and Defense Highways located in Douglas County; and

22 (ii) That portion of the National System of Interstate and  
 23 Defense Highways designated as Interstate 180 in Lancaster County and  
 24 Interstate 129 in Dakota County.

25 (2) The maximum speed limits established in subsection (1)  
 26 of this section may be reduced by the Department of Roads or by local  
 27 authorities pursuant to section 60-6,188 or 60-6,190.

1           (3) The Department of Roads and local authorities may erect  
2           and maintain suitable signs along highways under their respective  
3           jurisdictions in such number and at such locations as they deem  
4           necessary to give adequate notice of the speed limits established  
5           pursuant to subsection (1) or (2) of this section upon such highways.

6           Sec. 3. Original section 60-6,186, Reissue Revised Statutes  
7           of Nebraska, and section 60-4,182, Revised Statutes Cumulative  
8           Supplement, 2006, are repealed.