

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 31**

Introduced by Bloomfield, 17.

Read first time January 08, 2015

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to motorcycles and mopeds; to amend section  
2 60-4,182, Revised Statutes Cumulative Supplement, 2014; to eliminate  
3 motorcycle and moped helmet requirements; to harmonize provisions;  
4 to repeal the original section; and to outright repeal sections  
5 60-6,278, 60-6,279, 60-6,280, 60-6,281, and 60-6,282, Reissue  
6 Revised Statutes of Nebraska.

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

1 Section 1. Section 60-4,182, Revised Statutes Cumulative Supplement,  
2 2014, is amended to read:

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

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

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

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

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

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

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

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

28 (8) Negligent driving in violation of any city or village ordinance  
29 - 3 points;

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

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

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

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

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

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

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

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

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

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

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

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

31 (17) All other traffic violations involving the operation of motor

1 vehicles by the operator for which reports to the Department of Motor  
2 Vehicles are required under sections 60-497.01 and 60-497.02 - 1 point.

3 Subdivision (17) of this section does not include violations  
4 involving an occupant protection system pursuant to section 60-6,270,  
5 parking violations, violations for operating a motor vehicle without a  
6 valid operator's license in the operator's possession, muffler  
7 violations, overwidth, overheight, or overlength violations, ~~motorcycle~~  
8 ~~or moped protective helmet violations,~~ or overloading of trucks.

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

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

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

18 Sec. 2. Original section 60-4,182, Revised Statutes Cumulative  
19 Supplement, 2014, is repealed.

20 Sec. 3. The following sections are outright repealed: Sections  
21 60-6,278, 60-6,279, 60-6,280, 60-6,281, and 60-6,282, Reissue Revised  
22 Statutes of Nebraska.