

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 127**

Introduced by Cunningham, 40; Burling, 33; Combs, 32; Kremer, 34;  
McDonald, 41; Price, 26; Stuthman, 22

Read first time January 6, 2005

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend  
2 section 60-601, Reissue Revised Statutes of Nebraska; to  
3 authorize the reporting of school bus safety violations  
4 as prescribed; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 60-601, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-601. Sections 60-601 to 60-6,377 and section 2 of  
4 this act shall be known and may be cited as the Nebraska Rules of  
5 the Road.

6                   Sec. 2.   (1) The driver of a school bus, a school  
7 crossing guard, or a school official who observes a violation of  
8 subsection (1) of section 60-6,175 may prepare a written report on  
9 a form prescribed by the Department of Motor Vehicles indicating  
10 that a violation has occurred. If the school bus driver, crossing  
11 guard, or school official prepares the report, a school official  
12 shall deliver the report not more than seventy-two hours after the  
13 violation occurred to a law enforcement agency of the state,  
14 county, or municipality in which the violation occurred. The  
15 report shall state the time and the location at which the violation  
16 occurred and shall include the license plate number and a  
17 description of the vehicle involved in the violation.

18                   (2) Not more than seven calendar days after receiving a  
19 report of a violation of subsection (1) of section 60-6,175, the  
20 law enforcement agency shall initiate an investigation of the  
21 reported violation and contact the owner of the motor vehicle  
22 involved in the reported violation and request that the owner  
23 supply information identifying the person operating the vehicle at  
24 the time of the violation.

25                   (3) If, from the investigation, the investigator is able  
26 to identify the person operating the vehicle at the time of the  
27 violation and has reasonable cause to believe a violation of  
28 subsection (1) of section 60-6,175 has occurred, the investigator

1 shall prepare a traffic citation for the violation and shall serve  
2 it personally or by certified mail to such person.

3 (4) If, from the investigation, the investigator has  
4 reasonable cause to believe that a violation of subsection (1) of  
5 section 60-6,175 occurred but is unable to identify the person  
6 operating the vehicle at the time of the violation, the  
7 investigator shall prepare a traffic citation for the violation and  
8 shall serve it personally or by certified mail to the owner of the  
9 motor vehicle. In a proceeding in which the investigator who  
10 conducted the investigation was not able to identify the person  
11 operating the vehicle at the time of the violation, proof that the  
12 motor vehicle described in the traffic citation was used to commit  
13 the violation of subsection (1) of section 60-6,175, together with  
14 proof that the defendant named in the citation was the registered  
15 owner of the motor vehicle at the time the violation occurred,  
16 constitutes a presumption that the registered owner was the person  
17 who committed the violation.

18 Sec. 3. Original section 60-601, Reissue Revised  
19 Statutes of Nebraska, is repealed.