

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 69**

Introduced by Smith, 48; Baker, 44

Read first time January 6, 2005

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section 60-4,182,  
2 Reissue Revised Statutes of Nebraska; to eliminate  
3 provisions relating to protective helmets as prescribed;  
4 to harmonize provisions; to repeal the original section;  
5 and to outright repeal sections 60-6,278 to 60-6,282,  
6 Reissue Revised Statutes of Nebraska.  
7 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 60-4,182, Reissue Revised Statutes of  
2 Nebraska, 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.  
6 The 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  
9 city or village ordinance or of section 60-6,196, as disclosed by  
10 the records of the director, regardless of whether the trial court  
11 found the same to be a third offense -- 12 points;

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

16                   (4) Failure to stop and render aid as required under the  
17 laws of this state or any city or village ordinance in the event of  
18 a motor vehicle accident resulting in property damage if such  
19 accident is reported by the owner or operator within twelve hours  
20 from the time of the accident -- 4 points, otherwise -- 8 points,  
21 and for purposes of this subdivision a telephone call or other  
22 notification to the appropriate peace officers shall be deemed to  
23 be a report;

24                   (5) Driving a motor vehicle while under the influence of  
25 alcoholic liquor or any drug or when such person has a  
26 concentration of eight-hundredths of one gram or more by weight of  
27 alcohol per one hundred milliliters of his or her blood or per two  
28 hundred ten liters of his or her breath in violation of any city or

1 village ordinance or of section 60-6,196 -- 6 points;

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

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

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

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

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

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

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

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

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

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

28 (13) All other traffic violations involving the operation

1 of motor vehicles by the operator for which reports to the  
2 Department of Motor Vehicles are required under sections 60-497.01  
3 and 60-497.02, not including violations involving an occupant  
4 protection system pursuant to section 60-6,270, parking violations,  
5 violations for operating a motor vehicle without a valid operator's  
6 license in the operator's possession, muffler violations,  
7 overwidth, overheight, or overlength violations, ~~motorcycle or~~  
8 ~~moped protective helmet violations~~, or overloading of trucks -- 1  
9 point.

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

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

17 The point system shall not apply to persons convicted of  
18 traffic violations committed while operating a bicycle or an  
19 electric personal assistive mobility device as defined in section  
20 60-618.02.

21 Sec. 2. Original section 60-4,182, Reissue Revised  
22 Statutes of Nebraska, is repealed.

23 Sec. 3. The following sections are outright repealed:  
24 Sections 60-6,278 to 60-6,282, Reissue Revised Statutes of  
25 Nebraska.