

AMENDMENTS TO LB 92

Introduced by Transportation and Telecommunications.

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

3 Section 1. Section 60-601, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

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

8 Sec. 2. (1) (a) A driver in a vehicle on a
9 controlled-access highway approaching or passing a stopped
10 authorized emergency vehicle or road assistance vehicle which makes
11 use of proper audible or visual signals shall proceed with due care
12 and caution as described in subdivision (b) of this subsection.

13 (b) On a controlled-access highway with at least two
14 adjacent lanes of travel in the same direction on the same side
15 of the highway where a stopped authorized emergency vehicle or
16 road assistance vehicle is using proper audible or visual signals,
17 the driver of the vehicle shall proceed with due care and caution
18 and yield the right-of-way by moving into a lane at least one
19 moving lane apart from the stopped authorized emergency vehicle
20 or road assistance vehicle unless directed otherwise by a peace
21 officer or other authorized emergency personnel. If moving into
22 another lane is not possible because of weather conditions, road
23 conditions, or the immediate presence of vehicular or pedestrian

1 traffic or because the controlled-access highway does not have
2 two available adjacent lanes of travel in the same direction on
3 the same side of the highway where such a stopped authorized
4 emergency vehicle or road assistance vehicle is located, the
5 driver of the approaching or passing vehicle shall reduce his
6 or her speed, maintain a safe speed with regard to the location
7 of the stopped authorized emergency vehicle or road assistance
8 vehicle, the weather conditions, the road conditions, and vehicular
9 or pedestrian traffic, and proceed with due care and caution
10 or proceed as directed by a peace officer or other authorized
11 emergency personnel or road assistance personnel.

12 (c) Any person who violates this subsection is guilty of
13 a traffic infraction for a first offense and Class IIIA misdemeanor
14 for a second or subsequent offense.

15 (2) The Department of Roads shall erect and maintain
16 or cause to be erected and maintained signs giving notice of
17 subsection (1) of this section along controlled-access highways.
18 This section is not effective for a controlled-access highway until
19 such signs are erected and maintained along such highway.

20 (3) Enforcement of subsection (1) of this section
21 shall not be accomplished using simulated situations involving an
22 authorized emergency vehicle or a road assistance vehicle.

23 (4) This section does not relieve the driver of an
24 authorized emergency vehicle or a road assistance vehicle from the
25 duty to drive with due regard for the safety of all persons using
26 the highway.

27 (5) For purposes of this section, road assistance vehicle

1 includes a vehicle operated by the Department of Roads, a
2 Nebraska State Patrol motorist assistance vehicle, and a United
3 States Department of Transportation registered towing or roadside
4 assistance vehicle. A road assistance vehicle shall emit a warning
5 signal utilizing properly displayed emergency indicators such as
6 strobe, rotating, or oscillating lights when stopped along a
7 highway.

8 Sec. 3. Original section 60-601, Revised Statutes
9 Cumulative Supplement, 2008, is repealed.