

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 92

Introduced by Howard, 9; Flood, 19; Hansen, 42; Louden, 49;
Wallman, 30.

Read first time January 8, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 section 60-6,151, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to operation of vehicles
4 upon the approach of authorized emergency vehicles; to
5 provide penalties; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,151, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,151 (1) (a) A driver in a vehicle on a
4 controlled-access highway approaching or passing a stopped
5 authorized emergency vehicle which makes use of proper audible or
6 visual signals shall proceed with due care and caution as described
7 in this subsection.

8 (b) On a controlled-access highway with at least two
9 adjacent lanes of travel in the same direction on the same side
10 of the highway where a stopped authorized emergency vehicle is
11 using proper audible or visual signals, the driver of the vehicle
12 shall proceed with due care and caution and yield the right-of-way
13 by moving into a lane at least one moving lane apart from the
14 stopped authorized emergency vehicle unless directed otherwise
15 by a peace officer or other authorized emergency personnel. If
16 moving into another lane is not possible because of weather
17 conditions, road conditions, or the immediate presence of vehicular
18 or pedestrian traffic or because the controlled-access highway
19 does not have two available adjacent lanes of travel in the
20 same direction on the same side of the highway where such a
21 stopped authorized emergency vehicle is located, the driver of
22 the approaching or passing vehicle shall reduce his or her speed,
23 maintain a safe speed with regard to the location of the stopped
24 authorized emergency vehicle, weather conditions, road conditions,
25 and vehicular or pedestrian traffic, and proceed with due care

1 and caution or proceed as directed by a peace officer or other
2 authorized emergency personnel.

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

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

11 (3) Enforcement of subsection (1) of this section
12 shall not be accomplished using simulated situations involving an
13 authorized emergency vehicle.

14 ~~(1)~~ Upon (4) Except as otherwise provided in subsection
15 (1) of this section, upon the immediate approach of an authorized
16 emergency vehicle which makes use of proper audible or visual
17 signals, the ~~-(a)~~ The driver of any other vehicle shall yield the
18 right-of-way and shall immediately drive to a position parallel to
19 and as close as possible to the right-hand edge or curb of the
20 roadway or to either edge or curb of a one-way roadway, clear
21 of any intersection, and shall stop and remain in such position
22 until such emergency vehicle passes unless otherwise directed by
23 any peace officer. ~~+~~ and

24 ~~(b)~~ Any (5) Upon the immediate approach of an authorized
25 emergency vehicle which makes use of proper audible or visual

1 signals, any pedestrian using such roadway shall yield the
2 right-of-way until such emergency vehicle passes unless otherwise
3 directed by any peace officer.

4 ~~(2)~~ (6) This section shall not relieve the driver of an
5 authorized emergency vehicle from the duty to drive with due regard
6 for the safety of all persons using the highway.

7 Sec. 2. Original section 60-6,151, Reissue Revised
8 Statutes of Nebraska, is repealed.