

AMENDMENTS TO LB 1039

Introduced by Transportation and Telecommunications

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

3 Section 1. Section 60-4,182, Revised Statutes Supplement,
4 2011, is amended to read:

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

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

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

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

18 (4) Failure to stop and report as required under section
19 60-696 or any city or village ordinance in the event of a motor
20 vehicle accident resulting in property damage - 6 points;

21 (5) Driving a motor vehicle while under the influence
22 of alcoholic liquor or any drug or when such person has a
23 concentration of eight-hundredths of one gram or more by weight of

1 alcohol per one hundred milliliters of his or her blood or per two
2 hundred ten liters of his or her breath in violation of any city or
3 village ordinance or of section 60-6,196 - 6 points;

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

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

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

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

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

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

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

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

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

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

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

7 (13) Using a handheld wireless communication device in
8 violation of section 60-6,179.01 - 3 points;

9 (14) Unlawful obstruction or interference of the view of
10 an operator in violation of section 60-6,256 - 1 point; and

11 (15) A violation of subsection (1) of section 60-6,175 -
12 3 points; and

13 ~~(15)~~ (16) All other traffic violations involving the
14 operation of motor vehicles by the operator for which reports
15 to the Department of Motor Vehicles are required under sections
16 60-497.01 and 60-497.02 - 1 point.

17 Subdivision ~~(15)~~ (16) of this section does not include
18 violations involving an occupant protection system pursuant to
19 section 60-6,270, parking violations, violations for operating
20 a motor vehicle without a valid operator's license in the
21 operator's possession, muffler violations, overwidth, overheight,
22 or overlength violations, motorcycle or moped protective helmet
23 violations, or overloading of trucks.

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

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

4 The point system shall not apply to persons convicted
5 of traffic violations committed while operating a bicycle or an
6 electric personal assistive mobility device as defined in section
7 60-618.02.

8 Sec. 2. Section 60-6,175, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-6,175 (1) Upon meeting or overtaking, from the front
11 or rear, any school bus on which the ~~stop~~ yellow warning signal
12 lights are flashing, the driver of a motor vehicle shall reduce
13 the speed of such vehicle to not more than twenty-five miles per
14 hour, shall bring such vehicle to a complete stop when the school
15 bus is stopped, the stop signal arm is extended, and the flashing
16 red signal lights are turned on, and shall remain stopped until
17 the flashing red signal lights are turned off, the stop signal
18 arm is retracted, and the school bus resumes motion. ~~or until~~
19 ~~signaled by the bus driver to proceed.~~ This section shall not
20 apply to approaching traffic in the opposite direction on a divided
21 highway or to approaching traffic when there is displayed a sign
22 as provided in subsection ~~(7)~~ (8) of this section directing traffic
23 to proceed. Any person violating this subsection shall be guilty of
24 a Class IV misdemeanor, shall be fined five hundred dollars, and
25 shall be assessed points on his or her motor vehicle operator's
26 license pursuant to section 60-4,182.

27 (2) Except as provided in subsection ~~(7)~~ (8) of this

1 section, the driver of any school bus, when stopping to receive or
2 discharge pupils, shall turn on flashing ~~step~~ yellow warning signal
3 lights at a distance of not less than three hundred feet when
4 inside the corporate limits of any city or village and not less
5 than five hundred feet nor more than one thousand feet in any area
6 outside the corporate limits of any city or village from the point
7 where such pupils are to be received or discharged from the bus.
8 At the point of receiving or discharging pupils, the bus driver
9 shall bring the school bus to a stop, ~~and~~ extend a stop signal
10 arm, and turn on the flashing red signal lights. After receiving or
11 discharging pupils, the bus driver shall turn off the flashing ~~step~~
12 ~~warning~~ red signal lights, retract the stop signal arm, and then
13 proceed on the route.

14 (3) (a) Except as provided in subdivision (b) of this
15 subsection, no ~~No~~ school bus shall stop to load or unload pupils
16 unless there is at least four hundred feet of clear vision in each
17 direction of travel.

18 (b) If four hundred feet of clear vision in each
19 direction of travel is not possible as determined by the school
20 district, a school bus may stop to load or unload pupils if there
21 is proper signage installed indicating that a school bus stop is
22 ahead.

23 ~~(3)~~ (4) All pupils shall be received and discharged from
24 the right front entrance of every school bus. If such pupils must
25 cross a roadway, the bus driver shall instruct such pupils to cross
26 in front of the school bus and the bus driver shall keep such
27 school bus halted with the flashing ~~step~~ ~~warning~~ red signal lights

1 turned on and the stop signal arm extended until such pupils have
2 reached the opposite side of such roadway.

3 ~~(4)~~ (5) The driver of a vehicle upon a divided highway
4 need not stop upon meeting or passing a school bus which is on
5 a different roadway or when upon a freeway and such school bus
6 is stopped in a loading zone which is a part of or adjacent to
7 such highway and where pedestrians are not permitted to cross the
8 roadway.

9 ~~(5)~~ (6) Every school bus shall bear upon the front and
10 rear thereof plainly visible signs containing the words school bus
11 in letters not less than eight inches high.

12 ~~(6)~~ (7) When a school bus is being operated upon a
13 highway for purposes other than the actual transportation of
14 children either to or from school or school-sponsored activities,
15 all markings thereon indicating school bus shall be covered or
16 concealed. The stop signal arm and system of ~~alternately~~ flashing
17 ~~stop~~ yellow warning signal lights and flashing red signal lights
18 shall not be operable through the usual controls.

19 ~~(7)~~ (8) When a school bus is (a) parked in a designated
20 school bus loading area which is out of the flow of traffic and
21 which is adjacent to a school site or (b) parked on a roadway
22 which possesses more than one lane of traffic flowing in the same
23 direction and which is adjacent to a school site, the bus driver
24 shall engage only the ~~flashing stop~~ hazard warning signal flasher
25 lights when receiving or discharging pupils if a school bus loading
26 area warning sign is displayed. Such signs shall not be directly
27 attached to any school bus but shall be free standing and placed

1 at the rear of a parked school bus or line of parked school buses.
2 No school district shall utilize a school bus loading area warning
3 sign unless such sign complies with the requirements of section
4 60-6,176.

5 Sec. 3. Original section 60-6,175, Reissue Revised
6 Statutes of Nebraska, and section 60-4,182, Revised Statutes
7 Supplement, 2011, are repealed.