

AMENDMENTS TO LB84

Introduced by Transportation and Telecommunications

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

3           Section 1. Section 60-6,356, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           60-6,356 (1) An all-terrain vehicle or a utility-type  
6 vehicle shall not be operated on any controlled-access highway with  
7 more than two marked traffic lanes. The ~~7~~ and the crossing of  
8 any controlled-access highway with more than two marked traffic  
9 lanes shall not be permitted except as provided in subsection (9)  
10 of this section. Subsections (2), (3), and (5) through (8) of  
11 this section authorize and apply to operation of an all-terrain  
12 vehicle or a utility-type vehicle only on a highway other than a  
13 controlled-access highway with more than two marked traffic lanes.

14           (2) An all-terrain vehicle or a utility-type vehicle  
15 may be operated in accordance with the operating requirements of  
16 subsection (3) of this section:

17           (a) Outside the corporate limits of a city, village,  
18 or unincorporated village if incidental to the vehicle's use for  
19 agricultural purposes;

20           (b) Within the corporate limits of a city or village  
21 if authorized by the city or village by ordinance adopted in  
22 accordance with this section; or

23           (c) Within an unincorporated village if authorized by the

1 county board of the county in which the unincorporated village is  
2 located by resolution in accordance with this section.

3 (3) An all-terrain vehicle or a utility-type vehicle may  
4 be operated as authorized in subsection (2) of this section when  
5 such operation occurs only between the hours of sunrise and sunset.  
6 Any person operating an all-terrain vehicle or a utility-type  
7 vehicle as authorized in subsection (2) of this section shall have  
8 a valid Class O operator's license or a farm permit as provided  
9 in section 60-4,126, shall have liability insurance coverage for  
10 the all-terrain vehicle or a utility-type vehicle while operating  
11 the all-terrain vehicle or a utility-type vehicle on a highway,  
12 and shall not operate such vehicle at a speed in excess of thirty  
13 miles per hour. The person operating the all-terrain vehicle or a  
14 utility-type vehicle shall provide proof of such insurance coverage  
15 to any peace officer requesting such proof within five days of such  
16 a request. When operating an all-terrain vehicle or a utility-type  
17 vehicle as authorized in subsection (2) of this section, the  
18 headlight and taillight of the vehicle shall be on and the vehicle  
19 shall be equipped with a bicycle safety flag which extends not less  
20 than five feet above ground attached to the rear of such vehicle.  
21 The bicycle safety flag shall be triangular in shape with an area  
22 of not less than thirty square inches and shall be day-glow in  
23 color.

24 (4) All-terrain vehicles and utility-type vehicles may  
25 be operated without complying with subsection (3) of this section  
26 on highways in parades which have been authorized by the State  
27 of Nebraska or any department, board, commission, or political

1 subdivision of the state.

2 (5) ~~Subject to subsection (1) of this section,~~ The  
3 crossing of a highway other than a controlled-access highway with  
4 more than two marked traffic lanes shall be permitted by an  
5 all-terrain vehicle or a utility-type vehicle without complying  
6 with subsection (3) of this section only if:

7 (a) The crossing is made at an angle of approximately  
8 ninety degrees to the direction of the highway and at a place where  
9 no obstruction prevents a quick and safe crossing;

10 (b) The vehicle is brought to a complete stop before  
11 crossing the shoulder or roadway of the highway;

12 (c) The operator yields the right-of-way to all oncoming  
13 traffic that constitutes an immediate potential hazard;

14 (d) In crossing a divided highway, the crossing is made  
15 only at an intersection of such highway with another highway; and

16 (e) Both the headlight and taillight of the vehicle are  
17 on when the crossing is made.

18 (6) All-terrain vehicles and utility-type vehicles may  
19 be operated outside the corporate limits of any municipality by  
20 electric utility personnel within the course of their employment  
21 in accordance with the operation requirements of subsection (3) of  
22 this section, except that the operation of the vehicle pursuant to  
23 this subsection need not be limited to the hours between sunrise  
24 and sunset.

25 (7) A city or village may adopt an ordinance authorizing  
26 the operation of all-terrain vehicles and utility-type vehicles  
27 within the corporate limits of the city or village if the operation

1 is in accordance with subsection (3) of this section. The city  
2 or village may place other restrictions on the operation of  
3 all-terrain vehicles and utility-type vehicles within its corporate  
4 limits.

5 (8) A county board may adopt a resolution authorizing the  
6 operation of all-terrain vehicles and utility-type vehicles within  
7 any unincorporated village within the county if the operation is  
8 in accordance with subsection (3) of this section. The county may  
9 place other restrictions on the operation of all-terrain vehicles  
10 and utility-type vehicles within the unincorporated village.

11 (9) The crossing of a controlled-access highway with more  
12 than two marked traffic lanes shall be permitted by a utility-type  
13 vehicle if the operation is in accordance with the operation  
14 requirements of subsection (3) of this section and if the following  
15 requirements are met:

16 (a) The crossing is made at an intersection that is  
17 controlled by a traffic control signal and is made in compliance  
18 with such traffic control signal; and

19 (b) The crossing at such intersection is specifically  
20 authorized as follows:

21 (i) If such intersection is located within the corporate  
22 limits of a city or village, by ordinance of such city or village;

23 (ii) If such intersection is located within an  
24 unincorporated village, by resolution of the county board of the  
25 county in which such unincorporated village is located; or

26 (iii) If such intersection is located outside the  
27 corporate limits of a city or village and outside any

1 unincorporated village, by resolution of the county board of the  
2 county in which such intersection is located.

3           Sec. 2. Original section 60-6,356, Reissue Revised  
4 Statutes of Nebraska, is repealed.