

LEGISLATIVE BILL 757

Approved by the Governor April 10, 2014

Introduced by Smith, 14.

FOR AN ACT relating to roads; to amend sections 39-1010 and 81-710, Reissue Revised Statutes of Nebraska; to provide an exception for location of mailboxes; to change provisions for adopting and promulgating rules and regulations governing state wayside areas; to eliminate duties regarding road-numbering systems and placement of signs; to repeal the original sections; and to outright repeal section 39-2123, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 39-1010, Reissue Revised Statutes of Nebraska, is amended to read:

39-1010 ~~All~~ (1) Except as otherwise provided in this subsection, all mailboxes shall be placed such that no part of the mailbox extends beyond the shoulder line of any highway and the mailbox support shall be placed a minimum of one foot outside the shoulder line of any gravel-surfaced highway, and of any hard-surfaced highway having a shoulder width of six feet or more as measured from the edge of the hard surfacing. Along hard-surfaced highways having a shoulder width of less than six feet, the Department of Roads shall, on new construction or reconstruction, where feasible, provide a shoulder width of not less than six feet, or provide for a minimum clear traffic lane of ten feet in width at such mailbox turnouts. On highways built before October 9, 1961, having a shoulder width of less than six feet, the Department of Roads may, where feasible and deemed advisable, provide a shoulder width of not less than six feet or provide for minimum clear traffic lane of ten feet in width at such mailbox turnouts. For a hard-surfaced highway having either a mailbox turnout or a hard-surfaced shoulder width of eight feet or more, the mailbox shall be placed such that no part of the mailbox extends beyond the outside edge of the mailbox turnout or hard-surfaced portion of the shoulder and the mailbox support shall be placed a minimum of one foot outside the outside edge of the mailbox turnout or hard-surfaced portion of the shoulder.

(2) It shall be the duty of the Department of Roads to notify the owner of all mailboxes in violation of the provisions of this section, and the department may remove such mailboxes if the owner fails or refuses to remove the same after a reasonable time after he or she is notified of such violations.

Sec. 2. Section 81-710, Reissue Revised Statutes of Nebraska, is amended to read:

81-710 The Department of Roads shall establish, operate, and maintain state wayside areas. Pursuant to the Administrative Procedure Act, the department ~~shall~~ may adopt and promulgate rules and regulations necessary to govern the use of state wayside areas and may establish fees for services, including overnight camping.

The department may contract with public or private entities for the operation and maintenance of state wayside areas.

If the department determines that an area is no longer suited or needed as a state wayside area, the department may close such area or any part thereof and declare such area or facilities as surplus. The department shall offer to convey the surplus land or facilities to all local political subdivisions in the vicinity, and if such offers are rejected, the department may sell such lands and facilities.

Sec. 3. Original sections 39-1010 and 81-710, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 4. The following section is outright repealed: Section 39-2123, Reissue Revised Statutes of Nebraska.