

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB39

Hearing Date: Tuesday January 20, 2015
Committee On: Transportation and Telecommunications
Introducer: Kolowski
One Liner: Change provisions regarding passing bicycles and bicycle operating regulations

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye:	7	Senators Brasch, Friesen, Garrett, McCoy, Murante, Seiler, Smith
Nay:		
Absent:		
Present Not Voting:	1	Senator Davis

Verbal Testimony:

Proponents:

Julie Harris
Jim Blue
Isra Somanas
Karen Griffin
Jeff Bliemeister
Damon Hershey
Jim Carveth
Steve Clements
Brent Davis
Jim Thompson
Johnny Davis
Kennth Winston
Richard Draper

Representing:

Nebraska Bicycling Alliance
Self
Self
Great Plains Trails Network
Lancaster County Sheriff's Office
BicycLincoln
Self
Self
Nebraska Bicycling Alliance
Self
Johnny's Salsa
Nebraska Sierra Club
Self

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Amends the Nebraska Rules of the Road by enacting a new provision of law regarding the operation of bicycles on public roadways.

The operator of a vehicle:

- 1) Shall not interfere with the operation of a bicycle;

 - 2) When overtaking a bicycle on a roadway the operator of a vehicle shall exercise due care and shall move the vehicle to the lane to the immediate left of the lane containing the bicycle. If a roadway is too narrow for two lanes of traffic proceeding in opposite directions the operator of the vehicle shall keep the vehicle no closer than 3 feet to the bicycle.
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3) The operator of the vehicle shall yield the right-of-way to any person riding a bicycle on a pathway or lane provided for bicycle use;

4) The operator of a vehicle shall not enter or proceed through any intersection while driving within a pathway or lane designated for bicycle use;

Any person violating the provisions of the section shall be guilty of a traffic infraction for a first offense and a Class III misdemeanor for a second or subsequent offense. If the violation is the proximate cause of a collision with a bicycle, such person shall be guilty of a Class III misdemeanor for a first offense and a Class I misdemeanor for a second or subsequent offense.

Amends section 60-6,317, operation of bicycles upon roadways. Modifies the requirement that provides bicycles must be ridden single file upon roadways by providing that bicycles maybe ridden abreast on shoulders of highways when they are wide enough to accommodate such use. Strikes an existing prohibition on riding a bicycle upon a highway when there is a usable path provided for bicycles adjacent to the highway.

New language is added which provides that a person riding a bicycle on a bicycle path that intersects with a roadway shall have the right-of-way within such crossing.

5) Any person walking on a path designed for both bicycles and pedestrians shall have the right-of-way when crossing a roadway with respect to any other traffic, including bicycles.

Jim Smith, Chairperson