

**ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016**  
**COMMITTEE STATEMENT**  
**LB716**

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**Hearing Date:** Monday January 25, 2016  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Kolowski  
**One Liner:** Provide and eliminate provisions regarding pedestrians and bicyclists

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	6	Senators Smith, Davis, Friesen, Garrett, Murante, Seiler
<b>Nay:</b>	1	Senator McCoy
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Brasch

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**Verbal Testimony:**

**Proponents:**

Rick Kolowski  
David Rowe  
Jordan Messerer  
Roger Hirsch  
Lisa Pietsch  
Julie Harris

**Representing:**

Introducer  
Nebraska Bicycling Alliance  
Self  
Great Plains Trails Network  
Bellevue Bicycle Club  
Nebraska Bicycling Alliance

**Opponents:**

**Neutral:**

Dick Reiser

**Representing:**

**Representing:**  
Nebraska Trucking Association

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**Summary of purpose and/or changes:**

The bill would propose to amend provisions of law related to pedestrians and the operation of bicycles.

Amends section 60-6,153- Pedestrian's right-of-way in a crosswalk.

A new subsection (4) is added to the section which provides that at or adjacent to the intersection of two highways at which a path designated for bicycles and pedestrians is controlled by a traffic signal, a pedestrian who lawfully enters a highway where such path crosses the highway shall have the right-of-way with respect to vehicles and bicycles.

Amends section 60-154- Crossing at other than crosswalks, yield the right-of-way.

The current section provides the general rule that pedestrians crossing a street, at other than a crosswalk or intersection of two streets, shall yield the right-of-way to traffic.

A new subsection is proposed that provides when a path, which is designated for pedestrians and bicycles, crosses a highway a pedestrian who is in the crossing in compliance with a traffic control signal shall have the right-of-way with respect to vehicles and bicycles.

Amends section 60-6,317-Bicycles on roadways and bicycle paths.

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The section is proposed to be amended as follows:

Existing subsection (3) is stricken- this subsection states that a bicycle may not be ridden upon a highway when there is a usable path provided for bicycles adjacent to such highway;

Adds a new subsection that provides a bicyclist shall not suddenly leave a curb and walk or ride into the path of a vehicle which is so close that it is impossible for a driver to stop; and

Adds a new subsection which provides that an individual operating a bicycle, on a path designated for bicycles, and who lawfully enters a highway where the path crosses the highway shall have the right-of-way. Any bicyclist who enters a crossing with a traffic control signal is lawfully entering a highway.

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**Explanation of amendments:**

The Committee considered and adopted an amendment which accomplishes the following:

- 1) References to the term "traffic control signal" is changed to "traffic control device";
- 2) The new language on Page 4, lines 27-31 is rewritten. A person on a bicycle crossing a highway from a path designed for bicycles shall have the right of way within the crossing when the crossing is entered in conformance with a traffic control device. Language on Lines 30 and 31 is stricken which states "A bicyclist who enters a crossing with the traffic control signal is lawfully entering the highway."

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Jim Smith, Chairperson