

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 716**

FINAL READING

Introduced by Kolowski, 31; Garrett, 3; Gloor, 35; Hilkemann, 4;  
Lindstrom, 18; McCollister, 20; Mello, 5.

Read first time January 06, 2016

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend
- 2 sections 60-6,153, 60-6,154, and 60-6,317, Reissue Revised Statutes
- 3 of Nebraska; to provide for the right-of-way for pedestrians; to
- 4 provide and eliminate requirements for persons operating bicycles;
- 5 to harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,153, Reissue Revised Statutes of Nebraska,  
2 is amended to read:

3 60-6,153 (1) Except at a point where a pedestrian tunnel or overhead  
4 pedestrian crossing has been provided, when traffic control signals are  
5 not in place or not in operation, the driver of a vehicle shall yield the  
6 right-of-way to a pedestrian crossing the roadway within a crosswalk who  
7 is in the lane in which the driver is proceeding or is in the lane  
8 immediately adjacent thereto by bringing his or her vehicle to a complete  
9 stop.

10 (2) No pedestrian shall suddenly leave a curb or other place of  
11 safety and walk or run into the path of a vehicle which is so close that  
12 it is impossible for the driver to stop.

13 (3) Whenever any vehicle is stopped at a marked crosswalk or at any  
14 unmarked crosswalk at an intersection to permit a pedestrian to cross the  
15 roadway, the driver of any other vehicle approaching from the rear shall  
16 not overtake and pass such stopped vehicle.

17 (4) At or adjacent to the intersection of two highways at which a  
18 path designated for bicycles and pedestrians is controlled by a traffic  
19 control signal, a pedestrian who lawfully enters a highway where the path  
20 crosses the highway shall have the right-of-way within the crossing with  
21 respect to vehicles and bicycles.

22 (5 4) The Department of Roads and local authorities in their  
23 respective jurisdictions may, after an engineering and traffic  
24 investigation, designate unmarked crosswalk locations where pedestrian  
25 crossing is prohibited or where pedestrians shall yield the right-of-way  
26 to vehicles. Such restrictions shall be effective only when traffic  
27 control devices indicating such restrictions are in place.

28 Sec. 2. Section 60-6,154, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 60-6,154 (1) Every pedestrian who crosses a roadway at any point  
31 other than within a marked crosswalk, or within an unmarked crosswalk at

1 an intersection, shall yield the right-of-way to all vehicles upon the  
2 roadway.

3 (2) Any pedestrian who crosses a roadway at a point where a  
4 pedestrian tunnel or overhead pedestrian crossing has been provided shall  
5 yield the right-of-way to all vehicles upon the roadway.

6 (3) Between adjacent intersections at which traffic control signals  
7 are in operation, pedestrians shall not cross at any place except in a  
8 marked crosswalk.

9 (4) Where a path designated for bicycles and pedestrians crosses a  
10 highway, a pedestrian who is in the crossing in accordance with the  
11 traffic control device shall have the right-of-way within the crossing  
12 with respect to vehicles and bicycles.

13 (5 4) No pedestrian shall cross a roadway intersection diagonally  
14 unless authorized by traffic control devices, and when authorized to  
15 cross diagonally, pedestrians shall cross only in accordance with the  
16 traffic control devices pertaining to such crossing movements.

17 (6 5) Local authorities and the Department of Roads, by erecting  
18 appropriate official traffic control devices, may, within their  
19 respective jurisdictions, prohibit pedestrians from crossing any roadway  
20 in a business district or any designated highway except in a crosswalk.

21 Sec. 3. Section 60-6,317, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 60-6,317 (1)(a) Any person who operates a bicycle upon a roadway at  
24 less than the normal speed of traffic at the time and place and under  
25 conditions then existing shall ride as near to the right-hand curb or  
26 right-hand edge of the roadway as practicable except when:

27 (i a) Overtaking and passing another bicycle or vehicle proceeding  
28 in the same direction;

29 (ii b) Preparing for a left turn onto a private road or driveway or  
30 at an intersection;

31 (iii c) Reasonably necessary to avoid conditions that make it unsafe

1 to continue along the right-hand curb or right-hand edge of the roadway,  
2 including fixed or moving objects, stopped or moving vehicles, bicycles,  
3 pedestrians, animals, or surface hazards;

4 (iv d) Riding upon a lane of substandard width which is too narrow  
5 for a bicycle and a vehicle to travel safely side by side within the  
6 lane; or

7 (v e) Lawfully operating a bicycle on the paved shoulders of a  
8 highway included in the state highway system as provided in section  
9 60-6,142.

10 (b) Any person who operates a bicycle upon a roadway with a posted  
11 speed limit of thirty-five miles per hour or less on which traffic is  
12 restricted to one direction of movement and which has two or more marked  
13 traffic lanes may ride as near to the left-hand curb or left-hand edge of  
14 the roadway as practicable.

15 (c) Whenever a person operating a bicycle leaves the roadway to ride  
16 on the paved shoulder or leaves the paved shoulder to enter the roadway,  
17 the person shall clearly signal his or her intention and yield the right-  
18 of-way to all other vehicles.

19 (2) No bicyclist shall suddenly leave a curb or other place of  
20 safety and walk or ride into the path of a vehicle which is so close that  
21 it is impossible for the driver to stop.

22 (3 2) Any person who operates a bicycle upon a highway shall not  
23 ride more than single file except on paths or parts of highways set aside  
24 for the exclusive use of bicycles.

25 ~~(3) Except as provided in section 60-6,142, whenever a usable path~~  
26 ~~for bicycles has been provided adjacent to a highway, a person operating~~  
27 ~~a bicycle shall use such path and shall not use such highway.~~

28 (4) A bicyclist riding a bicycle on a sidewalk or across a roadway  
29 or shoulder in a crosswalk shall have all the rights and duties  
30 applicable to a pedestrian under the same circumstances but shall yield  
31 the right-of-way to pedestrians. Nothing in this subsection relieves the

1 bicyclist or the driver of a vehicle from the duty to exercise care.

2 (5 4) A local authority may by ordinance further regulate the  
3 operation of bicycles and may provide for the registration and inspection  
4 of bicycles.

5 Sec. 4. Original sections 60-6,153, 60-6,154, and 60-6,317, Reissue  
6 Revised Statutes of Nebraska, are repealed.