

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 164

Introduced by Erdman, 47.

Read first time January 08, 2021

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend
- 2 section 60-6,190, Revised Statutes Cumulative Supplement, 2020; to
- 3 change provisions relating to the establishment of state speed
- 4 limits by local authorities; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,190, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 60-6,190 (1) Whenever the Department of Transportation determines,
4 upon the basis of an engineering and traffic investigation, that any
5 maximum speed limit is greater or less than is reasonable or safe under
6 the conditions found to exist at any intersection, place, or part of the
7 state highway system outside of the corporate limits of cities and
8 villages as well as inside the corporate limits of cities and villages on
9 freeways which are part of the state highway system, it may determine and
10 set a reasonable and safe maximum speed limit for such intersection,
11 place, or part of such highway which shall be the lawful speed limit when
12 appropriate signs giving notice thereof are erected at such intersection,
13 place, or part of the highway, except that the maximum rural and freeway
14 limits shall not be exceeded. Such a maximum speed limit may be set to be
15 effective at all times or at such times as are indicated upon such signs.

16 (2) The speed limits set by the department shall not be a
17 departmental rule, regulation, or order subject to the statutory
18 procedures for such rules, regulations, or orders but shall be an
19 authorization over the signature of the Director-State Engineer and shall
20 be maintained on permanent file at the headquarters of the department.
21 Certified copies of such authorizations shall be available from the
22 department at a reasonable cost for duplication. Any change to such an
23 authorization shall be made by a new authorization which cancels the
24 previous authorization and establishes the new limit, but the new limit
25 shall not become effective until signs showing the new limit are erected
26 as provided in subsection (1) of this section.

27 (3) On county highways which are not part of the state highway
28 system or within the limits of any state institution or any area under
29 control of the Game and Parks Commission or a natural resources district
30 and which are outside of the corporate limits of cities and villages,
31 county boards shall have the same power and duty to alter the maximum

1 speed limits as the department if the change is based on an engineering
2 and traffic investigation comparable to that made by the department. The
3 limit outside of a business or residential district shall not be
4 decreased to less than thirty-five miles per hour.

5 (4) On all highways within their corporate limits, except on state-
6 maintained freeways which are part of the state highway system,
7 incorporated cities and villages shall have the same power and duty to
8 alter the maximum speed limits as the department if the change is based
9 on engineering and traffic investigation or hazardous conditions as
10 determined by the city council or village board, except that no
11 imposition of speed limits on highways which are part of the state
12 highway system in cities and villages under five hundred forty thousand
13 inhabitants as determined by the most recent federal decennial census or
14 the most recent revised certified count by the United States Bureau of
15 the Census shall be effective without the approval of the department.

16 (5) The director of any state institution, the Game and Parks
17 Commission, or a natural resources district, with regard to highways
18 which are not a part of the state highway system, which are within the
19 limits of such institution or area under Game and Parks Commission or
20 natural resources district control, and which are outside the limits of
21 any incorporated city or village, shall have the same power and duty to
22 alter the maximum speed limits as the department if the change is based
23 on an engineering and traffic investigation comparable to that made by
24 the department.

25 (6) Not more than six such speed limits shall be set per mile along
26 a highway, except in the case of reduced limits at intersections. The
27 difference between adjacent speed limits along a highway shall not be
28 reduced by more than twenty miles per hour, and there shall be no limit
29 on the difference between adjacent speed limits for increasing speed
30 limits along a highway.

31 (7) When the department or a local authority determines by an

1 investigation that certain vehicles in addition to those specified in
2 sections 60-6,187, 60-6,305, and 60-6,313 cannot with safety travel at
3 the speeds provided in sections 60-6,186, 60-6,187, 60-6,189, 60-6,305,
4 and 60-6,313 or set pursuant to this section or section 60-6,188 or
5 60-6,189, the department or local authority may restrict the speed limit
6 for such vehicles on highways under its respective jurisdiction and post
7 proper and adequate signs.

8 Sec. 2. Original section 60-6,190, Revised Statutes Cumulative
9 Supplement, 2020, is repealed.