

LEGISLATIVE BILL 174

Approved by the Governor March 17, 2021

Introduced by Friesen, 34.

A BILL FOR AN ACT relating to transportation; to amend sections 39-1316, 39-2301.01, 39-2302, 39-2306, 39-2307, 39-2501, 39-2503, 39-2511, 39-2513, 60-511, 60-512, 60-513, 60-514, 60-550.01, 60-554, and 60-6,336, Reissue Revised Statutes of Nebraska, and sections 39-2106, 39-2107, 39-2304, 39-2308, 39-2308.01, 39-2308.03, 39-2502, 39-2504, 39-2505, 39-2512, 39-2514, 39-2515, 60-507, 60-695, 60-699, and 60-6,138, Revised Statutes Cumulative Supplement, 2020; to change provisions relating to the state highway system, the Board of Public Roads Classifications and Standards, licensure under the County Highway and City Street Superintendents Act, incentive payments, distribution of highway funds, county highway superintendents, city street superintendents, and the Board of Examiners for County Highway and City Street Superintendents; to redefine terms; to change provisions of the Motor Vehicle Safety Responsibility Act; to change provisions relating to the Nebraska Rules of the Road regarding accident reports, roundabouts, and snowmobiles; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 39-1316, Reissue Revised Statutes of Nebraska, is amended to read:

39-1316 The department shall be responsible for the preparation and adoption of plans and specifications for the establishment, construction, and maintenance of the state highway system. Such plans and specifications may be amended, from time to time, as the department deems advisable. Such plans and specifications should conform, as closely as practicable, to those adopted by the American Association of State Highway and Transportation Officials.

Sec. 2. Section 39-2106, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2106 (1) To assist in developing the functional classification system, there is hereby established the Board of Public Roads Classifications and Standards which shall consist of eleven members to be appointed by the Governor with the approval of the Legislature.

(2) Of the members of such board:

(a) ~~Two~~ ~~two~~ shall be representatives of the Department of Transportation;

(b) ~~Three~~ ~~three~~ shall be representatives of the counties. ~~One~~ ~~one~~ of such members ~~whom~~ shall be a ~~licensed~~ county highway superintendent licensed pursuant to the County Highway and City Street Superintendents Act in good standing and two of such members ~~whom~~ shall be county board members;

(c) ~~Three~~ ~~three~~ shall be representatives of the municipalities. Each of such members ~~who~~ shall be a city engineer, village engineer, either public works director, city manager, city administrator, street commissioner, ~~directors~~ or licensed city street superintendent licensed pursuant to the County Highway and City Street Superintendents Act; and

(d) ~~Three~~ ~~superintendents in good standing,~~ and ~~three~~ shall be lay citizens, with one representing each of who shall represent the three congressional districts of the state.

(3) The county members on the board shall represent the various classes of counties, as defined in section 23-1114.01, in the following manner:

(a) One shall be a representative from either a Class 1 or Class 2 county;

(b) ~~One~~ ~~one~~ shall be a representative from either a Class 3 or Class 4 county; and

(c) ~~One~~ ~~one~~ shall be a representative from either a Class 5, Class 6, or Class 7 county.

(4) The municipal members of the board shall represent municipalities of the following sizes by population, as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census:

(a) One shall be a representative from a municipality of less than two thousand five hundred inhabitants ~~as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census;~~

(b) ~~One~~ ~~one~~ shall be a representative from a municipality of two thousand five hundred to fifty thousand inhabitants ~~as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census;~~ and

(c) ~~One~~ ~~one~~ shall be a representative from a municipality of over fifty thousand inhabitants ~~as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census.~~

(5) In making such appointments, the Governor shall consult with the Director-State Engineer and with the appropriate county and municipal officials and may consult with organizations representing such officials or representing

counties or municipalities as may be appropriate.

(6) At the expiration of the existing term, one member from the county representatives, the municipal representatives, and the lay citizens shall be appointed for a term of two years; and two members from the county representatives, the municipal representatives, and the lay citizens shall be appointed for terms of four years. One representative from the department shall be appointed for a two-year term and the other representative shall be appointed for a four-year term. Thereafter, all such appointments shall be for terms of four years each.

(7) Members of such board shall receive no compensation for their services as such, except that the lay members shall receive the same compensation as members of the State Highway Commission, and all members shall be reimbursed for expenses incurred in the performance of their official duties as provided in sections 81-1174 to 81-1177. All expenses of such board shall be paid by the department.

Sec. 3. Section 39-2107, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2107 The Department of Transportation shall furnish the Board of Public Roads Classifications and Standards with necessary office space, furniture, equipment, and supplies as well as necessary professional, technical, and clerical ~~assistance assistants~~.

Sec. 4. Section 39-2301.01, Reissue Revised Statutes of Nebraska, is amended to read:

39-2301.01 For purposes of the County Highway and City Street Superintendents Act, unless the context otherwise requires:

(1) Board of examiners means the Board of Examiners for County Highway and City Street Superintendents;

(2) City street superintendent means a person who engages in the practice of street superintending for an incorporated municipality;

(3) County highway superintendent means a person who engages in the practice of highway superintending for a county; and

(4) Street or highway superintending means assisting an incorporated municipality or a county in the following:

(a) Developing and annually updating long-range plans or programs based on needs and coordinated with adjacent local governmental units;

(b) Developing annual programs for design, construction, and maintenance;

(c) Developing annual budgets based on programmed projects and activities;

(d) Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets; and

(e) Managing personnel, contractors, and equipment in support of such planning, programming, budgeting, and implementation operations.

Sec. 5. Section 39-2302, Reissue Revised Statutes of Nebraska, is amended to read:

39-2302 No person shall be appointed employed by any county as a county highway superintendent or by any municipality as a city street superintendent to qualify for the incentive payments provided in sections 39-2501 to 39-2505 for counties and municipal counties or sections 39-2511 to 39-2515 for municipalities and municipal counties ~~39-2520~~ unless he or she has been licensed under the County Highway and City Street Superintendents Act or is exempt from such licensure requirement as provided in section 39-2504 or 39-2514.

Sec. 6. Section 39-2304, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2304 (1) The Board of Examiners for County Highway and City Street Superintendents is created. The board shall consist of seven members to be appointed by the Governor, ~~four~~ Four of such members whom shall be county representatives, ~~and three of such members whom~~ shall be municipal representatives.

(2)(a) Immediately preceding appointment to the board, each county and municipal representative shall hold a current license as a county highway and ~~or~~ city street superintendent license pursuant to the County Highway and City Street Superintendents Act.

(b) Of the county representatives, no more than one member shall be appointed from each class of county as defined in section 23-1114.01.

(c) Of ~~and of~~ the municipal representatives; ~~no~~

(i) No more than one shall be appointed from each congressional district; ~~one of whom shall be a representative of a city of the metropolitan or primary class, one~~

(ii) One of whom shall be a representative of a city of the metropolitan class, primary class, or first class; ~~and one of whom~~

(iii) One shall be a representative of a city of the second class; and

(iv) One shall be a representative of ~~or~~ a village.

(3) In making such appointments, the Governor may give consideration to the following lists of persons licensed pursuant to the County Highway and City Street Superintendents Act:

(a) A a list of licensed county highway engineers, county highway superintendents, and county surveyors submitted by the Nebraska Association of County Officials; and

(b) A ~~to a~~ list of licensed city street superintendents, city managers, city administrators, ~~or~~ street commissioners, city engineers, village engineers, and public works directors submitted by the League of Nebraska Municipalities.

(4) Two county representatives shall initially be appointed for terms of

two years each, and two county representatives shall initially be appointed for terms of four years each. One municipal representative shall initially be appointed for a term of two years, and two municipal representatives shall initially be appointed for terms of four years each. Thereafter, all such appointments shall be for terms of four years each.

(5) ~~In the event a county or municipal representative loses his or her license as a county highway and or city street superintendent license,~~ such person shall no longer be qualified to serve on the board and such seat shall be vacant. In the event of a vacancy occurring on the board for any reason, such vacancy shall be filled by appointment by the Governor for the remainder of the unexpired term. Such appointed person shall meet the same requirements and qualifications as the member whose vacancy he or she is filling.

(6) Members of the board shall receive no compensation for their services as members of the board but shall be reimbursed for expenses incurred while engaged in the performance of their official duties as provided in sections 81-1174 to 81-1177.

Sec. 7. Section 39-2306, Reissue Revised Statutes of Nebraska, is amended to read:

39-2306 (1) Any person desiring to be issued a Class B license under section 39-2308 shall ~~apply make application therefor to the board of examiners upon forms prescribed and furnished by the board. The application shall include the applicant's social security number.~~ Such application shall be accompanied by an application fee of twenty-five dollars.

(2) Any professional engineer licensed pursuant to the Engineers and Architects Regulation Act shall be entitled to a Class B license under section 39-2308 without examination.

Sec. 8. Section 39-2307, Reissue Revised Statutes of Nebraska, is amended to read:

39-2307 The board of examiners shall, twice each year, conduct examinations of applicants for Class B licenses under section 39-2308. Such examinations shall be designed to test the qualifications of applicants for the position of county highway superintendent or city street superintendent and shall cover the ability to assist in:

(1) ~~Developing~~ Develop and annually updating ~~update~~ long-range plans or programs based on needs and coordinated with adjacent local governmental units;

(2) ~~Developing~~ Develop annual programs for design, construction, and maintenance;

(3) ~~Developing~~ Develop annual budgets based on programmed projects and activities; and

(4) ~~Implementing~~ Implement the capital improvements and maintenance activities provided in the approved plans, programs, and budgets. ~~;~~ and

(5) ~~Understand principles pertaining to highway, road, and street operations and to management of personnel, contractors, and equipment.~~

Sec. 9. Section 39-2308, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2308 Any person satisfactorily completing the examination required by section 39-2307 or exempt from such examination under ~~the provisions of~~ subsection (2) of section 39-2306 shall be issued a Class B license as a county highway and ~~or~~ city street superintendent. Such license shall be valid for a period of three years and shall be renewable upon the payment of a fee of thirty dollars. ~~If the holder of a Class B license that is up for renewal also holds a Class A license that is not then up for renewal, the renewal of the Class B license shall be extended to coincide with the three-year renewal cycle of the Class A license. Any person holding a license on January 1, 2004, shall be deemed to be holding a Class B license under this section.~~

Sec. 10. Section 39-2308.01, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2308.01 Any person holding a Class B license issued pursuant to section 39-2308 may apply to the board of examiners for a Class A license upon forms prescribed and furnished by the board upon submitting evidence that (1) he or she has been employed and appointed by one or more county or counties or municipality or municipalities as a county highway or city street superintendent on at least a half-time basis for at least two years within the past six years or (2) he or she has at least four years' experience in work comparable to street or highway superintending, on at least a half-time basis, within the past eight years. Such application shall be accompanied by a fee of seventy-five dollars. A Class A license shall be valid for a period of three years and shall be renewable for three years as provided in section 39-2308.02 upon payment of a fee of fifty dollars.

Sec. 11. Section 39-2308.03, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2308.03 (1) Beginning on the effective date of this act: ~~The holder of a county highway superintendent's license shall be entitled to hold a city street superintendent's license of the same or a lower level upon payment of the application fee for that additional license. The holder of a city street superintendent's license shall be entitled to hold a county highway superintendent's license of the same or a lower level upon payment of the application fee for that additional license. A second license shall be placed on the same three-year renewal cycle as the license holder's initial license.~~

(a) A county highway superintendent license or city street superintendent license, whether of Class A or Class B, issued prior to the effective date of this act is deemed to be a county highway and city street superintendent license;

(b) The holder of any Class A license or licenses shall have such license or licenses reissued as a single Class A county highway and city street superintendent license;

(c) The holder of any Class A license and any Class B license shall have such licenses reissued as a single Class A county highway and city street superintendent license; and

(d) The holder of any Class B license or licenses who does not hold any Class A license shall have such Class B license or licenses reissued as a single Class B county highway and city street superintendent license.

(2) A license reissued under subsection (1) of this section shall remain on the same triennial renewal cycle as the license or licenses replaced.

Sec. 12. Section 39-2501, Reissue Revised Statutes of Nebraska, is amended to read:

39-2501 Before distributing the February portion making distribution of funds under sections 39-2508 and 66-4,148 ~~allocated to the counties or municipal counties for road purposes~~, incentive payments shall first be made as provided in sections 39-2502 to 39-2505.

Sec. 13. Section 39-2502, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2502 An incentive payment shall be made to each county having appointed and employed in its employ a county highway superintendent licensed under the County Highway and City Street Superintendents Act, during the calendar year preceding the year in which payment is made. For purposes of sections 39-2501 to ~~39-2505~~ 39-2510, county highway superintendent means a person who assists the county with actually performs the following duties:

(1) Developing and annually updating a long-range plan or program based on needs and coordinated with adjacent local governmental units;

(2) Developing an annual program for design, construction, and maintenance;

(3) Developing an annual budget based on programmed projects and activities;

(4) Submitting such plans, programs, and budgets to the local governing body for approval; and

(5) Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets.

Sec. 14. Section 39-2503, Reissue Revised Statutes of Nebraska, is amended to read:

39-2503 Except as provided in section 39-2504, the The incentive payment to the various counties and municipal counties shall be based on the class level of license of the county highway superintendent appointed and employed by the county and on the rural population of each county or municipal county, as determined by the most recent federal census, according to the following table:

Rural Population	Class B License	Class A License
	Payment	Payment
Not more than 3,000	\$4,500.00	\$9,000.00
3,001 to 5,000	\$4,875.00	\$9,750.00
5,001 to 10,000	\$5,250.00	\$10,500.00
10,001 to 20,000	\$5,625.00	\$11,250.00
20,001 to 30,000	\$6,000.00	\$12,000.00
30,001 and more	\$6,375.00	\$12,750.00

Sec. 15. Section 39-2504, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2504 (1) A reduced incentive payment shall be made to any county or municipal county having appointed and employed in its employ either (a) a licensed county highway superintendent for only a portion of the calendar year preceding the year in which the payment is made or (b) two or more successive licensed county highway superintendents for the calendar year preceding the year in which the payment is made. Such reduced payment shall be in the proportion of the payment amounts listed in section 39-2503 as the number of full months each such licensed superintendent was appointed and employed is of twelve.

(2) Any county or municipal county that contracts for the services of and appoints a consulting engineer licensed under the County Highway and City Street Superintendents Act or any other person licensed under the act to perform the duties outlined in section 39-2502 rather than appointing and employing a licensed county highway superintendent shall be entitled to an incentive payment equal to two-thirds the payment amount provided in section 39-2503 or two-thirds of the reduced incentive payment provided in subsection (1) of this section, as determined by the Department of Transportation pursuant to section 39-2505.

(3) Any county or municipal county that contracts with another county or municipal county or with any city or village for the services of and appoints a licensed county highway superintendent as provided in section 39-2114 shall be entitled to the incentive payment provided in section 39-2503 or the reduced

incentive payment provided in subsection (1) of this section.

(4) Beginning in calendar year 2022, any county or municipal county having a total population of sixty thousand or more inhabitants, as determined by the most recent official United States census, shall receive the full twelve-month Class A incentive payment amount provided in section 39-2503 applicable to such county's or municipal county's rural population as determined by the most recent federal census.

(5) Beginning in calendar year 2022, a county or municipal county having a total population of less than sixty thousand inhabitants, as determined by the most recent official United States census, may appoint and employ a professional engineer, who is licensed pursuant to the Engineers and Architects Regulation Act but is not licensed under the County Highway and City Street Superintendents Act, to perform the duties of county highway superintendent outlined in section 39-2502. In such case, the professional engineer's license under the Engineers and Architects Regulation Act shall serve as a Class A license for purposes of incentive payments under sections 39-2502 to 39-2505. This subsection only applies to a professional engineer in the direct employ of a county or municipal county and does not apply to an engineer serving as a contractor or consultant.

Sec. 16. Section 39-2505, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2505 (1) By December 31 of each year, each county or municipal county shall certify to the Department of Transportation, using the certification process developed by the department:

- (a) The name of any appointed county highway superintendent;
- (b) Such superintendent's class of license, if applicable; and
- (c) The type of appointment:
 - (i) Employed;
 - (ii) Contract consultant; or
 - (iii) Contract interlocal agreement with another municipality, county, or municipal county.

(2) The Department of Transportation shall, in January of each year commencing in 1970, determine and certify to the State Treasurer the amount of each incentive payment to be made under the provisions of sections 39-2501 to 39-2505. The State Treasurer shall, on or before February 15, make the incentive payments in accordance with such certification.

Sec. 17. Section 39-2511, Reissue Revised Statutes of Nebraska, is amended to read:

39-2511 Before distributing the February portion making distribution of funds under sections 39-2518 and 66-4,148 allocated to the municipalities or municipal counties for street purposes, incentive payments shall first be made as provided in sections 39-2512 to 39-2515.

Sec. 18. Section 39-2512, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2512 An incentive payment shall be made to each municipality or municipal county having appointed and employed in its employ a city street superintendent licensed under the County Highway and City Street Superintendents Act, during the calendar year preceding the year in which payment is made. For purposes of sections 39-2511 to 39-2115 39-2520, city street superintendent means a person who assists the municipality or municipal county with actually performs the following duties:

- (1) Developing and annually updating a long-range plan or program based on needs and coordinated with adjacent local governmental units;
- (2) Developing an annual program for design, construction, and maintenance;
- (3) Developing an annual budget based on programmed projects and activities;
- (4) Submitting such plans, programs, and budgets to the local governing body for approval; and
- (5) Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets.

Sec. 19. Section 39-2513, Reissue Revised Statutes of Nebraska, is amended to read:

39-2513 Except as provided in section 39-2514, the The incentive payment to the various municipalities or municipal counties shall be based on the class level of license of the city street superintendent appointed and employed by the municipality or municipal counties and on the population of each municipality or urbanized area of each municipal county, as determined by the most recent federal census figures certified by the Tax Commissioner as provided in section 77-3,119, according to the following table:

Population	Class B License	Class A License
	Payment	Payment
Not more than 500	\$300.00	\$600.00
501 to 1,000	\$500.00	\$1,000.00
1,001 to 2,500	\$1,500.00	\$3,000.00
2,501 to 5,000	\$2,000.00	\$4,000.00

5,001 to 10,000	\$3,000.00	\$6,000.00
10,001 to 20,000	\$3,500.00	\$7,000.00
20,001 to 40,000	\$3,750.00	\$7,500.00
40,001 to 200,000	\$4,000.00	\$8,000.00
200,001 and more	\$4,250.00	\$8,500.00

Sec. 20. Section 39-2514, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2514 (1) A reduced incentive payment shall be made to any municipality or municipal county having appointed and employed ~~in its employ~~ either (a) a licensed city street superintendent for only a portion of the calendar year preceding the year in which the payment is made or (b) two or more successive licensed city street superintendents for the calendar year preceding the year in which the payment is made. Such reduced payment shall be in the proportion of the payment amounts listed in section 39-2513 as the number of full months each such licensed superintendent was appointed and employed is of twelve.

(2) Any municipality or municipal county that contracts for the services of and appoints a consulting engineer licensed under the County Highway and City Street Superintendents Act or any other person licensed under the act to perform the duties outlined in section 39-2512 rather than appointing and employing a licensed city street superintendent shall be entitled to an incentive payment as provided in section 39-2513 or to the reduced incentive payment provided in subsection (1) of this section, as determined by the Department of Transportation pursuant to section 39-2515.

(3) Any municipality or municipal county that contracts with another municipality, county, or municipal county for the services of and appoints a licensed city street superintendent as provided in section 39-2114 shall be entitled to the incentive payment provided in section 39-2513 or the reduced incentive payment provided in subsection (1) of this section.

(4) Beginning in calendar year 2022, a municipality or municipal county may appoint and employ a professional engineer who is licensed pursuant to the Engineers and Architects Regulation Act but is not licensed under the County Highway and City Street Superintendents Act and who is serving as city engineer, village engineer, public works director, city manager, city administrator, or street commissioner to perform the duties of city street superintendent outlined in section 39-2512. In such case, the professional engineer's license under the Engineers and Architects Regulation Act shall serve as a Class A license for purposes of incentive payments under sections 39-2512 to 39-2515. This subsection only applies to a professional engineer in the direct employ of a municipality or municipal county and does not apply to an engineer serving as a contractor or consultant.

Sec. 21. Section 39-2515, Revised Statutes Cumulative Supplement, 2020, is amended to read:

39-2515 (1) By December 31 of each year, each municipality or municipal county shall certify to the Department of Transportation, using the certification process developed by the department:

- (a) The name of any appointed city street superintendent;
- (b) Such superintendent's class of license, if applicable; and
- (c) The type of appointment:
 - (i) Employed;
 - (ii) Contract consultant; or
 - (iii) Contract interlocal agreement with another municipality, county, or municipal county.

(2) The Department of Transportation shall, in January of each year commencing in 1970, determine and certify to the State Treasurer the amount of each incentive payment to be made under the provisions of sections 39-2511 to 39-2515 ~~39-2520~~. The State Treasurer shall, on or before February 15, make the incentive payments in accordance with such certification.

Sec. 22. Section 60-507, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-507 (1)(a) ~~(1)~~ Within ninety days after the receipt by the Department of Transportation of a report of a motor vehicle accident within this state which has resulted in bodily injury or death, or damage to the property of any one person, including such operator, to an apparent extent ~~in excess of one thousand~~ five hundred dollars or more, the Department of Motor Vehicles shall suspend (a) the license of each operator of a motor vehicle in any manner involved in such accident and (b) the privilege, if such operator is a nonresident, of operating a motor vehicle within this state, unless such operator deposits security in a sum which shall be sufficient, in the judgment of the Department of Motor Vehicles, to satisfy any judgment or judgments for damages resulting from such accident which may be recovered against such operator and unless such operator gives proof of financial responsibility. Notice of such suspension shall be sent by the Department of Motor Vehicles by regular United States mail to such operator not less than twenty days prior to the effective date of such suspension at his or her last-known mailing address as shown by the records of the department and shall state the amount required as security and the requirement of proof of financial responsibility.

(b) In the event a person involved in a motor vehicle accident within this

state fails to make a report to the Department of Motor Vehicles indicating the extent of his or her injuries or the damage to his or her property within thirty days after the accident, and the department does not have sufficient information on which to base an evaluation of such injury or damage, the department, after reasonable notice to such person, may not require any deposit of security for the benefit or protection of such person.

(c) If the operator fails to respond to the notice on or before twenty days after the date of the notice, the director shall summarily suspend the operator's license or privilege and issue an order of suspension.

(2) The order of suspension provided for in subsection (1) of this section shall not be entered by the Department of Motor Vehicles if the department determines that in its judgment there is no reasonable possibility of a judgment being rendered against such operator.

(3) In determining whether there is a reasonable possibility of judgment being rendered against such operator, the department shall consider all reports and information filed in connection with the accident.

(4) The order of suspension provided for in subsection (1) of this section shall advise the operator that he or she has a right to appeal the order of suspension in accordance with the provisions set forth in section 60-503.

(5) The order of suspension provided for in subsection (1) of this section shall be sent by regular United States mail to the operator's person's last-known mailing address as shown by the records of the department.

Sec. 23. Section 60-511, Reissue Revised Statutes of Nebraska, is amended to read:

60-511 The license and registration and nonresident's operating privilege suspended as provided in this section and section sections 60-507 and 60-511, shall remain so suspended, and not be renewed nor shall any such license or registration be issued to such person until:

(1) Such person shall deposit and file or there shall be deposited and filed on his or her behalf the security and proof required under this section and section sections 60-507 and 60-511;

(2) A supersedeas bond is filed and approved to insure payment of any judgment recovered against such person in a court of competent jurisdiction arising out of the accident on account of which such license and registration was suspended and such person files proof of financial responsibility;

(3) Three years shall have elapsed following the date of such accident and evidence satisfactory to the department has been filed with it that during such period no action for damages arising out of such accident has been instituted and such person files proof of financial responsibility;

(4) Evidence satisfactory to the department has been filed with it of a release from liability, and proof of financial responsibility or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged written agreement, in accordance with subdivision (4) of section 60-510 and proof of financial responsibility. If ; Provided, in the event there is shall be any default in the payment of any installment under any confession of judgment then, upon notice of such default, the department, upon notice of such default, shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in the said confession of judgment has been paid and proof of financial responsibility has been filed. If ; and provided further, that in the event there is shall be any default in the payment of any installment under any duly acknowledged written agreement then, upon notice of such default, the department, upon notice of such default, shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until (a) such person deposits and maintains shall maintain security as required under section 60-507, in such amount as the department determines may then determine, and files proof of financial responsibility or (b) one year has shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state and such person gives proof of financial responsibility; or

(5) In the event any insurance carrier of any motor vehicle operator makes settlement with the operator of another motor vehicle involved in the accident, such settlement shall, for the purpose of the Motor Vehicle Safety Responsibility Act sections 60-501 to 60-569, be construed as a release to the operators of all motor vehicles involved in the accident, and be sufficient to satisfy subdivision (4) of this section.

Sec. 24. Section 60-512, Reissue Revised Statutes of Nebraska, is amended to read:

60-512 (1) In case the operator or the owner of a motor vehicle involved in an accident within this state has no license or registration, such operator or owner he shall not be allowed a license or registration until he or she has complied with the requirements of the Motor Vehicle Safety Responsibility Act sections 60-501 to 60-569 to the same extent that would be necessary if, at the time of the accident, he or she had held a license and registration.

(2) When a nonresident's operating privilege is suspended pursuant to section 60-507 or 60-511, the department shall transmit a certified copy of the record of such action to the official in charge of the issuance of licenses and registration certificates in the state in which such nonresident resides, if the law of such other state provides for action in relation thereto similar to that provided for in subsection (3) of this section.

(3) Upon receipt of certification that the operating privilege of a resident of this state has been suspended or revoked in any such other state

pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to deposit both security and proof of financial responsibility, under circumstances which would require the department to suspend a nonresident's operating privilege had the accident occurred in this state, the department shall suspend the license of ~~such resident and all of his registrations of such resident~~. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of the such other state relating to the deposit of ~~such~~ security, and until such resident files proof of financial responsibility if required by the such law of the other state.

Sec. 25. Section 60-513, Reissue Revised Statutes of Nebraska, is amended to read:

60-513 The security required by the Motor Vehicle Safety Responsibility Act shall be in such form and in such amount as the department may require but in no case less than one thousand five hundred dollars nor in excess of the limits specified in section 60-509. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the department or State Treasurer, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons, except that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident. The department may increase or reduce the amount of security ordered in any case at any time after the date of the accident if, in the judgment of the director, the amount ordered is inadequate or excessive. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered shall be returned to the depositor or his or her personal representative immediately, notwithstanding ~~the provisions of~~ section 60-514. If any additional security ordered is not deposited within ten days, the department ~~Department of Motor Vehicles~~ shall proceed under ~~the provisions of~~ section 60-507.

Sec. 26. Section 60-514, Reissue Revised Statutes of Nebraska, is amended to read:

60-514 The security deposited, in compliance with the Motor Vehicle Safety Responsibility Act requirements of ~~sections 60-501 to 60-569~~, shall be placed by the department in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than two years after the date of such accident, or within two years after the date of deposit of any security under subdivision (4) of section 60-511. The ~~and such~~ deposit or any balance of the deposit thereof shall be returned to the depositor or his or her personal representative (1) when evidence satisfactory to the department has been filed with the department ~~it~~ that there has been a release from liability, or a final adjudication of nonliability, or a supersedeas bond to insure payment of judgment ~~has been filed and approved as set forth in provided by~~ subdivision (2) of section 60-511, or a warrant for confession of judgment, or a duly acknowledged agreement, in accordance with subdivision (4) of section 60-510, or (2) whenever, after the expiration of two years from the date of the accident, or within two years after the date of deposit of any security under subdivision (4) of section 60-511, the department shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

Sec. 27. Section 60-550.01, Reissue Revised Statutes of Nebraska, is amended to read:

60-550.01 Upon receipt by the department ~~Department of Motor Vehicles~~ of a certified copy of a final judgment secured against a depositor, such judgment having been granted for damages arising out of the accident which caused the depositing of security under the Motor Vehicle Safety Responsibility Act, ~~as provided in sections 60-501 to 60-569~~, the department shall, by voucher addressed to the Director of Administrative Services, cause the payment of the deposited security to the judgment creditor in accordance with the terms of the judgment and, if it ~~then~~ appears there is no further liability to any persons arising out of such accident, the department shall, upon its voucher to the Director of Administrative Services, cause the balance remaining, if any, to be returned to the depositor or his or her personal representative.

Sec. 28. Section 60-554, Reissue Revised Statutes of Nebraska, is amended to read:

60-554 (1) The department shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the department shall direct and the State Treasurer shall return to the person entitled thereto any money or securities, deposited pursuant to the Motor Vehicle Safety Responsibility Act ~~sections 60-501 to 60-569~~ as proof of financial responsibility, or the department shall waive the requirement of filing proof, in any of the following events:

(a) ~~(1)~~ At any time after three years from the date such proof was required when, during the three-year period preceding the request, the department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration, or nonresident's operating privilege of the person by or for whom such proof was furnished;

(b) ~~(2)~~ In the event of the death of the person on whose behalf such proof

was filed or the permanent incapacity of such person to operate a motor vehicle; or

(c) ~~(3)~~ In the event the person who has given proof surrenders his or her license and registration to the department, except ; ~~Provided~~, that the department shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages, upon a liability covered by such proof, is then pending or a judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has, within two years immediately preceding such request, been involved as an operator or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that the applicant he has been released from all of his or her liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the department.

(2) Whenever any person, whose proof has been canceled or returned under subdivision (1)(c) ~~(3)~~ of this section applies for a license or registration within a period of three years from the date such proof was originally required, any such application shall be refused unless the applicant shall reestablish such proof for the remainder of such three-year period.

Sec. 29. Section 60-695, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-695 ~~Any It shall be the duty of any~~ peace officer who investigates any traffic accident in the performance of his or her official duties shall, in all instances of an accident resulting in injury or death to any person or in which estimated damage equals or exceeds one thousand five hundred dollars to the property of any one person, ~~to~~ submit an original report of such investigation to the ~~Accident Records Bureau of the~~ Department of Transportation within ten days after each such accident. The department shall have authority to collect accident information it deems necessary and shall prescribe and furnish appropriate forms for reporting.

Sec. 30. Section 60-699, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-699 (1) The operator of any vehicle involved in an accident resulting in injuries or death to any person or damage to the property of any one person, including such operator, to an apparent extent that equals or exceeds of more than one thousand five hundred dollars shall within ten days forward a report of such accident to the Department of Transportation. Such report shall not be required if the accident is investigated by a peace officer. If the operator is physically incapable of making the report, the owner of the motor vehicle involved in the accident shall, within ten days from the time he or she learns of the accident, report the matter in writing to the Department of Transportation. The Department of Transportation or Department of Motor Vehicles may require operators involved in accidents to file supplemental reports of accidents upon forms furnished by it whenever the original report is insufficient in the opinion of either department. The operator or the owner of the motor vehicle shall make such other and additional reports relating to the accident as either department requires. Such records shall be retained for the period of time specified by the State Records Administrator pursuant to the Records Management Act.

(2) The report of accident required by this section shall be in two parts. Part I shall be in such form as the Department of Transportation may prescribe and shall disclose full information concerning the accident. Part II shall be in such form as the Department of Motor Vehicles may prescribe and shall disclose sufficient information to disclose whether or not the financial responsibility requirements of the Motor Vehicle Safety Responsibility Act are met through the carrying of liability insurance.

(3) Upon receipt of a report of accident, the Department of Transportation shall determine the reportability and classification of the accident and enter all information into a computerized data base. Upon completion, the Department of Transportation shall electronically send Part II of the report to the Department of Motor Vehicles for purposes of section 60-506.01.

(4) Such reports shall be without prejudice. Except as provided in section 84-712.05, a report regarding an accident ~~All reports made by a peace officer officers, made to or filed with a peace officer in the peace officer's office or department officers in their respective offices or departments,~~ or filed with or made by or to any other law enforcement agency of the state shall be open to public inspection, but an accident report reports filed by the operator or owner of a motor vehicle pursuant to this section shall not be open to public inspection. Date of birth and operator's license number information of an operator or owner included in any report required under this section shall be confidential and shall not be a public record under section 84-712.01. The fact that a report by an operator or owner has been so made shall be admissible in evidence solely to prove compliance with this section, but no such report or any part of or statement contained in the report shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accidents nor shall the report be referred to in any way or be any evidence of the negligence or due care of either party at the trial of any action at law to recover damages.

(5) The failure by any person to report an accident as provided in this section or to correctly give the information required in connection with the report shall be a Class V misdemeanor.

Sec. 31. Section 60-6,138, Revised Statutes Cumulative Supplement, 2020, is amended to read:

60-6,138 (1) The Department of Transportation and local authorities with respect to highways under their respective jurisdictions may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all times or at such times as shall be indicated by traffic control devices.

(2) Except for emergency vehicles, no vehicle shall be operated, backed, pushed, or otherwise caused to move in a direction which is opposite to the direction designated by competent authority on any deceleration lane, acceleration lane, access ramp, shoulder, or roadway.

(3) A vehicle which passes around a roundabout rotary traffic island shall be driven only to the right of the central island while on the circulatory roadway in such roundabout such island.

Sec. 32. Section 60-6,336, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,336 Nothing in sections 60-6,320 to 60-6,346 shall prohibit the use of snowmobiles within the right-of-way of any highway in any international or other sponsored contest. When the proposed use of the right-of-way of any highway is for an international or other sponsored contest:

(1) The sponsoring person or organization shall obtain prior written permission from the governing body having jurisdiction over the highway when such highway is not part of the state highway system; and

(2) The sponsoring person or organization shall comply with subsection (2) of section 39-1359 when such highway is part of the state highway system.

~~Nothing in sections 60-6,320 to 60-6,346 shall prohibit the use of snowmobiles within the right-of-way of any highway in any international or other sponsored contest, except that prior written permission for such contests shall first be obtained by the sponsoring persons or group from the official or board having jurisdiction over the highway upon which the contest is to be held. Any person holding a snowmobile contest on any right-of-way of a highway without first obtaining written permission therefor shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided by section 60-6,343. In permitting such contest, the official or board having jurisdiction may prescribe such restrictions or conditions as may be deemed advisable.~~

Sec. 33. Original sections 39-1316, 39-2301.01, 39-2302, 39-2306, 39-2307, 39-2501, 39-2503, 39-2511, 39-2513, 60-511, 60-512, 60-513, 60-514, 60-550.01, 60-554, and 60-6,336, Reissue Revised Statutes of Nebraska, and sections 39-2106, 39-2107, 39-2304, 39-2308, 39-2308.01, 39-2308.03, 39-2502, 39-2504, 39-2505, 39-2512, 39-2514, 39-2515, 60-507, 60-695, 60-699, and 60-6,138, Revised Statutes Cumulative Supplement, 2020, are repealed.