

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1126

Introduced by Moser, 22.

Read first time January 20, 2026

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to transportation; to amend sections 60-507,
2 60-513, 60-695, and 60-6,299, Reissue Revised Statutes of Nebraska,
3 sections 39-1351, 39-2802, 39-2814, 39-2825, 60-699, and 60-6,123,
4 Revised Statutes Cumulative Supplement, 2024, and sections 60-601,
5 60-605, and 60-6,298, Revised Statutes Supplement, 2025; to adopt
6 the Infrastructure Development Investment Program Act; to change
7 certain applicant qualification exemptions for transportation
8 infrastructure construction contracts; to redefine a term, eliminate
9 a requirement for progressive design-build contracts, change public-
10 private partnership delivery method provisions, provide duties for
11 the Department of Transportation, and provide for unsolicited
12 proposals under the Transportation Innovation Act; to change
13 provisions relating to the suspension of operator's licenses by the
14 Department of Motor Vehicles and the security required by the Motor
15 Vehicle Safety Responsibility Act; to define a term, change traffic
16 accident reporting requirements, change requirements for date of
17 birth information that is included in certain vehicle accident
18 reports, provide for the control of bicycle traffic, and change and
19 provide for certain permit fees under the Nebraska Rules of the
20 Road; to harmonize provisions; and to repeal the original sections.
21 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 39 of this act shall be known and may be
2 cited as the Infrastructure Development Investment Program Act.

3 **Sec. 2.** The purpose of the Infrastructure Development Investment
4 Program Act is to assist in financing qualified projects by providing
5 loans and other forms of financial assistance to eligible entities for
6 the construction, improvement, or enhancement of transportation
7 infrastructure that is necessary for public purposes.

8 **Sec. 3.** For the purposes of the Infrastructure Development
9 Investment Program Act, unless the context otherwise requires:

10 (1) Capitalization means the aggregate of all funds deposited in the
11 investment program from any federal, state, local, or private source,
12 including, but not limited to, any transfer, grant, loan, loan repayment,
13 investment earning, and bond proceed;

14 (2) Commission means the State Highway Commission;

15 (3) Department means the Department of Transportation or any
16 successor agency designated to implement and administer the
17 Infrastructure Development Investment Program Act;

18 (4) Eligible cost means:

19 (a) For any project that is federally funded, any cost permitted
20 under an applicable federal statute, regulation, or guidance document
21 that governs state infrastructure banks, transportation credit programs,
22 or revolving loan funds;

23 (b) For any project that is funded by this state or a political
24 subdivision of this state, any cost, including, but not limited to, costs
25 for any: Preliminary engineering; traffic, revenue, or environmental
26 study; right-of-way acquisition; legal, financial, and technical
27 consulting service; construction or construction management; project
28 facility; equipment; or nonoperating cost that is necessary for the
29 completion of an eligible project; or

30 (c) For any project that is a hybrid or multi-sector project, any
31 cost approved by the commission, including any intermodal or utility-

1 related infrastructure that is necessary for project integration;
2 (5) Eligible entity means any political subdivision of this state or
3 a private partner engaged in a public-private partnership as defined in
4 section 39-2802, including any combination of two or more such political
5 subdivisions or private partners, acting jointly to finance, construct,
6 own, or operate an eligible project;

7 (6)(a) Eligible project means any transportation infrastructure
8 project that provides any of the following public benefits:

9 (i) Accelerating the delivery of transportation improvements;
10 (ii) Enhancing the mobility or safety of people in this state;
11 (iii) Enhancing the economy of this state;
12 (iv) Promoting economic development in this state; or
13 (v) Improving the quality of life of the general public; and
14 (b) Eligible project includes, but is not limited to, any highway,
15 street, road, bridge, transit system, rail facility, airport, port, and
16 bicycle or pedestrian facility;

17 (7) Financial assistance includes, but is not limited to, any loan,
18 credit enhancement, capital or debt service reserve, interest rate
19 subsidy, provision of letter of credit, line of credit, and guarantee,
20 and any other lawful financing mechanism that is approved by the
21 commission and, where applicable, is consistent with federal and state
22 law;

23 (8)(a) Financing agreement means any contract or instrument executed
24 between the investment program and an eligible entity for a loan or
25 financial assistance; and

26 (b) Financing agreement includes, but is not limited to, any loan
27 agreement, trust indenture, security or reimbursement agreement,
28 guarantee agreement, and resolution, and any similar instrument that is
29 approved by the commission that contains loan terms and repayment
30 provisions; and

31 (9) Investment program means the infrastructure development

1 investment program created under section 4 of this act.

2 Sec. 4. (1) The infrastructure development investment program is
3 created and shall be housed within the department for administrative
4 purposes.

5 (2) The commission shall administer the investment program, with
6 administrative and operational support from the department. The
7 department shall provide the commission with the necessary personnel to
8 manage the day-to-day operations of the investment program.

9 (3) The commission is the final authority for selecting projects to
10 receive financial assistance from the investment program.

11 Sec. 5. (1) The commission shall:

12 (a) Adopt bylaws, policies, and operating procedures that govern the
13 administration of the investment program;

14 (b) Approve or deny applications for financial assistance based on
15 established evaluation criteria;

16 (c) Establish financial, risk management, and internal control
17 policies consistent with generally accepted accounting principles; and

18 (d) Approve annual budgets, audits, and reports for the investment
19 program.

20 (2) The commission may:

21 (a) Enter into any cooperative agreement with any federal or state
22 agency, local government, or private entity; and

23 (b) Delegate any administrative or technical function to any
24 personnel or agent of the commission as necessary to implement the
25 Infrastructure Development Investment Program Act.

26 Sec. 6. The commission may establish an advisory committee that is
27 comprised of representatives from eligible entities, metropolitan
28 planning organizations, and the private sector for the purpose of
29 providing guidance on project prioritization, credit policy, or
30 compliance matters.

31 Sec. 7. (1) The Infrastructure Development Investment Program Fund

1 is created. The commission shall administer the fund. The fund shall
2 consist of any:

3 (a) Transfer authorized by the Legislature;
4 (b) Federal money, including, but not limited to, any loan, grant,
5 or cooperative agreement proceeds;
6 (c) State or local grant;
7 (d) Contribution, donation, endowment, or grant from any public or
8 private source;
9 (e) Repayment, interest, or fee, or other income generated by
10 investment program assistance;
11 (f) Bond proceeds or other financing proceeds; and
12 (g) Lawful source that is approved by the commission.

13 (2) Money in the fund may be used by the commission for any purpose
14 that is described in section 8 of this act.

15 (3) Any money in the fund available for investment shall be invested
16 by the state investment officer pursuant to the Nebraska Capital
17 Expansion Act and the Nebraska State Funds Investment Act.

18 (4) All repayments of money provided from the fund and all
19 investment earnings from money in the fund shall be credited to the fund.

20 (5) It is the intent of the Legislature that all money in the fund
21 shall be appropriated each fiscal year for the purposes that are
22 described in section 8 of this act.

23 Sec. 8. Subject to applicable federal and state law, money in the
24 Infrastructure Development Investment Program Fund may be used to:

25 (1) Provide any financial assistance to any eligible entity for any
26 eligible project;

27 (2) Establish reserves, capitalized interest, credit enhancement,
28 and pooled financing structures that strengthen the credit capacity of
29 the investment program;

30 (3) Pay reasonable administrative costs of the investment program,
31 including portfolio monitoring and collection; and

1 (4) Refinance or obtain interim financing used for any eligible
2 cost.

3 **Sec. 9.** (1) For administration of the investment program, the
4 commission may establish any:

5 (a) Federal, state, or local account or subaccount within the
6 investment program that is necessary to meet any applicable federal or
7 state law requirement;

8 (b) Bond-related account or subaccount within the investment program
9 that is necessary to meet any applicable federal or state law
10 requirement; or

11 (c) Account within the investment program that the commission
12 determines is necessary or desirable to implement the Infrastructure
13 Development Investment Program Act.

14 (2) The investment program shall consist of the following account
15 structure:

16 (a) Federal accounts: Separate accounts established for federal
17 highway, transit, rail, and rural project funds;

18 (b) State and local accounts: Separate accounts for state and local
19 transportation funds; and

20 (c) Administrative accounts: Separate accounts to be used by the
21 department for the cost of administering the investment program.

22 (3) The investment program shall comply with all applicable federal
23 laws and regulations prohibiting the commingling of certain federal funds
24 deposited in the investment program.

25 (4) Money in each account shall be tracked and used consistent with
26 the legal requirements of the source of such money.

27 **Sec. 10.** The investment program may make any contract and execute
28 any instrument that is necessary or convenient to provide financial
29 assistance, including any:

30 (1) Loan agreement, trust indenture, intercept agreement, or
31 reimbursement agreement;

1 (2) Acceptance of a pledge of project revenue, special assessment,
2 user fee, tax increment, or other legally available revenue;

3 (3) Requirement or funding of any reserve fund to secure repayment;
4 or

5 (4) Participation in any pooled financing or senior-subordinate
6 structure.

7 **Sec. 11.** (1) Any political subdivision may apply to the department
8 for a loan from the investment program on a form prescribed by the
9 department.

10 (2) The terms of a duly executed loan or assistance contract are
11 binding on the borrower, and the borrower shall unconditionally repay
12 from pledged sources.

13 **Sec. 12.** If a borrower of a loan from the investment program fails
14 to comply with any contract term related to such loan or fails to make
15 any payment when due, the investment program may:

16 (1) Pursue any legal or equitable remedy;

17 (2) Request that the Legislature reduce any appropriation to such
18 borrower by the amount that is owed to the investment program and
19 appropriate such amount to the investment program. The money for any such
20 appropriation to the investment program shall be transferred into the
21 Infrastructure Development Investment Program Fund and used to pay the
22 outstanding debt of such borrower; and

23 (3) Draw on any pledged reserve or credit facility that is securing
24 the obligation.

25 **Sec. 13.** The investment program shall maintain accounts in
26 accordance with generally accepted accounting principles and applicable
27 federal requirements, subject to annual independent audit.

28 **Sec. 14.** An obligation of the investment program is a special,
29 limited obligation that is payable solely from the revenue and assets of
30 the investment program and shall not constitute a pledge of the full
31 faith and credit of the State of Nebraska unless expressly authorized by

1 separate statute.

2 **Sec. 15.** (1) The investment program may provide financial
3 assistance to any eligible entity for any eligible project. Such
4 financial assistance may be in any lawful form, including any loan, loan
5 guarantee, line of credit, letter of credit, lease, lease-purchase
6 agreement, interest-rate subsidy, or credit enhancement, or any other
7 financing instrument that is approved by the commission.

8 (2)(a) All financial assistance provided by the investment program
9 shall be evidenced by a financing agreement that sets forth the principal
10 amount, interest rate, repayment schedule, security provisions,
11 covenants, and remedies upon default.

12 (b) The commission shall establish:

13 (i) Standardized documents for financial assistance that is provided
14 by the investment program; and

15 (ii) Credit criteria that will be applied when the investment
16 program is deciding to provide financial assistance in order to ensure
17 consistency, transparency, and fiscal integrity.

18 (3) Interest rates shall be set by the commission, within the
19 limitations of section 45-101.03, to reflect project risk, market
20 conditions, term length, and creditworthiness, and may include subsidies
21 for projects of statewide significance or in economically distressed
22 areas.

23 (4) The commission may charge an application fee for providing
24 financial assistance from the investment program. Such fee shall not
25 exceed one thousand dollars.

26 **Sec. 16.** (1) The maturity for any financial assistance that is
27 provided under the Infrastructure Development Investment Program Act
28 shall not exceed the lesser of the useful life of the financed asset or
29 thirty years, unless federal law allows a longer term or the commission
30 determines a longer term pursuant to state law.

31 (2) At the discretion of the commission, the repayment of any

1 financial assistance that is provided under the Infrastructure
2 Development Investment Program Act shall begin after completion of the
3 project or upon the generation of revenue from the project.

4 (3) The borrower of any financial assistance that is provided under
5 the Infrastructure Development Investment Program Act may prepay any
6 required payment for such financial assistance. No penalty is permitted
7 for such prepayment unless provided for by a bond covenant.

8 **Sec. 17.** (1) Financial assistance that is provided under the
9 Infrastructure Development Investment Program Act shall be secured by the
10 pledge of revenue from the project or system, any legally available
11 source, or any collateral required by the commission.

12 (2) The commission may require any reserve, intercept of any state
13 aid allocation, guarantee, or letter of credit to secure repayment.

14 (3) A public borrower may pledge revenue or credit only to the
15 extent permitted by state law and by ordinance or resolution of a
16 political subdivision.

17 **Sec. 18.** (1) The investment program may subordinate its lien to
18 senior debt if the commission determines that such subordination is
19 necessary to finance the project and is consistent with any bond
20 covenant.

21 (2) The investment program may extend, defer, capitalize, or
22 restructure repayments to preserve project viability or to mitigate
23 financial hardship, subject to federal requirements and the approval of
24 the commission.

25 **Sec. 19.** In the event of a default by a borrower under the
26 Infrastructure Development Investment Program Act, the investment program
27 may pursue any lawful remedy, including acceleration, set-off, intercept
28 of state aid that is otherwise due to the borrower, or transfer of
29 collateral, consistent with constitutional and federal limitations.

30 **Sec. 20.** (1) The investment program may provide financial
31 assistance to an eligible entity to pay for all or part of the eligible

1 cost of an eligible project. The investment program may require the
2 eligible entity to enter into a financing agreement in connection with
3 its financial assistance obligation.

4 (2) The commission shall determine the form and content of such
5 financing agreement and financial assistance obligations, including the
6 term and rate or rates of interest on a financing agreement.

7 (3) The terms and conditions of financial assistance from any
8 federal account shall comply with applicable federal requirements.

9 **Sec. 21.** The commission shall prioritize the approval of
10 applications for financial assistance based on objective criteria,
11 including, but not limited to:

12 (1) Economic impact and job creation;

13 (2) Safety and system resilience benefits;

14 (3) Readiness and financial feasibility;

15 (4) Public benefit;

16 (5) Consistency with statewide transportation goals;

17 (6) Leverage of private capital or money that is not provided by the
18 State of Nebraska;

19 (7) Local support of the project; and

20 (8) The ability for the applicant to repay the financial assistance
21 according to the established terms and conditions.

22 **Sec. 22.** The investment program shall cause an annual independent
23 audit of all financial activities, including loan portfolios, investment
24 earnings, debt obligations, and fund transfers. The audit shall be
25 performed by a certified public accounting firm in accordance with
26 generally accepted government auditing standards.

27 **Sec. 23.** (1) The investment program shall prepare and
28 electronically submit a report to the Clerk of the Legislature no later
29 than November 1 of each year. The report shall include the following
30 information relating to the investment program:

31 (a) A statement of financial position and changes in net assets;

1 (b) A summary of lending and investment activities for each account
2 and eligible project;

3 (c) A list of each project that is financed, including the borrower,
4 purpose, loan terms, and repayment status; and

5 (d) Administrative and operating costs, fees collected, and reserve
6 balances.

7 (2) Each such report shall be published and made publicly available
8 on the website for the investment program.

9 **Sec. 24.** The investment program shall operate in compliance with:

10 (1) Federal law and program guidance applicable to state
11 infrastructure banks, including capitalization, use-of-funds, and
12 reporting requirements established under 23 U.S.C. 610, or any other
13 applicable federal law, as such federal law existed on January 1, 2026;

14 (2) State fiscal and procurement laws, except where specific
15 exemptions are provided under the Infrastructure Development Investment
16 Program Act; and

17 (3) Any cooperative agreements entered into with the United States
18 Department of Transportation and its operating administrations or other
19 federal agencies.

20 **Sec. 25.** The investment program is authorized to issue revenue
21 bonds, notes, or other evidence of indebtedness for the purposes of
22 financing, refinancing, or refunding loans and other eligible costs under
23 the Infrastructure Development Investment Program Act. Obligations may be
24 issued in any amount and at any time as approved by the commission to
25 meet the funding needs of any approved project. The issuance of bonds
26 under the Infrastructure Development Investment Program Act is separate
27 and distinct from any authority or limitation to issue bonds under the
28 Nebraska Highway Bond Act.

29 **Sec. 26.** (1) Each obligation that is issued by the investment
30 program shall be a special, limited obligation that is payable solely
31 from revenue, repayments, pledged receipts, or other legally available

1 funds of the investment program, and shall not constitute a general
2 obligation of the State of Nebraska or a pledge of the full faith and
3 credit of the State of Nebraska.

4 (2) Each obligation shall bear a clear statement on its face that
5 such obligation is a special, limited obligation that is payable solely
6 from revenue, repayments, pledged receipts, or other legally available
7 funds of the investment program, and shall not constitute a general
8 obligation of the State of Nebraska or a pledge of the full faith and
9 credit of the State of Nebraska.

10 (3) The holder of an obligation shall not have the right to compel
11 the levy of any tax or compel any appropriation by the State of Nebraska
12 for the payment of debt service.

13 **Sec. 27.** (1) The investment program shall maintain a debt service
14 coverage ratio consistent with prudent fiscal standards and bond
15 covenants.

16 (2) No obligation shall be issued that would cause the debt or
17 liability of the investment program to exceed available pledged revenue.

18 **Sec. 28.** (1) Prior to issuance, an obligation shall be authorized
19 by a resolution of the commission specifying the principal amount,
20 purpose, interest rate or rates, maturities of not to exceed forty years,
21 redemption provisions, and all other terms of the obligation.

22 (2) The commission may delegate execution and sale authority to any
23 designated issuing authority.

24 (3) Bond proceedings may include:

25 (a) A trust indenture or similar agreement that establishes pledges
26 of revenue, covenants, reserve requirements, and flow-of-funds
27 structures;

28 (b) Authorization for refunding or advance refunding;

29 (c) Creation of special funds and reserve accounts; and

30 (d) Appointment of trustees, paying agents, and financial advisors
31 as needed.

1 **Sec. 29.** (1) The investment program may pledge any repayment,
2 investment earning, or interest subsidy, or any other investment program
3 income to the payment of any obligation or related reserve.

4 (2) Each such pledge shall constitute a valid and binding lien upon
5 the pledged revenue from the time of the pledge, without the need for
6 physical delivery, filing, or recording.

7 (3) Each such lien shall be valid and enforceable against any party
8 having a claim of any kind against the investment program, whether or not
9 such party has notice of the lien.

10 **Sec. 30.** (1) Any obligation may be sold at public or private sale,
11 as determined by the commission, at any price and interest rate deemed to
12 be in the best interest of the investment program.

13 (2) Each obligation shall be executed on behalf of the investment
14 program by the officer authorized pursuant to rules and regulations that
15 are adopted and promulgated by the commission.

16 (3) Each such obligation may bear a facsimile seal and signature,
17 which remain valid even if the officer ceases to hold office prior to
18 delivery.

19 **Sec. 31.** The investment program may issue any refunding or advance
20 refunding obligation to retire outstanding debt, reduce debt service,
21 restructure any maturity, or achieve savings. Any such refunding shall
22 not extend any final maturity beyond the useful life of the financed
23 asset.

24 **Sec. 32.** (1) The investment program shall maintain a bond service
25 account and such reserve accounts as required by bond proceedings.

26 (2) Debt service payments from pledged revenue or other legally
27 available money that are remitted to the State Treasurer shall be
28 credited by the State Treasurer to the Infrastructure Development
29 Investment Program Fund.

30 (3) For each fiscal year, the investment program shall annually
31 determine and set aside an amount of money that is sufficient to pay the

1 principal, interest, and costs related to the payment of such principal
2 and interest that are due during such fiscal year.

3 Sec. 33. An obligation that is issued under the Infrastructure
4 Development Investment Program Act, the transfer of such obligation, and
5 the income from such issuance and transfer, including the profit from the
6 sale of such obligation, shall be exempt from state and local taxation.

7 Sec. 34. An obligation that is issued under the Infrastructure
8 Development Investment Program Act shall be a lawful investment for any
9 bank, trust company, insurance company, pension fund, or other fiduciary,
10 and may be accepted as security for the deposit of public money.

11 Sec. 35. Each obligation shall be issued in conformity with the
12 Infrastructure Development Investment Program Act and federal securities
13 regulations, including continuing disclosure requirements and limitations
14 on arbitrage earnings under 26 U.S.C. 148, as such section existed on
15 January 1, 2026.

16 Sec. 36. (1) In the event of default, any bondholder or trustee may
17 enforce any covenant through any mandamus, injunction, or other equitable
18 proceeding, consistent with the bond proceedings.

19 (2) Any trustee may be empowered to receive and administer pledged
20 revenue and ensure payment of debt service under the terms of a trust
21 indenture.

22 Sec. 37. (1) The commission may adopt and promulgate rules and
23 regulations to carry out the Infrastructure Development Investment
24 Program Act.

25 (2) No later than July 1, 2027, the commission shall adopt and
26 promulgate the following rules and regulations to provide for:

27 (a) The transparent, equitable, and nondiscriminatory administration
28 of financial assistance;

29 (b) Public oversight and consistent scoring criteria for
30 applications and project evaluations;

31 (c) Systems to track compliance, defaults, and repayments;

1 (d) Prompt corrective actions to address any audit finding or
2 material weakness;

3 (e) Administration of the Infrastructure Development Investment
4 Program Act and to respond to evolving best practices in infrastructure
5 finance and management; and

6 (f) Application procedures, loan evaluation, pricing standards,
7 credit ratings, and ongoing monitoring to protect the integrity of the
8 portfolio of the investment program and ensure access across
9 jurisdictions.

10 **Sec. 38.** (1) The commission shall adopt and maintain internal
11 control policies, investment standards, and risk management frameworks to
12 ensure prudent fiscal operations.

13 (2) Such controls shall comply with applicable state auditing,
14 ethics, and administrative procedures.

15 **Sec. 39.** The investment program shall maintain a website for access
16 by the public. At a minimum, such website shall contain reports published
17 by the investment program or the commission, rules and regulations
18 adopted and promulgated under the Infrastructure Development Investment
19 Program Act, and information for obtaining financial assistance from the
20 investment program.

21 **Sec. 40.** Section 39-1351, Revised Statutes Cumulative Supplement,
22 2024, is amended to read:

23 39-1351 (1) Except as provided in subsection (2) of this section,
24 any person desiring to submit to the department a bid for the performance
25 of any contract for the construction, reconstruction, improvement,
26 maintenance, or repair of roads, bridges, and their appurtenances, which
27 the department proposes to let, shall apply to the department for
28 prequalification. Such application shall be made not later than five days
29 before the letting of the contract unless fewer than five days is
30 specified by the department. The department shall determine the extent of
31 any applicant's qualifications by a full and appropriate evaluation of

1 the applicant's experience, bonding capacity as determined by a bonding
2 agency licensed to do business in the State of Nebraska or other
3 sufficient financial showing deemed satisfactory by the department, and
4 performance record. In determining the qualification of an applicant to
5 bid on any particular contract, the department shall consider the
6 resources available for the particular contract contemplated.

7 (2) The department may, in its sole discretion, grant an exemption
8 from all prequalification requirements for (a) any contract for:

9 (a) The the construction, reconstruction, improvement, maintenance,
10 or repair of roads, bridges, and their appurtenances if the estimate of
11 the department for such work is two hundred fifty thousand dollars or
12 less; or

13 (b) The any contract for the construction, reconstruction,
14 improvement, maintenance, or repair of roads, bridges, and their
15 appurtenances if such work is of an emergency nature; -

16 (c) Turf maintenance or vegetation control, including mowing, weed
17 spraying, weed maintenance, tree trimming, tree removal, and tree
18 maintenance;

19 (d) Fence installation, repair, or maintenance;

20 (e) Ditch cleaning or erosion control;

21 (f) Culvert repair or maintenance, including relining, cleanout, and
22 other structural repairs or maintenance;

23 (g) Any device for an intelligent transportation system, any other
24 technological device, or the repair or maintenance of any such type of
25 device;

26 (h) Repair or maintenance of any rest area or weigh station; or

27 (i) Any repair or maintenance relating to any road, bridge, or
28 appurtenance of any road or bridge, if such repair or maintenance is of a
29 routine nature.

30 **Sec. 41.** Section 39-2802, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 39-2802 For purposes of the Transportation Innovation Act:

2 (1) Alternative technical concept means changes suggested by a
3 qualified, eligible, short-listed design-builder to a contracting
4 agency's basic configurations, project scope, design, or construction
5 criteria;

6 (2) Best value-based selection process means a process of selecting
7 a design-builder using price, schedule, and qualifications for evaluation
8 factors;

9 (3) Construction manager means the legal entity which proposes to
10 enter into a construction manager-general contractor contract pursuant to
11 the act;

12 (4) Construction manager-general contractor contract means a
13 contract which is subject to a qualification-based selection process
14 between a contracting agency and a construction manager to furnish
15 preconstruction services during the design development phase of the
16 project and, if an agreement can be reached which is satisfactory to the
17 contracting agency, construction services for the construction phase of
18 the project;

19 (5) Construction services means activities associated with building
20 the project;

21 (6) Contracting agency means the department, an eligible county, a
22 city of the metropolitan class, or a city of the primary class using the
23 powers provided under the Transportation Innovation Act;

24 (7) Department means the Department of Transportation;

25 (8) Design-build contract means a contract between a contracting
26 agency and a design-builder which is subject to a best value-based
27 selection process to furnish (a) architectural, engineering, and related
28 design services and (b) labor, materials, supplies, equipment, and
29 construction services;

30 (9) Design-builder means the legal entity which proposes to enter
31 into a design-build contract;

1 (10) Eligible county means (a) a county or (b) a joint entity
2 created by agreement under section 13-804 if a county is a party to the
3 agreement;

4 (11) Multimodal transportation network means the interconnected
5 system of highways, roads, streets, rail lines, river ports, and transit
6 systems which facilitates the movement of people and freight to enhance
7 Nebraska's economy;

8 (12) Preconstruction services means all nonconstruction-related
9 services that a construction manager performs in relation to the design
10 of the project before execution of a contract for construction services.
11 Preconstruction services includes, but is not limited to, cost
12 estimating, value engineering studies, constructability reviews, delivery
13 schedule assessments, and life-cycle analysis;

14 (13) Private partner means any entity that is a partner in a public-
15 private partnership other than the State of Nebraska, any agency of the
16 State of Nebraska, the federal government, any agency of the federal
17 government, any other state government, or any agency of any government
18 at any level;

19 (14) Progressive design-build means a project-delivery process in
20 which both the design and construction of a project are procured from a
21 single entity that is selected through a qualification-based selection
22 process at the earliest feasible stage of the project;

23 (15) Project performance criteria means the performance requirements
24 of the project suitable to allow the design-builder to make a proposal.
25 Performance requirements shall include, but are not limited to, the
26 following, if required by the project: Capacity, durability, standards,
27 ingress and egress requirements, description of the site, surveys, soil
28 and environmental information concerning the site, material quality
29 standards, design and milestone dates, site development requirements,
30 compliance with applicable law, and other criteria for the intended use
31 of the project;

1 (16) Proposal means an offer in response to a request for proposals
2 (a) by a design-builder to enter into a design-build contract or (b) by a
3 construction manager to enter into a construction manager-general
4 contractor contract;

5 (17) Public-private partnership means a project delivery method for
6 construction or financing of capital projects or procurement of services
7 under a written public-private partnership agreement entered into
8 pursuant to section 39-2825 between at least one private partner and a
9 contracting agency the State of Nebraska or any agency of the state;

10 (18) Qualification-based selection process means a process of
11 selecting a construction manager or progressive design-builder based on
12 qualifications;

13 (19) Request for proposals means the documentation by which a
14 contracting agency solicits proposals; and

15 (20) Request for qualifications means the documentation or
16 publication by which a contracting agency solicits qualifications.

17 **Sec. 42.** Section 39-2814, Revised Statutes Cumulative Supplement,
18 2024, is amended to read:

19 39-2814 A contracting agency shall prepare a request for proposals
20 for each design-build or progressive design-build contract. The request
21 for proposals shall contain, at a minimum, the following elements:

22 (1) The guidelines adopted in accordance with section 39-2811. The
23 identification of a publicly accessible location of the guidelines,
24 either physical or electronic, shall be considered compliance with this
25 subdivision;

26 (2) The proposed terms and conditions of the design-build or
27 progressive design-build contract, including any terms and conditions
28 which are subject to further negotiation;

29 (3) A project statement which contains information about the scope
30 and nature of the project;

31 (4) If applicable, a statement regarding alternative technical

1 concepts including the process and time period in which such concepts may
2 be submitted, confidentiality of the concepts, and ownership of the
3 rights to the intellectual property contained in such concepts;

4 (5) Project performance criteria;

5 (6) Budget parameters for the project;

6 (7) Any bonding and insurance required by law or as may be
7 additionally required by the contracting agency;

8 (8) The criteria for evaluation of proposals and the relative weight
9 of each criterion. For both design-build and progressive design-build
10 contracts, the criteria shall include, but are not limited to,
11 construction experience, design experience, and the financial, personnel,
12 and equipment resources available for the project. For design-build
13 contracts only, the criteria shall also include the cost of the work. ~~For~~
~~progressive design-build contracts only, the criteria shall also include~~
~~consideration of the historic reasonableness of the progressive design-~~
~~builder's costs and expenses when bidding and completing projects,~~
~~whether such projects were completed using the progressive design-build~~
~~process or another bidding and contracting process.~~ The relative weight
19 to apply to any criterion shall be at the discretion of the contracting
20 agency based on each project, except that for all design-build contracts,
21 the cost of the work shall be given a relative weight of at least fifty
22 percent;

23 (9) A requirement that the design-builder or progressive design-
24 builder provide a written statement of the design-builder's or
25 progressive design-builder's proposed approach to the design and
26 construction of the project, which may include graphic materials
27 illustrating the proposed approach to design and construction;

28 (10) A requirement that the design-builder or progressive design-
29 builder agree to the following conditions:

30 (a) At the time of the design-build or progressive design-build
31 proposal, the design-builder or progressive design-builder must furnish

1 to the contracting agency a written statement identifying the architect
2 or engineer who will perform the architectural or engineering work for
3 the project. The architect or engineer engaged by the design-builder or
4 progressive design-builder to perform the architectural or engineering
5 work with respect to the project must have direct supervision of such
6 work and may not be removed by the design-builder or progressive design-
7 builder prior to the completion of the project without the written
8 consent of the contracting agency;

9 (b) At the time of the design-build or progressive design-build
10 proposal, the design-builder or progressive design-builder must furnish
11 to the contracting agency a written statement identifying the general
12 contractor who will provide the labor, material, supplies, equipment, and
13 construction services. The general contractor identified by the design-
14 builder or progressive design-builder may not be removed by the design-
15 builder or progressive design-builder prior to completion of the project
16 without the written consent of the contracting agency;

17 (c) A design-builder or progressive design-builder offering design-
18 build or progressive design-build services with its own employees who are
19 design professionals licensed to practice in Nebraska must (i) comply
20 with the Engineers and Architects Regulation Act by procuring a
21 certificate of authorization to practice architecture or engineering and
22 (ii) submit proof of sufficient professional liability insurance in the
23 amount required by the contracting agency; and

24 (d) The rendering of architectural or engineering services by a
25 licensed architect or engineer employed by the design-builder or
26 progressive design-builder must conform to the Engineers and Architects
27 Regulation Act;

28 (11) The amount and terms of the stipend required pursuant to
29 section 39-2815, if any; and

30 (12) Other information or requirements which the contracting agency,
31 in its discretion, chooses to include in the request for proposals.

1 **Sec. 43.** Section 39-2825, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 39-2825 (1) A public-private partnership delivery method may be used
4 for projects under the Transportation Innovation Act and other
5 transportation projects deemed appropriate at the discretion of the
6 Director-State Engineer in the case of the department, or the governing
7 body of any other contracting agency as provided in this section and
8 rules and regulations adopted and promulgated pursuant to this section
9 only to the extent allowed under the Constitution of Nebraska. State
10 contracts using this method shall be awarded by competitive negotiation.
11 No such contract shall be awarded to an unsolicited proposal if the
12 primary purpose of the proposal is the simple repair of a highway.

13 (2) A contracting agency utilizing a public-private partnership
14 shall continue to be responsible for oversight of any function that is
15 delegated to or otherwise performed by a private partner.

16 (3)(a) The (3) On or before July 1, 2023, the Director-State
17 Engineer shall adopt and promulgate rules and regulations setting forth
18 criteria to be used in determining when a public-private partnership is
19 to be used by the department for a particular project. The rules and
20 regulations shall:

21 (i) Reflect reflect the intent of the Legislature to promote and
22 encourage the use of public-private partnerships in the State of
23 Nebraska; and -

24 (ii) Include procedures for the department's receipt and evaluation
25 of an unsolicited proposal from a private partner or private partners
26 that is outside of a request for proposal process.

27 (b) The Director-State Engineer shall consult with design-builders,
28 progressive design-builders, construction managers, other contractors and
29 design professionals, including engineers and architects, and other
30 appropriate professionals during the development of the rules and
31 regulations.

1 (c) The procedures used by the department when evaluating an
2 unsolicited proposal shall include a requirement that, if the department
3 determines that there is sufficient merit to pursue an unsolicited
4 proposal, a reasonable opportunity shall be provided for other entities
5 to submit competing proposals for consideration. The department may
6 charge and retain an administrative fee of not more than five hundred
7 dollars for:

8 (i) The initial evaluation and detailed review of an unsolicited
9 project proposal; and

10 (ii) The review of any competing proposal to the unsolicited
11 proposal.

12 (d) The department may:

13 (i) Spend money appropriated to the department for the purpose of
14 reviewing, developing, and implementing any unsolicited proposal; and

15 (ii) Enter into any contract for a proposal deemed by the department
16 to be in the best interest of the State of Nebraska.

17 (e) It is the intent of the Legislature that the department favor
18 any creative or innovative unsolicited proposal that will provide a
19 material benefit to the State of Nebraska beyond the traditional
20 procurement and project delivery methods.

21 (4) A request for proposals for a project utilizing a public-private
22 partnership or an unsolicited proposal from any private partner that is
23 outside of a request for proposal process shall include at a minimum:

24 (a) The parameters of the proposed public-private partnership
25 agreement;

26 (b) The duties and responsibilities to be performed by the private
27 partner or private partners;

28 (c) The methods of oversight to be employed by the contracting
29 agency;

30 (d) The duties and responsibilities that are to be performed by the
31 contracting agency and any other parties to the contract;

1 (e) The evaluation factors and the relative weight of each factor to
2 be used in the scoring of awards;

3 (f) How the private partner plans to finance and operate Plans for
4 financing and operating the project and the project or operating revenue,
5 service or availability payments, bond financings, and appropriations of
6 public funds that are anticipated to be needed in the future for the
7 qualifying project, subject to appropriation by the Legislature;

8 (g) The private partner's proposal for the availability and
9 performance standards that would be used to determine qualification for
10 receiving availability payments from the contracting agency;

11 (h) (g) Comprehensive documentation of the experience, capabilities,
12 capitalization and financial condition, and other relevant qualifications
13 of the private entity submitting the proposal;

14 (i) (h) The ability of a private partner or private partners to
15 quickly respond to the needs presented in the request for proposals and
16 the importance of economic development opportunities represented by the
17 project. In evaluating proposals, preference shall be given to a plan
18 that includes the involvement of small businesses as subcontractors, to
19 the extent that small businesses can provide services in a competitive
20 manner, unless any preference interferes with the qualification for
21 federal or other funds; and

22 (j) (i) Other information required by the contracting agency to
23 evaluate the proposals submitted and the overall proposed public-private
24 partnership.

25 (5) A private entity desiring to be a private partner shall
26 demonstrate to the satisfaction of the contracting agency that it is
27 capable of performing any duty, responsibility, or function it may be
28 authorized or directed to perform as a term or condition of the public-
29 private partnership agreement.

30 (6) A request for proposals may be canceled, or all proposals may be
31 rejected, if it is determined in writing that such action is taken in the

1 best interest of the State of Nebraska and approved by the purchasing
2 officer.

3 (7) Upon execution of a public-private partnership agreement, the
4 contracting agency shall ensure that the contract clearly identifies that
5 a public-private partnership is being utilized.

6 (8) The department shall:

7 (a) Adhere to the rules and regulations adopted and promulgated
8 under this section when utilizing a public-private partnership for
9 financing capital projects; and

10 (b) Electronically report annually to the Appropriations Committee
11 of the Legislature and the Transportation and Telecommunications
12 Committee of the Legislature regarding private-public partnerships which
13 have been considered or are approved pursuant to this section.

14 **Sec. 44.** Section 60-507, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-507 (1)(a) Within ninety days after the receipt by the Department
17 of Transportation of a report of a motor vehicle accident within this
18 state which has resulted in bodily injury or death, or damage to the
19 property of any one person, including such operator, to an apparent
20 extent of two thousand one thousand five hundred dollars or more, the
21 Department of Motor Vehicles shall suspend (i) the license of each
22 operator of a motor vehicle in any manner involved in such accident and
23 (ii) the privilege, if such operator is a nonresident, of operating a
24 motor vehicle within this state, unless such operator deposits security
25 in a sum which shall be sufficient, in the judgment of the Department of
26 Motor Vehicles, to satisfy any judgment or judgments for damages
27 resulting from such accident which may be recovered against such operator
28 and unless such operator gives proof of financial responsibility. Notice
29 of such suspension shall be sent by the Department of Motor Vehicles by
30 regular United States mail to such operator not less than twenty days
31 prior to the effective date of such suspension at his or her last-known

1 mailing address as shown by the records of the department and shall state
2 the amount required as security and the requirement of proof of financial
3 responsibility.

4 (b) In the event a person involved in a motor vehicle accident
5 within this state fails to make a report to the Department of Motor
6 Vehicles indicating the extent of his or her injuries or the damage to
7 his or her property within thirty days after the accident, and the
8 department does not have sufficient information on which to base an
9 evaluation of such injury or damage, the department, after reasonable
10 notice to such person, may not require any deposit of security for the
11 benefit or protection of such person.

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

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

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

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

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

30 **Sec. 45.** Section 60-513, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 60-513 The security required by the Motor Vehicle Safety
2 Responsibility Act shall be in such form and in such amount as the
3 department may require but in no case less than two thousand one thousand
4 ~~five hundred~~ dollars nor in excess of the limits specified in section
5 60-509. The person depositing security shall specify in writing the
6 person or persons on whose behalf the deposit is made and, at any time
7 while such deposit is in the custody of the department or State
8 Treasurer, the person depositing it may, in writing, amend the
9 specification of the person or persons on whose behalf the deposit is
10 made to include an additional person or persons, except that a single
11 deposit of security shall be applicable only on behalf of persons
12 required to furnish security because of the same accident. The department
13 may increase or reduce the amount of security ordered in any case at any
14 time after the date of the accident if, in the judgment of the director,
15 the amount ordered is inadequate or excessive. In case the security
16 originally ordered has been deposited, the excess deposited over the
17 reduced amount ordered shall be returned to the depositor or his or her
18 personal representative immediately, notwithstanding section 60-514. If
19 any additional security ordered is not deposited within ten days, the
20 department shall proceed under section 60-507.

21 **Sec. 46.** Section 60-601, Revised Statutes Supplement, 2025, is
22 amended to read:

23 60-601 Sections 60-601 to 60-6,383 and section 48 of this act shall
24 be known and may be cited as the Nebraska Rules of the Road.

25 **Sec. 47.** Section 60-605, Revised Statutes Supplement, 2025, is
26 amended to read:

27 60-605 For purposes of the Nebraska Rules of the Road, the
28 definitions found in sections 60-606 to 60-676.01 and section 48 of this
29 act shall be used.

30 **Sec. 48.** Superload means a vehicle, or vehicle combination that is
31 transporting a nondivisible load, that is in excess of:

- 1 (1) Sixteen feet in width;
- 2 (2) One hundred ninety-one inches in height;
- 3 (3) One hundred fifty feet in length; or
- 4 (4) One hundred sixty thousand pounds in gross weight.

5 **Sec. 49.** Section 60-695, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 60-695 Any peace officer who investigates any traffic accident in
8 the performance of his or her official duties shall, in all instances of
9 an accident resulting in injury or death to any person or in which
10 estimated damage equals or exceeds ~~two thousand one thousand five hundred~~
11 dollars to the property of any one person, submit an original report of
12 such investigation to the Department of Transportation within ten days
13 after each such accident. The department shall have authority to collect
14 accident information it deems necessary and shall prescribe and furnish
15 appropriate forms for reporting.

16 **Sec. 50.** Section 60-699, Revised Statutes Cumulative Supplement,
17 2024, is amended to read:

18 60-699 (1) The operator of any vehicle involved in an accident
19 resulting in injuries or death to any person or damage to the property of
20 any one person, including such operator, to an apparent extent that
21 equals or exceeds ~~two thousand one thousand five hundred~~ dollars shall
22 within ten days forward a report of such accident to the Department of
23 Transportation. Such report shall not be required if the accident is
24 investigated by a peace officer. If the operator is physically incapable
25 of making the report, the owner of the motor vehicle involved in the
26 accident shall, within ten days from the time he or she learns of the
27 accident, report the matter in writing to the Department of
28 Transportation. The Department of Transportation or Department of Motor
29 Vehicles may require operators involved in accidents to file supplemental
30 reports of accidents upon forms furnished by it whenever the original
31 report is insufficient in the opinion of either department. The operator

1 or the owner of the motor vehicle shall make such other and additional
2 reports relating to the accident as either department requires. Such
3 records shall be retained for the period of time specified by the State
4 Records Administrator pursuant to the Records Management Act.

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

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

19 (4) Such reports shall be without prejudice. Except as provided in
20 section 84-712.05, a report regarding an accident made by a peace
21 officer, made to or filed with a peace officer in the peace officer's
22 office or department, or filed with or made by or to any other law
23 enforcement agency of the state shall be open to public inspection, but
24 an accident report filed by the operator or owner of a motor vehicle
25 pursuant to this section shall not be open to public inspection. ~~Date of~~
~~birth information, excluding the year 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. Year of birth or age information~~
~~of an operator or owner included in any report required under this~~
~~section shall not be confidential and shall be a public record under~~

1 ~~section 84-712.01. Nothing in this section prohibits a peace officer or a~~
2 ~~law enforcement agency from disclosing the age of an operator or owner~~
3 ~~included in any report required under this section. The fact that a~~
4 ~~report by an operator or owner has been so made shall be admissible in~~
5 ~~evidence solely to prove compliance with this section, but no such report~~
6 ~~or any part of or statement contained in the report shall be admissible~~
7 ~~in evidence for any other purpose in any trial, civil or criminal,~~
8 ~~arising out of such accidents nor shall the report be referred to in any~~
9 ~~way or be any evidence of the negligence or due care of either party at~~
10 ~~the trial of any action at law to recover damages.~~

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

14 **Sec. 51.** Section 60-6,123, Revised Statutes Cumulative Supplement,
15 2024, is amended to read:

16 60-6,123 Whenever traffic is controlled by traffic control signals
17 exhibiting different colored lights or colored lighted arrows,
18 successively one at a time or in combination, only the colors green, red,
19 and yellow shall be used, except for special pedestrian signals carrying
20 a word legend, number, or symbol, and such lights shall indicate and
21 apply to drivers of vehicles, and pedestrians, and operators of bicycles
22 as follows:

23 (1)(a) Vehicular traffic facing a circular green indication may
24 proceed straight through or turn right or left unless a sign at such
25 place prohibits either such turn, but vehicular traffic, including
26 vehicles turning right or left, shall yield the right-of-way to other
27 vehicles and to pedestrians lawfully within the intersection or an
28 adjacent crosswalk at the time such indication is exhibited;

29 (b) Vehicular traffic facing a green arrow indication, shown alone
30 or in combination with another indication, may cautiously enter the
31 intersection only to make the movement indicated by such arrow or such

1 other movement as is permitted by other indications shown at the same
2 time, and such vehicular traffic shall yield the right-of-way to
3 pedestrians lawfully within an adjacent crosswalk and to other traffic
4 lawfully using the intersection; and

5 (c) Unless otherwise directed by a pedestrian-control signal,
6 pedestrians facing any green indication, except when the sole green
7 indication is a turn arrow, may proceed across the roadway within any
8 marked or unmarked crosswalk;

9 (2)(a) Vehicular traffic facing a steady yellow indication is
10 thereby warned that the related green movement is being terminated or
11 that a red indication will be exhibited immediately thereafter when
12 vehicular traffic shall not enter the intersection, and upon display of a
13 steady yellow indication, vehicular traffic shall stop before entering
14 the nearest crosswalk at the intersection, but if such stop cannot be
15 made in safety, a vehicle may be driven cautiously through the
16 intersection;

17 (b) Vehicular traffic facing a flashing yellow arrow indication may
18 cautiously enter the intersection only to make the movement indicated by
19 such arrow, and such vehicular traffic shall yield the right-of-way to
20 pedestrians lawfully within an adjacent crosswalk and to other traffic
21 lawfully using the intersection; and

22 (c) Pedestrians facing a steady yellow indication, unless otherwise
23 directed by a pedestrian-control signal, are thereby advised that there
24 is insufficient time to cross the roadway before a red indication is
25 shown and no pedestrian shall then start to cross the roadway;

26 (3)(a) Vehicular traffic facing a steady circular red indication
27 alone shall stop at a clearly marked stop line or shall stop, if there is
28 no such line, before entering the crosswalk on the near side of the
29 intersection or, if there is no crosswalk, before entering the
30 intersection. The traffic shall remain standing until an indication to
31 proceed is shown except as provided in subdivisions (3)(b) and (3)(c) of

1 this section;

2 (b) Except where a traffic control device is in place prohibiting a
3 turn, vehicular traffic facing a steady circular red indication may
4 cautiously enter the intersection to make a right turn after stopping as
5 required by subdivision (3)(a) of this section. Such vehicular traffic
6 shall yield the right-of-way to pedestrians lawfully within an adjacent
7 crosswalk and to other traffic lawfully using the intersection;

8 (c) Except where a traffic control device is in place prohibiting a
9 turn, vehicular traffic facing a steady circular red indication at the
10 intersection of two one-way streets may cautiously enter the intersection
11 to make a left turn after stopping as required by subdivision (3)(a) of
12 this section. Such vehicular traffic shall yield the right-of-way to
13 pedestrians lawfully within an adjacent crosswalk and to other traffic
14 lawfully using the intersection;

15 (d) Vehicular traffic facing a steady red arrow indication alone
16 shall stop at a clearly marked stop line or shall stop, if there is no
17 such line, before entering the crosswalk on the near side of the
18 intersection or, if there is no crosswalk, before entering the
19 intersection. The traffic shall not enter the intersection to make the
20 movement indicated by the arrow and shall remain standing until an
21 indication to proceed is shown; and

22 (e) Unless otherwise directed by a pedestrian-control signal,
23 pedestrians facing a steady red indication alone shall not enter the
24 roadway;

25 (4) If a traffic control signal is erected and maintained at a place
26 other than an intersection, the provisions of this section shall be
27 applicable except as to those provisions which by their nature can have
28 no application. Any stop required shall be made at a sign or marking on
29 the pavement indicating where the stop shall be made, but in the absence
30 of any such sign or marking, the stop shall be made at the signal; and

31 (5)(a) If a traffic control signal at an intersection is not

1 operating because of a power failure or other cause and no peace officer,
2 flagperson, or other traffic control device is providing direction for
3 traffic at the intersection, the intersection shall be treated as a
4 multi-way stop; and

5 (b) If a traffic control signal is not in service and the signal
6 heads are turned away from traffic or covered with opaque material,
7 subdivision (a) of this subdivision shall not apply; and -

8 (6)(a) Bicycle traffic facing a steady green bicycle indication may
9 proceed straight through or turn right or left unless a sign at such
10 place prohibits either such turn, but bicycle traffic, including bicycles
11 turning right or left, shall yield the right-of-way to other bicycles and
12 to pedestrians lawfully within the intersection or an adjacent crosswalk
13 at the time such indication is exhibited;

14 (b) Bicycle traffic facing a steady yellow bicycle indication is
15 thereby warned that the related green movement is being terminated or
16 that a red indication will be exhibited immediately thereafter when
17 bicycle traffic shall not enter the intersection. Upon display of a
18 steady yellow bicycle indication, bicycle traffic shall stop before
19 entering the nearest crosswalk at the intersection, but if such stop
20 cannot be made in safety, a bicycle may be driven cautiously through the
21 intersection;

22 (c) Bicycle traffic facing a steady red bicycle indication alone
23 shall stop at a clearly marked stop line or shall stop, if there is no
24 such line, before entering the crosswalk on the near side of the
25 intersection or, if there is no crosswalk, before entering the
26 intersection. The traffic shall remain standing until an indication to
27 proceed is shown except as provided in subdivisions (6)(d) and (6)(e) of
28 this section;

29 (d) Except where a traffic control device is in place prohibiting a
30 turn, bicycle traffic facing a steady red bicycle indication may
31 cautiously enter the intersection to make a right turn after stopping as

1 required by subdivision (6)(c) of this section. Such bicycle traffic
2 shall yield the right-of-way to pedestrians lawfully within an adjacent
3 crosswalk and to other traffic lawfully using the intersection; and

4 (e) Except where a traffic control device is in place prohibiting a
5 turn, bicycle traffic facing a steady red bicycle indication at the
6 intersection of two one-way streets may cautiously enter the intersection
7 to make a left turn after stopping as required by subdivision (6)(c) of
8 this section. Such bicycle traffic shall yield the right-of-way to
9 pedestrians lawfully within an adjacent crosswalk and to other traffic
10 lawfully using the intersection.

11 **Sec. 52.** Section 60-6,298, Revised Statutes Supplement, 2025, is
12 amended to read:

13 60-6,298 (1)(a) The Department of Transportation or the Nebraska
14 State Patrol, with respect to highways under its jurisdiction including
15 the National System of Interstate and Defense Highways, and local
16 authorities, with respect to highways under their jurisdiction, may in
17 their discretion upon application and good cause being shown therefor
18 issue a special, continuing, or continuous permit in writing authorizing
19 the applicant or his or her designee:

20 (i) To operate or move a vehicle, a combination of vehicles, or
21 objects of a size or weight of vehicle or load exceeding the maximum
22 specified by law when such permit is necessary:

23 (A) To further the national defense or the general welfare;

24 (B) To permit movement of cost-saving equipment to be used in
25 highway or other public construction or in agricultural land treatment;
26 or

27 (C) Because of an emergency, an unusual circumstance, or a very
28 special situation;

29 (ii) To operate vehicles, for a distance up to one hundred twenty
30 miles, loaded up to fifteen percent greater than the maximum weight
31 specified by law, or up to ten percent greater than the maximum length

1 specified by law, or both, except that any combination with two or more
2 cargo-carrying units, not including the truck-tractor, also known as a
3 longer combination vehicle, may only operate for a distance up to seventy
4 miles loaded up to fifteen percent greater than the maximum weight
5 specified by law, or up to ten percent greater than the maximum length
6 specified by law, or both, when carrying grain or other seasonally
7 harvested products from the field where such grain or products are
8 harvested to storage, market, or stockpile in the field or from stockpile
9 or farm storage to market or factory when failure to move such grain or
10 products in abundant quantities would cause an economic loss to the
11 person or persons whose grain or products are being transported or when
12 failure to move such grain or products in as large quantities as possible
13 would not be in the best interests of the national defense or general
14 welfare. The distance limitation may be waived for vehicles when carrying
15 dry beans or dry peas and lentils from the field where harvested to
16 storage or market when dry beans or dry peas and lentils are not normally
17 stored, purchased, or used within the permittee's local area and must be
18 transported more than one hundred twenty miles to an available marketing
19 or storage destination. No permit shall authorize a weight greater than
20 twenty thousand pounds on any single axle;

21 (iii) To transport an implement of husbandry which does not exceed
22 twelve and one-half feet in width during daylight hours, except that the
23 permit shall not allow transport on holidays;

24 (iv) To operate one or more recreational vehicles, as defined in
25 section 71-4603, exceeding the maximum width specified by law if movement
26 of the recreational vehicles is prior to retail sale and the recreational
27 vehicles comply with subdivision (2)(k) of section 60-6,288;

28 (v) To operate an emergency vehicle for purposes of sale,
29 demonstration, exhibit, or delivery, if the applicant or his or her
30 designee is a manufacturer or sales agent of the emergency vehicle. No
31 permit shall be issued for an emergency vehicle which weighs over sixty

1 thousand pounds on the tandem axle;

2 (vi) To transport during daylight hours divisible loads of livestock
3 forage in bale form which do not exceed twelve feet in width, except that
4 the permit shall not allow transport on holidays; or

5 (vii) To operate overweight raw-milk vehicles carrying raw milk from
6 a dairy farm to a processing facility for such raw milk in accordance
7 with section 60-6,294.02.

8 (b) No permit shall be issued under subdivision (a)(i) of this
9 subsection for a vehicle carrying a load unless such vehicle is loaded
10 with an object which exceeds the size or weight limitations, which cannot
11 be dismantled or reduced in size or weight without great difficulty, and
12 which of necessity must be moved over the highways to reach its intended
13 destination. No permit shall be required for the temporary movement on
14 highways other than dustless-surfaced state highways and for necessary
15 access to points on such highways during daylight hours of cost-saving
16 equipment to be used in highway or other public construction or in
17 agricultural land treatment when such temporary movement is necessary and
18 for a reasonable distance.

19 (2) The application for any such permit shall specifically describe
20 the vehicle, the load to be operated or moved, whenever possible the
21 particular highways for which permit to operate is requested, and whether
22 such permit is requested for a single trip or for continuous or
23 continuing operation. The permit shall include a signed affirmation under
24 oath that, for any load sixteen feet high or higher, the applicant has
25 contacted any and all electric utilities that have high voltage
26 conductors and infrastructure that cross over the roadway affected by the
27 move and made arrangements with such electric utilities for the safe
28 movement of the load under any high voltage conductors owned by such
29 electric utilities.

30 (3) The department or local authority is authorized to issue or
31 withhold such permit at its discretion or, if such permit is issued, to

1 limit the number of days during which the permit is valid, to limit the
2 number of trips, to establish seasonal or other time limitations within
3 which the vehicles described may be operated on the highways indicated,
4 or to issue a continuous or continuing permit for use on all highways,
5 including the National System of Interstate and Defense Highways. The
6 permits are subject to reasonable conditions as to periodic renewal of
7 such permit and as to operation or movement of such vehicles. The
8 department or local authority may otherwise limit or prescribe conditions
9 of operation of such vehicle or vehicles, when necessary to assure
10 against undue damage to the road foundations, surfaces, or structures or
11 undue danger to the public safety. The department or local authority may
12 require such undertaking or other security as may be deemed necessary to
13 compensate for any injury to any roadway or road structure.

14 (4) Every such permit shall be carried in the vehicle to which it
15 refers and shall be open to inspection by any peace officer, carrier
16 enforcement officer, or authorized agent of any authority granting such
17 permit. Each such permit shall state the maximum weight permissible on a
18 single axle or combination of axles and the total gross weight allowed.
19 No person shall violate any of the terms or conditions of such special
20 permit. In case of any violation, the permit shall be deemed
21 automatically revoked and the penalty of the original limitations shall
22 be applied unless:

23 (a) The violation consists solely of exceeding the size or weight
24 specified by the permit, in which case only the penalty of the original
25 size or weight limitation exceeded shall be applied;

26 (b) The total gross load is within the maximum authorized by the
27 permit, no axle is more than ten percent in excess of the maximum load
28 for such axle or group of axles authorized by the permit, and such load
29 can be shifted to meet the weight limitations of wheel and axle loads
30 authorized by such permit. Such shift may be made without penalty if it
31 is made at the state or commercial scale designated in the permit. The

1 vehicle may travel from its point of origin to such designated scale
2 without penalty, and a scale ticket from such scale, showing the vehicle
3 to be properly loaded and within the gross and axle weights authorized by
4 the permit, shall be reasonable evidence of compliance with the terms of
5 the permit; or

6 (c) Such permit is an overweight raw-milk vehicle permit and the
7 overweight raw-milk vehicle violated subsection (3) of section
8 60-6,294.02.

9 (5) The department or local authority issuing a permit as provided
10 in this section may adopt and promulgate rules and regulations with
11 respect to the issuance of permits provided for in this section.

12 (6) The department shall make available applications for permits
13 authorized pursuant to subdivisions (1)(a)(ii) and (1)(a)(iii) of this
14 section in the office of each county treasurer. The department may make
15 available applications for all other permits authorized by this section
16 to the office of the county treasurer and may make available applications
17 for all permits authorized by this section to any other location chosen
18 by the department.

19 (7) The department or local authority issuing a permit may require a
20 permit fee of not to exceed fifty twenty-five dollars, except that:

21 (a) The fee for a continuous or continuing permit shall may not
22 exceed fifty twenty-five dollars for a ninety-day period, one hundred
23 fifty dollars for a one-hundred-eighty-day period, or two hundred one
24 hundred dollars for a one-year period; and

25 (b) The fee for permits issued pursuant to subdivision (1)(a)(ii) of
26 this section shall not exceed fifty be twenty-five dollars. Permits
27 issued pursuant to such subdivision shall be valid for thirty days and
28 shall be renewable four times for a total number of days not to exceed
29 one hundred fifty days per calendar year; and -

30 (c)(i) The fee for a single trip permit for a superload shall not
31 exceed:

1 (A) Two hundred fifty dollars for a superload that weighs three
2 hundred thousand pounds or less;

3 (B) Four hundred dollars for a superload that weighs more than three
4 hundred thousand pounds, but not more than five hundred thousand pounds;
5 and

6 (C) Eight hundred dollars for a superload that weighs more than five
7 hundred thousand pounds.

8 (ii) In addition to the permit fee that may be required under
9 subdivision (c)(i) of this subsection, the department may charge a fee
10 equal to the direct costs incurred by the department for issuing the
11 permit. Such direct costs may include compensation for the time spent by
12 department personnel in issuing the permit, and any third-party expense
13 related to the issuance of the permit.

14 (8) A vehicle or combination of vehicles for which an application
15 for a permit is requested pursuant to this section shall be registered
16 under section 60-3,147 or 60-3,198 for the maximum gross vehicle weight
17 that is permitted pursuant to section 60-6,294 before a permit shall be
18 issued.

19 **Sec. 53.** Section 60-6,299, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-6,299 (1) The Department of Transportation may issue permits for
22 vehicles moving a building or objects requiring specialized moving
23 dollies. Such permits shall allow the vehicles transporting buildings or
24 objects requiring specialized dollies to operate on highways under the
25 jurisdiction of the department, excluding any portion of the National
26 System of Interstate and Defense Highways. Such permit shall specify the
27 maximum allowable width, length, height, and weight of the building to be
28 transported, the route to be used, and the hours during which such
29 building or object may be transported. Such permit shall clearly state
30 that the applicant is not authorized to manipulate overhead high voltage
31 lines or conductors or other such components, including electric utility

1 poles, and that the applicant shall be guilty of a Class II misdemeanor
2 for any violation of this section or of the notification requirements of
3 section 60-6,288.01. Any vehicle moving a building or object requiring
4 specialized moving dollies shall be escorted by another vehicle or
5 vehicles in the manner determined by the department. Such vehicles shall
6 travel at a speed which is not in excess of five miles per hour when
7 carrying loads which are in excess of the maximum gross weight specified
8 by law by more than twenty-five percent. The permit shall not be issued
9 for travel on a state highway containing a bridge or structure which is
10 structurally inadequate to carry such building or object as determined by
11 the department. The department may prescribe conditions of operation of
12 such vehicle when necessary to assure against damage to the road
13 foundations, surfaces, or structures and require such security as may be
14 deemed necessary to compensate for any injury to any roadway or road
15 structure.

16 (2) The application for any such permit shall (a) specifically
17 describe the vehicle, (b) specifically describe the load to be moved, (c)
18 include a signed affirmation under oath that, for any load sixteen feet
19 high or higher, the applicant has contacted any and all electric
20 utilities that have high voltage conductors and infrastructure that cross
21 over the roadway affected by the move and made arrangements with such
22 electric utilities for the safe movement of the load under any high
23 voltage conductors owned by such electric utilities, and (d) whenever
24 possible, describe the particular highways for which the permit is
25 requested. The company or individual shall maintain a copy of the permit
26 in each vehicle moving a building or object requiring specialized moving
27 dollies which shall be open to inspection by any peace officer, carrier
28 enforcement officer, or authorized agent of any authority granting such
29 permit. The fee for such permit shall not exceed fifty be-ten dollars.

30 (3) The department shall adopt and promulgate rules and regulations
31 governing the issuance of the permits. Such rules and regulations shall

1 include, but not be limited to, driver qualifications, equipment
2 selection, hours of operation, weather conditions, road conditions,
3 determination of any damage caused to highways or bridges, cutting or
4 trimming of trees, removal or relocation of signs or other property of
5 the state, raising or lowering of electric supply and communication
6 lines, and such other safety considerations as the department deems
7 necessary.

8 (4) Any person who violates the terms of a permit issued pursuant to
9 this section or otherwise violates this section shall be guilty of a
10 Class II misdemeanor.

11 **Sec. 54.** Original sections 60-507, 60-513, 60-695, and 60-6,299,
12 Reissue Revised Statutes of Nebraska, sections 39-1351, 39-2802, 39-2814,
13 39-2825, 60-699, and 60-6,123, Revised Statutes Cumulative Supplement,
14 2024, and sections 60-601, 60-605, and 60-6,298, Revised Statutes
15 Supplement, 2025, are repealed.