

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 621**

Introduced by Pirsch, 4; Fulton, 29

Read first time January 17, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section 60-682.01,  
2 Reissue Revised Statutes of Nebraska, and section  
3 60-4,182, Revised Statutes Cumulative Supplement, 2006;  
4 to change provisions relating to points and fines for  
5 speeding; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-4,182, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           60-4,182 In order to prevent and eliminate successive  
4 traffic violations, there is hereby provided a point system dealing  
5 with traffic violations as disclosed by the files of the director.  
6 The following point system shall be adopted:

7           (1) Conviction of motor vehicle homicide - 12 points;

8           (2) Third offense drunken driving in violation of any  
9 city or village ordinance or of section 60-6,196, as disclosed by  
10 the records of the director, regardless of whether the trial court  
11 found the same to be a third offense - 12 points;

12           (3) Failure to stop and render aid as required under  
13 section 60-697 in the event of involvement in a motor vehicle  
14 accident resulting in the death or personal injury of another - 6  
15 points;

16           (4) Failure to stop and report as required under section  
17 60-696 or any city or village ordinance in the event of a motor  
18 vehicle accident resulting in property damage - 6 points;

19           (5) Driving a motor vehicle while under the influence  
20 of alcoholic liquor or any drug or when such person has a  
21 concentration of eight-hundredths of one gram or more by weight of  
22 alcohol per one hundred milliliters of his or her blood or per two  
23 hundred ten liters of his or her breath in violation of any city or  
24 village ordinance or of section 60-6,196 - 6 points;

25           (6) Willful reckless driving in violation of any city or

1 village ordinance or of section 60-6,214 or 60-6,217 - 6 points;

2 (7) Careless driving in violation of any city or village  
3 ordinance or of section 60-6,212 - 4 points;

4 (8) Negligent driving in violation of any city or village  
5 ordinance - 3 points;

6 (9) Reckless driving in violation of any city or village  
7 ordinance or of section 60-6,213 - 5 points;

8 (10) Speeding in violation of any city or village  
9 ordinance or any of sections 60-6,185 to 60-6,190 and 60-6,313:

10 (a) Not more than five miles per hour over the speed  
11 limit - 1 point;

12 (b) More than five miles per hour but not more than ten  
13 miles per hour over the speed limit - 2 points; and

14 (c) More than ten miles per hour but not more than  
15 thirty-five miles per hour over the speed limit - 3 points, except  
16 that one point shall be assessed upon conviction of exceeding by  
17 not more than ten miles per hour, two points shall be assessed  
18 upon conviction of exceeding by more than ten miles per hour but  
19 not more than fifteen miles per hour, and three points shall be  
20 assessed upon conviction of exceeding by more than fifteen miles  
21 per hour but not more than thirty-five miles per hour the speed  
22 limits provided for in subdivision (1)(e), (f), or (g) of section  
23 60-6,186; and

24 (d) More than thirty-five miles per hour over the speed  
25 limit - 5 points;

1                   (11) Failure to yield to a pedestrian not resulting in  
2 bodily injury to a pedestrian - 2 points;

3                   (12) Failure to yield to a pedestrian resulting in bodily  
4 injury to a pedestrian - 4 points; and

5                   (13) All other traffic violations involving the operation  
6 of motor vehicles by the operator for which reports to the  
7 Department of Motor Vehicles are required under sections 60-497.01  
8 and 60-497.02, not including violations involving an occupant  
9 protection system pursuant to section 60-6,270, parking violations,  
10 violations for operating a motor vehicle without a valid operator's  
11 license in the operator's possession, muffler violations,  
12 overwidth, overheight, or overlength violations, motorcycle or  
13 moped protective helmet violations, or overloading of trucks - 1  
14 point.

15                   All such points shall be assessed against the driving  
16 record of the operator as of the date of the violation for which  
17 conviction was had. Points may be reduced by the department under  
18 section 60-4,188.

19                   In all cases, the forfeiture of bail not vacated shall be  
20 regarded as equivalent to the conviction of the offense with which  
21 the operator was charged.

22                   The point system shall not apply to persons convicted  
23 of traffic violations committed while operating a bicycle or an  
24 electric personal assistive mobility device as defined in section  
25 60-618.02.

1                   Sec. 2. Section 60-682.01, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-682.01 (1) Any person who operates a vehicle in  
4 violation of any maximum speed limit established for any highway or  
5 freeway is guilty of a traffic infraction and upon conviction shall  
6 be fined:

7                   (a) Ten dollars for traveling one to ~~five~~ six miles per  
8 hour over the authorized speed limit;

9                   (b) Twenty-five dollars for traveling over six to miles  
10 per hour but not over ten miles per hour over the authorized speed  
11 limit;

12                   (c) Seventy-five dollars for traveling ~~eleven to~~ over  
13 ten miles per hour but not over fifteen miles per hour over the  
14 authorized speed limit;

15                   (d) One hundred twenty-five dollars for traveling ~~sixteen~~  
16 ~~to~~ over fifteen miles per hour but not over twenty miles per hour  
17 over the authorized speed limit; and

18                   (e) Two hundred dollars for traveling ~~twenty-one~~ over  
19 twenty miles per hour but not over thirty-five miles per hour ~~or~~  
20 ~~more~~ over the authorized speed limit; and -

21                   (f) Four hundred dollars for traveling over thirty-five  
22 miles per hour over the authorized speed limit.

23                   (2) The fines prescribed in subsection (1) of this  
24 section shall be doubled if the violation occurs within a  
25 maintenance, repair, or construction zone established pursuant

1 to section 60-6,188. For purposes of this subsection, maintenance,  
2 repair, or construction zone means (a) the portion of a highway  
3 identified by posted or moving signs as being under maintenance,  
4 repair, or construction or (b) the portion of a highway identified  
5 by maintenance, repair, or construction zone speed limit signs  
6 displayed pursuant to section 60-6,188. The maintenance, repair,  
7 or construction zone starts at the location of the first sign  
8 identifying the maintenance, repair, or construction zone and  
9 continues until a posted or moving sign indicates that the  
10 maintenance, repair, or construction zone has ended.

11 (3) The fines prescribed in subsection (1) of this  
12 section shall be doubled if the violation occurs within a school  
13 crossing zone as defined in section 60-658.01.

14 Sec. 3. Original section 60-682.01, Reissue Revised  
15 Statutes of Nebraska, and section 60-4,182, Revised Statutes  
16 Cumulative Supplement, 2006, are repealed.