

AMENDMENTS TO LB 930

Introduced by Transportation and Telecommunications

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 23-187, Revised Statutes Supplement,  
4 2011, is amended to read:

5           23-187 (1) In addition to the powers granted by section  
6 23-104, a county may, in the manner specified by sections 23-187 to  
7 23-193, regulate the following subjects by ordinance:

8           (a) Parking of motor vehicles on public roads, highways,  
9 and rights-of-way as it pertains to snow removal for and access by  
10 emergency vehicles to areas within the county;

11           (b) Motor vehicles as defined in section 60-339 that are  
12 abandoned on public or private property;

13           (c) Low-speed vehicles as described and operated pursuant  
14 to section 60-6,380;

15           (d) Golf car vehicles as described and operated pursuant  
16 to section 21 of this act;

17           ~~(d)~~ (e) Graffiti on public or private property;

18           ~~(e)~~ (f) False alarms from electronic security systems  
19 that result in requests for emergency response from law enforcement  
20 or other emergency responders; and

21           ~~(f)~~ (g) Violation of the public peace and good order of  
22 the county by disorderly conduct, lewd or lascivious behavior, or  
23 public nudity.

1           (2) For the enforcement of any ordinance authorized by  
2 this section, a county may impose fines, forfeitures, or penalties  
3 and provide for the recovery, collection, and enforcement of such  
4 fines, forfeitures, or penalties. A county may also authorize  
5 such other measures for the enforcement of ordinances as may be  
6 necessary and proper. A fine enacted pursuant to this section shall  
7 not exceed five hundred dollars for each offense.

8           Sec. 2. Section 60-101, Revised Statutes Supplement,  
9 2011, is amended to read:

10           60-101 Sections 60-101 to 60-197 and section 4 of  
11 this act shall be known and may be cited as the Motor Vehicle  
12 Certificate of Title Act.

13           Sec. 3. Section 60-102, Reissue Revised Statutes of  
14 Nebraska, is amended to read:

15           60-102 For purposes of the Motor Vehicle Certificate of  
16 Title Act, unless the context otherwise requires, the definitions  
17 found in sections 60-103 to 60-136.01 and section 4 of this act  
18 shall be used.

19           Sec. 4. Golf car vehicle means a vehicle that has at  
20 least four wheels, has a maximum level ground speed of less than  
21 twenty miles per hour, has a maximum payload capacity of one  
22 thousand two hundred pounds, has a maximum gross vehicle weight of  
23 two thousand five hundred pounds, has a maximum passenger capacity  
24 of not more than four persons, and is designed and manufactured for  
25 operation on a golf course for sporting and recreational purposes.

26           Sec. 5. Section 60-123, Revised Statutes Supplement,  
27 2011, is amended to read:

1           60-123 Motor vehicle means any vehicle propelled by  
2 any power other than muscular power. Motor vehicle does not  
3 include (1) mopeds, (2) farm tractors, (3) self-propelled equipment  
4 designed and used exclusively to carry and apply fertilizer,  
5 chemicals, or related products to agricultural soil and crops,  
6 agricultural floater-spreader implements, and other implements of  
7 husbandry designed for and used primarily for tilling the soil  
8 and harvesting crops or feeding livestock, (4) power unit hay  
9 grinders or a combination which includes a power unit and a hay  
10 grinder when operated without cargo, (5) vehicles which run only  
11 on rails or tracks, (6) off-road designed vehicles not authorized  
12 by law for use on a highway, including, but not limited to,  
13 ~~golf carts,~~ car vehicles, go-carts, riding lawnmowers, garden  
14 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles  
15 registered or exempt from registration under sections 60-3,207 to  
16 60-3,219, and minibikes, (7) road and general-purpose construction  
17 and maintenance machinery not designed or used primarily for the  
18 transportation of persons or property, including, but not limited  
19 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,  
20 leveling graders, earthmoving carryalls, power shovels, earthmoving  
21 equipment, and crawler tractors, (8) self-propelled chairs used  
22 by persons who are disabled, and (9) electric personal assistive  
23 mobility devices.

24           Sec. 6. Section 60-135.01, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26           60-135.01 (1) Utility-type vehicle means any motorized  
27 off-highway device which (a) is not less than forty-eight inches

1 nor more than seventy-four inches in width, (b) is not more  
2 than one hundred thirty-five inches, including the bumper, in  
3 length, (c) has a dry weight of not less than nine hundred pounds  
4 nor more than two thousand pounds, (d) travels on four or more  
5 low-pressure tires, and (e) is equipped with a steering wheel and  
6 bench or bucket-type seating designed for at least two people to  
7 sit side-by-side.

8 (2) Utility-type vehicle does not include golf carts car  
9 vehicles or low-speed vehicles.

10 Sec. 7. Section 60-301, Revised Statutes Supplement,  
11 2011, is amended to read:

12 60-301 Sections 60-301 to 60-3,222 and section 9 of  
13 this act shall be known and may be cited as the Motor Vehicle  
14 Registration Act.

15 Sec. 8. Section 60-302, Revised Statutes Supplement,  
16 2011, is amended to read:

17 60-302 For purposes of the Motor Vehicle Registration  
18 Act, unless the context otherwise requires, the definitions found  
19 in sections 60-302.01 to 60-360 and section 9 of this act shall be  
20 used.

21 Sec. 9. Golf car vehicle means a vehicle that has at  
22 least four wheels, has a maximum level ground speed of less than  
23 twenty miles per hour, has a maximum payload capacity of one  
24 thousand two hundred pounds, has a maximum gross vehicle weight of  
25 two thousand five hundred pounds, has a maximum passenger capacity  
26 of not more than four persons, and is designed and manufactured for  
27 operation on a golf course for sporting and recreational purposes.

1                   Sec. 10. Section 60-339, Revised Statutes Supplement,  
2 2011, is amended to read:

3                   60-339 Motor vehicle means any vehicle propelled by  
4 any power other than muscular power. Motor vehicle does not  
5 include (1) mopeds, (2) farm tractors, (3) self-propelled equipment  
6 designed and used exclusively to carry and apply fertilizer,  
7 chemicals, or related products to agricultural soil and crops,  
8 agricultural floater-spreader implements, and other implements of  
9 husbandry designed for and used primarily for tilling the soil  
10 and harvesting crops or feeding livestock, (4) power unit hay  
11 grinders or a combination which includes a power unit and a hay  
12 grinder when operated without cargo, (5) vehicles which run only  
13 on rails or tracks, (6) off-road designed vehicles not authorized  
14 by law for use on a highway, including, but not limited to,  
15 ~~golf carts,~~ car vehicles, go-carts, riding lawnmowers, garden  
16 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles  
17 registered or exempt from registration under sections 60-3,207 to  
18 60-3,219, and minibikes, (7) road and general-purpose construction  
19 and maintenance machinery not designed or used primarily for the  
20 transportation of persons or property, including, but not limited  
21 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,  
22 leveling graders, earthmoving carryalls, power shovels, earthmoving  
23 equipment, and crawler tractors, (8) self-propelled chairs used  
24 by persons who are disabled, and (9) electric personal assistive  
25 mobility devices.

26                   Sec. 11. Section 60-358.01, Reissue Revised Statutes of  
27 Nebraska, is amended to read:

1                   60-358.01 (1) Utility-type vehicle means any motorized  
2 off-highway vehicle which (a) is not less than forty-eight inches  
3 nor more than seventy-four inches in width, (b) is not more  
4 than one hundred thirty-five inches, including the bumper, in  
5 length, (c) has a dry weight of not less than nine hundred pounds  
6 nor more than two thousand pounds, (d) travels on four or more  
7 low-pressure tires, and (e) is equipped with a steering wheel and  
8 bench or bucket-type seating designed for at least two people to  
9 sit side-by-side.

10                   (2) Utility-type vehicle does not include golf ~~earts~~ car  
11 vehicles or low-speed vehicles.

12                   Sec. 12. Section 60-471, Revised Statutes Supplement,  
13 2011, is amended to read:

14                   60-471 Motor vehicle means all vehicles propelled by any  
15 power other than muscular power. Motor vehicle does not include  
16 (1) self-propelled chairs used by persons who are disabled, (2)  
17 farm tractors, (3) farm tractors used occasionally outside general  
18 farm usage, (4) road rollers, (5) vehicles which run only on rails  
19 or tracks, (6) electric personal assistive mobility devices as  
20 defined in section 60-618.02, and (7) off-road designed vehicles  
21 not authorized by law for use on a highway, including, but not  
22 limited to, ~~gelf earts~~, go-carts, riding lawn mowers, garden  
23 tractors, all-terrain vehicles and utility-type vehicles as defined  
24 in section 60-6,355, minibikes as defined in section 60-636, and  
25 snowmobiles as defined in section 60-663.

26                   Sec. 13. Section 60-501, Revised Statutes Supplement,  
27 2011, is amended to read:

1                   60-501 For purposes of the Motor Vehicle Safety  
2 Responsibility Act, unless the context otherwise requires:

3                   (1) Department means Department of Motor Vehicles;

4                   (2) Golf car vehicle means a vehicle that has at least  
5 four wheels, has a maximum level ground speed of less than twenty  
6 miles per hour, has a maximum payload capacity of one thousand two  
7 hundred pounds, has a maximum gross vehicle weight of two thousand  
8 five hundred pounds, has a maximum passenger capacity of not more  
9 than four persons, and is designed and manufactured for operation  
10 on a golf course for sporting and recreational purposes;

11                  ~~(2)~~ (3) Judgment means any judgment which shall have  
12 become final by the expiration of the time within which an  
13 appeal might have been perfected without being appealed, or by  
14 final affirmation on appeal, rendered by a court of competent  
15 jurisdiction of any state or of the United States, (a) upon a cause  
16 of action arising out of the ownership, maintenance, or use of any  
17 motor vehicle for damages, including damages for care and loss of  
18 services, because of bodily injury to or death of any person or for  
19 damages because of injury to or destruction of property, including  
20 the loss of use thereof, or (b) upon a cause of action on an  
21 agreement of settlement for such damages;

22                  ~~(3)~~ (4) License means any license issued to any person  
23 under the laws of this state pertaining to operation of a motor  
24 vehicle within this state;

25                  ~~(4)~~ (5) Low-speed vehicle means a four-wheeled motor  
26 vehicle (a) whose speed attainable in one mile is more than twenty  
27 miles per hour and not more than twenty-five miles per hour on a

1 paved, level surface, (b) whose gross vehicle weight rating is less  
2 than three thousand pounds, and (c) that complies with 49 C.F.R.  
3 part 571, as such part existed on January 1, 2011;

4 ~~(5)~~ (6) Minitruck means a foreign-manufactured import  
5 vehicle or domestic-manufactured vehicle which (a) is powered by  
6 an internal combustion engine with a piston or rotor displacement  
7 of one thousand cubic centimeters or less, (b) is sixty-seven  
8 inches or less in width, (c) has a dry weight of four thousand  
9 two hundred pounds or less, (d) travels on four or more tires,  
10 (e) has a top speed of approximately fifty-five miles per hour,  
11 (f) is equipped with a bed or compartment for hauling, (g)  
12 has an enclosed passenger cab, (h) is equipped with headlights,  
13 taillights, turnsignals, windshield wipers, a rearview mirror,  
14 and an occupant protection system, and (i) has a four-speed,  
15 five-speed, or automatic transmission;

16 ~~(6)~~ (7) Motor vehicle means any self-propelled vehicle  
17 which is designed for use upon a highway, including trailers  
18 designed for use with such vehicles, minitrucks, and low-speed  
19 vehicles. Motor vehicle does not include (a) mopeds as defined  
20 in section 60-637, (b) traction engines, (c) road rollers, (d)  
21 farm tractors, (e) tractor cranes, (f) power shovels, (g) well  
22 drillers, (h) every vehicle which is propelled by electric power  
23 obtained from overhead wires but not operated upon rails, (i)  
24 electric personal assistive mobility devices as defined in section  
25 60-618.02, and (j) off-road designed vehicles, including, but not  
26 limited to, ~~golf carts,~~ car vehicles, go-carts, riding lawnmowers,  
27 garden tractors, all-terrain vehicles and utility-type vehicles



1 as defined in section 60-6,355, minibikes as defined in section  
2 60-636, and snowmobiles as defined in section 60-663;

3 ~~(7)~~ (8) Nonresident means every person who is not a  
4 resident of this state;

5 ~~(8)~~ (9) Nonresident's operating privilege means the  
6 privilege conferred upon a nonresident by the laws of this state  
7 pertaining to the operation by him or her of a motor vehicle or the  
8 use of a motor vehicle owned by him or her in this state;

9 ~~(9)~~ (10) Operator means every person who is in actual  
10 physical control of a motor vehicle;

11 ~~(10)~~ (11) Owner means a person who holds the legal title  
12 of a motor vehicle, or in the event (a) a motor vehicle is the  
13 subject of an agreement for the conditional sale or lease thereof  
14 with the right of purchase upon performance of the conditions  
15 stated in the agreement and with an immediate right of possession  
16 vested in the conditional vendee or lessee or (b) a mortgagor of a  
17 vehicle is entitled to possession, then such conditional vendee or  
18 lessee or mortgagor shall be deemed the owner for the purposes of  
19 the act;

20 ~~(11)~~ (12) Person means every natural person, firm,  
21 partnership, limited liability company, association, or  
22 corporation;

23 ~~(12)~~ (13) Proof of financial responsibility means  
24 evidence of ability to respond in damages for liability, on account  
25 of accidents occurring subsequent to the effective date of such  
26 proof, arising out of the ownership, maintenance, or use of a  
27 motor vehicle, (a) in the amount of twenty-five thousand dollars

1 because of bodily injury to or death of one person in any one  
2 accident, (b) subject to such limit for one person, in the amount  
3 of fifty thousand dollars because of bodily injury to or death of  
4 two or more persons in any one accident, and (c) in the amount of  
5 twenty-five thousand dollars because of injury to or destruction of  
6 property of others in any one accident;

7 ~~(13)~~ (14) Registration means registration certificate or  
8 certificates and registration plates issued under the laws of this  
9 state pertaining to the registration of motor vehicles;

10 ~~(14)~~ (15) State means any state, territory, or possession  
11 of the United States, the District of Columbia, or any province of  
12 the Dominion of Canada; and

13 ~~(15)~~ (16) The forfeiture of bail, not vacated, or of  
14 collateral deposited to secure an appearance for trial shall be  
15 regarded as equivalent to conviction of the offense charged.

16 Sec. 14. Section 60-520, Revised Statutes Supplement,  
17 2011, is amended to read:

18 60-520 Judgments in excess of the amounts specified in  
19 subdivision ~~(12)~~ (13) of section 60-501 shall, for the purpose  
20 of the Motor Vehicle Safety Responsibility Act only, be deemed  
21 satisfied when payments in the amounts so specified have been  
22 credited thereon. Payments made in settlement of any claims because  
23 of bodily injury, death, or property damage arising from a motor  
24 vehicle accident shall be credited in reduction of the respective  
25 amounts so specified.

26 Sec. 15. Section 60-547, Revised Statutes Supplement,  
27 2011, is amended to read:

1           60-547 Proof of financial responsibility may be evidenced  
2 by the bond of a surety company duly authorized to transact  
3 business within this state, or a bond with at least two individual  
4 sureties who each own real estate within this state, which real  
5 estate shall be scheduled in the bond approved by a judge of a  
6 court of record. The bond shall be conditioned for the payment of  
7 the amounts specified in subdivision ~~(12)~~ (13) of section 60-501.  
8 It shall be filed with the department and shall not be cancelable  
9 except after ten days' written notice to the department. Such bond  
10 shall constitute a lien in favor of the state upon the real estate  
11 so scheduled of any surety, which lien shall exist in favor of any  
12 holder of a final judgment against the person who has filed such  
13 bond, for damages, including damages for care and loss of services,  
14 because of bodily injury to or death of any person, or for damages  
15 because of injury to or destruction of property, including the loss  
16 of use thereof, resulting from the ownership, maintenance, use, or  
17 operation of a motor vehicle after such bond was filed, upon the  
18 filing of notice to that effect by the department in the office of  
19 the register of deeds of the county where such real estate shall be  
20 located.

21           Sec. 16. Section 60-601, Revised Statutes Supplement,  
22 2011, is amended to read:

23           60-601 Sections 60-601 to 60-6,380 and sections 18 and 21  
24 of this act shall be known and may be cited as the Nebraska Rules  
25 of the Road.

26           Sec. 17. Section 60-605, Revised Statutes Supplement,  
27 2011, is amended to read:

1           60-605 For purposes of the Nebraska Rules of the Road,  
2 the definitions found in sections 60-606 to 60-676 and section 18  
3 of this act shall be used.

4           Sec. 18. Golf car vehicle means a vehicle that has at  
5 least four wheels, has a maximum level ground speed of less than  
6 twenty miles per hour, has a maximum payload capacity of one  
7 thousand two hundred pounds, has a maximum gross vehicle weight of  
8 two thousand five hundred pounds, has a maximum passenger capacity  
9 of not more than four persons, is designed and manufactured for  
10 operation on a golf course for sporting and recreational purposes,  
11 and is not being operated within the boundaries of a golf course.

12           Sec. 19. Section 60-6,348, Revised Statutes Supplement,  
13 2011, is amended to read:

14           60-6,348 Minibikes and all off-road designed vehicles not  
15 authorized by law for use on a highway, including, but not limited  
16 to, ~~golf carts~~, go-carts, riding lawnmowers, garden tractors,  
17 and snowmobiles, shall be exempt from the provisions of sections  
18 60-678, 60-6,351 to 60-6,353, and 60-6,380 and section 21 of this  
19 act during any public emergency or while being used in parades  
20 by regularly organized units of any recognized charitable, social,  
21 educational, or community service organization.

22           Sec. 20. Section 60-6,349, Revised Statutes Supplement,  
23 2011, is amended to read:

24           60-6,349 All minibikes and similar two-wheeled,  
25 three-wheeled, and four-wheeled miniature vehicles offered for sale  
26 in this state shall bear the following notice to the customer and  
27 user: This vehicle as manufactured or sold is for off-road use

1 only. This section shall not apply to a golf car vehicle or a  
2 low-speed vehicle, as applicable to its design, or to an electric  
3 personal assistive mobility device.

4           Sec. 21. (1) A city or village may adopt an ordinance  
5 authorizing the operation of golf car vehicles within the corporate  
6 limits of the city or village if the operation is on streets  
7 adjacent and contiguous to a golf course.

8           (2) A county board may adopt a resolution authorizing the  
9 operation of golf car vehicles within the county if the operation  
10 is on roads adjacent and contiguous to a golf course.

11           (3) Any person operating a golf car vehicle as authorized  
12 under this section shall have a valid Class O operator's license  
13 and the owner of the golf car vehicle shall have liability  
14 insurance coverage for the golf car vehicle. The Department  
15 of Roads may prohibit the operation of golf car vehicles on  
16 any highway under its jurisdiction if it determines that the  
17 prohibition is necessary in the interest of public safety.

18           (4) For purposes of this section:

19           (a) Road means a public way for the purposes of vehicular  
20 travel, including the entire area within the right-of-way; and

21           (b) Street means a public way for the purposes of  
22 vehicular travel in a city or village and includes the entire area  
23 within the right-of-way.

24           Sec. 22. Section 60-6,355, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26           60-6,355 (1) For purposes of sections 60-6,355 to  
27 60-6,362:

1           (a) All-terrain vehicle means any motorized off-highway  
2 vehicle which (i) is fifty inches or less in width, (ii) has a  
3 dry weight of nine hundred pounds or less, (iii) travels on three  
4 or more low-pressure tires, (iv) is designed for operator use only  
5 with no passengers or is specifically designed by the original  
6 manufacturer for the operator and one passenger, (v) has a seat  
7 or saddle designed to be straddled by the operator, and (vi) has  
8 handlebars or any other steering assembly for steering control; and

9           (b) (i) Utility-type vehicle means any motorized  
10 off-highway vehicle which (A) is not less than forty-eight inches  
11 nor more than seventy-four inches in width, (B) is not more  
12 than one hundred thirty-five inches, including the bumper, in  
13 length, (C) has a dry weight of not less than nine hundred pounds  
14 nor more than two thousand pounds, (D) travels on four or more  
15 low-pressure tires, and (E) is equipped with a steering wheel and  
16 bench or bucket-type seating designed for at least two people to  
17 sit side-by-side.

18           (ii) Utility-type vehicle does not include golf carts car  
19 vehicles or low-speed vehicles.

20           (2) All-terrain vehicles and utility-type vehicles which  
21 have been modified to include additional equipment not required  
22 by sections 60-6,357 and 60-6,358 shall not be required to be  
23 registered under the Motor Vehicle Registration Act.

24           Sec. 23. This act becomes operative on January 1, 2013.

25           Sec. 24. Original sections 60-102, 60-135.01, 60-358.01,  
26 and 60-6,355, Reissue Revised Statutes of Nebraska, and sections  
27 23-187, 60-101, 60-123, 60-301, 60-302, 60-339, 60-471, 60-501,

AM2272  
LB930  
NPN-03/02/2012

AM2272  
LB930  
NPN-03/02/2012

- 1 60-520, 60-547, 60-601, 60-605, 60-6,348, and 60-6,349, Revised
- 2 Statutes Supplement, 2011, are repealed.