

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 898**

Introduced by Fischer, 43.

Read first time January 09, 2012

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to minitrucks; to amend sections 60-121.01,  
2 60-337.01, and 60-636.01, Reissue Revised Statutes of  
3 Nebraska, and section 60-501, Revised Statutes  
4 Supplement, 2011; to redefine minitruck; and to repeal  
5 the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-121.01, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-121.01 Minitruck means a foreign-manufactured import  
4 vehicle or domestic-manufactured vehicle which (1) is powered by an  
5 internal combustion engine with a piston or rotor displacement of one  
6 thousand five hundred cubic centimeters or less, (2) is sixty-seven  
7 inches or less in width, (3) has a dry weight of four thousand two  
8 hundred pounds or less, (4) travels on four or more tires, (5) has a  
9 top speed of approximately fifty-five miles per hour, (6) is equipped  
10 with a bed or compartment for hauling, (7) has an enclosed passenger  
11 cab, (8) is equipped with headlights, taillights, turnsignals,  
12 windshield wipers, a rearview mirror, and an occupant protection  
13 system, and (9) has a four-speed, five-speed, or automatic  
14 transmission.

15           Sec. 2. Section 60-337.01, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17           60-337.01 Minitruck means a foreign-manufactured import  
18 vehicle or domestic-manufactured vehicle which (1) is powered by an  
19 internal combustion engine with a piston or rotor displacement of one  
20 thousand five hundred cubic centimeters or less, (2) is sixty-seven  
21 inches or less in width, (3) has a dry weight of four thousand two  
22 hundred pounds or less, (4) travels on four or more tires, (5) has a  
23 top speed of approximately fifty-five miles per hour, (6) is equipped  
24 with a bed or compartment for hauling, (7) has an enclosed passenger  
25 cab, (8) is equipped with headlights, taillights, turnsignals,

1 windshield wipers, a rearview mirror, and an occupant protection  
2 system, and (9) has a four-speed, five-speed, or automatic  
3 transmission.

4 Sec. 3. Section 60-501, Revised Statutes Supplement,  
5 2011, is amended to read:

6 60-501 For purposes of the Motor Vehicle Safety  
7 Responsibility Act, unless the context otherwise requires:

8 (1) Department means Department of Motor Vehicles;

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

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

23 (4) Low-speed vehicle means a four-wheeled motor vehicle  
24 (a) whose speed attainable in one mile is more than twenty miles per  
25 hour and not more than twenty-five miles per hour on a paved, level

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

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

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

1 lawnmowers, garden tractors, all-terrain vehicles and utility-type  
2 vehicles as defined in section 60-6,355, minibikes as defined in  
3 section 60-636, and snowmobiles as defined in section 60-663;

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

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

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

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

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

22 (12) Proof of financial responsibility means evidence of  
23 ability to respond in damages for liability, on account of accidents  
24 occurring subsequent to the effective date of such proof, arising out  
25 of the ownership, maintenance, or use of a motor vehicle, (a) in the

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

7 (13) 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) State means any state, territory, or possession of  
11 the United States, the District of Columbia, or any province of the  
12 Dominion of Canada; and

13 (15) 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. 4. Section 60-636.01, Reissue Revised Statutes of  
17 Nebraska, is amended to read:

18 60-636.01 Minitruck means a foreign-manufactured import  
19 vehicle or domestic-manufactured vehicle which (1) is powered by an  
20 internal combustion engine with a piston or rotor displacement of one  
21 thousand five hundred cubic centimeters or less, (2) is sixty-seven  
22 inches or less in width, (3) has a dry weight of four thousand two  
23 hundred pounds or less, (4) travels on four or more tires, (5) has a  
24 top speed of approximately fifty-five miles per hour, (6) is equipped  
25 with a bed or compartment for hauling, (7) has an enclosed passenger

1 cab, (8) is equipped with headlights, taillights, turnsignals,  
2 windshield wipers, a rearview mirror, and an occupant protection  
3 system, and (9) has a four-speed, five-speed, or automatic  
4 transmission.

5           Sec. 5. Original sections 60-121.01, 60-337.01, and  
6 60-636.01, Reissue Revised Statutes of Nebraska, and section 60-501,  
7 Revised Statutes Supplement, 2011, are repealed.