

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1071

Introduced by Lathrop, 12.

Read first time January 22, 2014

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 section 60-601, Revised Statutes Cumulative Supplement,
3 2012; to provide rights and responsibilities for
4 operating a bicycle on a sidewalk or across a roadway or
5 shoulder on a crosswalk; to harmonize provisions; and to
6 repeal the original section.

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

1 Section 1. (1) It is the intent of the Legislature, in
2 enacting this section, to establish a bicycle transportation system.
3 It is the further intent of the Legislature that this transportation
4 system shall be designed and developed to achieve the physical safety
5 of both bicyclists and pedestrians and to determine right-of-way
6 under the rules of the road between bicyclists, pedestrians, and
7 motor vehicles.

8 (2) For purposes of this section:

9 (a) Bicycle means every device propelled solely by human
10 power, upon which any person may ride, and having two tandem wheels
11 either of which is more than fourteen inches in diameter;

12 (b) Bikeway means all facilities that provide primarily
13 for bicycle travel; and

14 (c) Department means the Department of Roads.

15 (3) The department shall establish minimum safety design
16 criteria for the planning and construction of bikeways and roadways
17 where bicycle travel is permitted. The criteria shall include, but
18 not be limited to, the design speed of the facility, minimum widths
19 and clearances, grade, radius of curvature, pavement surface,
20 actuation of automatic traffic control devices, drainage, and general
21 safety.

22 (4) The department shall establish uniform specifications
23 and symbols for signs, markers, and traffic control devices to
24 designate bikeways, regulate traffic, improve safety and convenience
25 for bicyclists, and alert pedestrians and motorists of the presence

1 of bicyclists on bikeways and on roadways where bicycle travel is
2 permitted.

3 (5) All villages, cities, and counties responsible for
4 the development or operation of bikeways or roadways where bicycle
5 travel is permitted shall utilize all minimum safety design criteria
6 and uniform specifications and symbols for signs, markers, and
7 traffic control devices established pursuant to this section.

8 (6) The governing body of a village, city, or county may
9 do the following:

10 (a) Establish bikeways; and

11 (b) Acquire by gift, purchase, or condemnation land, real
12 property, easements, or rights-of-way to establish bikeways.

13 Sec. 2. Section 60-601, Revised Statutes Cumulative
14 Supplement, 2012, is amended to read:

15 60-601 Sections 60-601 to 60-6,381 and section 3 of this
16 act shall be known and may be cited as the Nebraska Rules of the
17 Road.

18 Sec. 3. (1) A person operating a bicycle upon a sidewalk,
19 or across a roadway or shoulder on a crosswalk, shall yield the
20 right-of-way to any pedestrian and shall give an audible signal when
21 necessary before overtaking and passing any pedestrian. No person
22 shall operate a bicycle upon a sidewalk within a business district
23 unless permitted by the local authority. A local authority may
24 prohibit the operation of bicycles on any sidewalk or crosswalk under
25 its jurisdiction.

1 (2) A person lawfully operating a bicycle on a sidewalk,
2 or across a roadway or shoulder on a crosswalk, shall have all the
3 rights and duties applicable to a pedestrian under the same
4 circumstances.

5 Sec. 4. Original section 60-601, Revised Statutes
6 Cumulative Supplement, 2012, is repealed.