

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1082

Introduced by Brasch, 16.

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 60-6,356, Reissue Revised Statutes of Nebraska;
3 to allow all-terrain vehicles and utility-type vehicles
4 to be operated as authorized emergency vehicles; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,356, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,356 (1) An all-terrain vehicle or a utility-type
4 vehicle shall not be operated on any controlled-access highway with
5 more than two marked traffic lanes, and the crossing of any
6 controlled-access highway with more than two marked traffic lanes
7 shall not be permitted. Subsections (2), (3), and (5) through ~~(8)~~(9)
8 of this section authorize and apply to operation of an all-terrain
9 vehicle or a utility-type vehicle only on a highway other than a
10 controlled-access highway with more than two marked traffic lanes.

11 (2) An all-terrain vehicle or a utility-type vehicle may
12 be operated in accordance with the operating requirements of
13 subsection (3) of this section:

14 (a) Outside the corporate limits of a city, village, or
15 unincorporated village if incidental to the vehicle's use for
16 agricultural purposes;

17 (b) Within the corporate limits of a city or village if
18 authorized by the city or village by ordinance adopted in accordance
19 with this section; or

20 (c) Within an unincorporated village if authorized by the
21 county board of the county in which the unincorporated village is
22 located by resolution in accordance with this section.

23 (3) An all-terrain vehicle or a utility-type vehicle may
24 be operated as authorized in subsection (2) of this section when such
25 operation occurs only between the hours of sunrise and sunset. Any

1 person operating an all-terrain vehicle or a utility-type vehicle as
2 authorized in subsection (2) of this section shall have a valid Class
3 O operator's license or a farm permit as provided in section
4 60-4,126, shall have liability insurance coverage for the all-terrain
5 vehicle or a utility-type vehicle while operating the all-terrain
6 vehicle or a utility-type vehicle on a highway, and shall not operate
7 such vehicle at a speed in excess of thirty miles per hour. The
8 person operating the all-terrain vehicle or a utility-type vehicle
9 shall provide proof of such insurance coverage to any peace officer
10 requesting such proof within five days of such a request. When
11 operating an all-terrain vehicle or a utility-type vehicle as
12 authorized in subsection (2) of this section, the headlight and
13 taillight of the vehicle shall be on and the vehicle shall be
14 equipped with a bicycle safety flag which extends not less than five
15 feet above ground attached to the rear of such vehicle. The bicycle
16 safety flag shall be triangular in shape with an area of not less
17 than thirty square inches and shall be day-glow in color.

18 (4) All-terrain vehicles and utility-type vehicles may be
19 operated without complying with subsection (3) of this section on
20 highways in parades which have been authorized by the State of
21 Nebraska or any department, board, commission, or political
22 subdivision of the state.

23 (5) Subject to subsection (1) of this section, the
24 crossing of a highway shall be permitted by an all-terrain vehicle or
25 a utility-type vehicle without complying with subsection (3) of this

1 section only if:

2 (a) The crossing is made at an angle of approximately
3 ninety degrees to the direction of the highway and at a place where
4 no obstruction prevents a quick and safe crossing;

5 (b) The vehicle is brought to a complete stop before
6 crossing the shoulder or roadway of the highway;

7 (c) The operator yields the right-of-way to all oncoming
8 traffic that constitutes an immediate potential hazard;

9 (d) In crossing a divided highway, the crossing is made
10 only at an intersection of such highway with another highway; and

11 (e) Both the headlight and taillight of the vehicle are
12 on when the crossing is made.

13 (6) All-terrain vehicles and utility-type vehicles may be
14 operated outside the corporate limits of any municipality by electric
15 utility personnel within the course of their employment in accordance
16 with the operation requirements of subsection (3) of this section,
17 except that the operation of the vehicle pursuant to this subsection
18 need not be limited to the hours between sunrise and sunset.

19 (7) All-terrain vehicles and utility-type vehicles may be
20 operated as authorized emergency vehicles in accordance with the
21 operation requirements of subsections (2) and (3) of this section,
22 except that the operation of the vehicle pursuant to this subsection
23 need not be limited to the hours between sunrise and sunset.

24 ~~(7)~~—(8) A city or village may adopt an ordinance
25 authorizing the operation of all-terrain vehicles and utility-type

1 vehicles within the corporate limits of the city or village if the
2 operation is in accordance with subsection (3) of this section. The
3 city or village may place other restrictions on the operation of all-
4 terrain vehicles and utility-type vehicles within its corporate
5 limits.

6 ~~(8)~~(9) A county board may adopt a resolution authorizing
7 the operation of all-terrain vehicles and utility-type vehicles
8 within any unincorporated village within the county if the operation
9 is in accordance with subsection (3) of this section. The county may
10 place other restrictions on the operation of all-terrain vehicles and
11 utility-type vehicles within the unincorporated village.

12 Sec. 2. Original section 60-6,356, Reissue Revised
13 Statutes of Nebraska, is repealed.