

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1049

Introduced by Harr, 8.

Read first time January 17, 2018

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections
- 2 60-119.01, 60-336.01, 60-501, and 60-628.01, Revised Statutes
- 3 Supplement, 2017; to redefine the term low-speed vehicle; and to
- 4 repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-119.01, Revised Statutes Supplement, 2017, is
2 amended to read:

3 60-119.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
4 (a) ~~(1)~~ whose speed attainable in one mile is more than twenty miles per
5 hour and not more than twenty-five miles per hour on a paved, level
6 surface, (b) ~~(2)~~ whose gross vehicle weight rating is less than three
7 thousand pounds, and (c) ~~(3)~~ that complies with 49 C.F.R. part 571, as
8 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
9 (a) whose maximum speed attainable is not more than twenty-five miles per
10 hour on a paved, level surface, (b) whose gross vehicle weight rating is
11 less than three thousand pounds, (c) which is equipped with a windshield
12 and an occupant protection system, and (d) that complies with 49 C.F.R.
13 part 571, as such part existed on January 1, 2018. A motorcycle with a
14 sidecar attached is not a low-speed vehicle 2017.

15 Sec. 2. Section 60-336.01, Revised Statutes Supplement, 2017, is
16 amended to read:

17 60-336.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
18 (a) ~~(1)~~ whose speed attainable in one mile is more than twenty miles per
19 hour and not more than twenty-five miles per hour on a paved, level
20 surface, (b) ~~(2)~~ whose gross vehicle weight rating is less than three
21 thousand pounds, and (c) ~~(3)~~ that complies with 49 C.F.R. part 571, as
22 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
23 (a) whose maximum speed attainable is not more than twenty-five miles per
24 hour on a paved, level surface, (b) whose gross vehicle weight rating is
25 less than three thousand pounds, (c) which is equipped with a windshield
26 and an occupant protection system, and (d) that complies with 49 C.F.R.
27 part 571, as such part existed on January 1, 2018. A motorcycle with a
28 sidecar attached is not a low-speed vehicle 2017.

29 Sec. 3. Section 60-501, Revised Statutes Supplement, 2017, is
30 amended to read:

31 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,

1 unless the context otherwise requires:

2 (1) Department means Department of Motor Vehicles;

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

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

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

22 (5) Low-speed vehicle means a (a) four-wheeled motor vehicle (i) ~~(a)~~
23 whose speed attainable in one mile is more than twenty miles per hour and
24 not more than twenty-five miles per hour on a paved, level surface, (ii)
25 ~~(b)~~ whose gross vehicle weight rating is less than three thousand pounds,
26 and (iii) ~~(c)~~ that complies with 49 C.F.R. part 571, as such part existed
27 on January 1, 2018, or (b) three-wheeled motor vehicle (i) whose maximum
28 speed attainable is not more than twenty-five miles per hour on a paved,
29 level surface, (ii) whose gross vehicle weight rating is less than three
30 thousand pounds, (iii) which is equipped with a windshield and an
31 occupant protection system, and (iv) that complies with 49 C.F.R. part

1 571, as such part existed on January 1, 2018. A motorcycle with a sidecar
2 attached is not a low-speed vehicle 2017;

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

14 (7) Motor vehicle means any self-propelled vehicle which is designed
15 for use upon a highway, including trailers designed for use with such
16 vehicles, minitrucks, and low-speed vehicles. Motor vehicle does not
17 include (a) mopeds as defined in section 60-637, (b) traction engines,
18 (c) road rollers, (d) farm tractors, (e) tractor cranes, (f) power
19 shovels, (g) well drillers, (h) every vehicle which is propelled by
20 electric power obtained from overhead wires but not operated upon rails,
21 (i) electric personal assistive mobility devices as defined in section
22 60-618.02, (j) off-road designed vehicles, including, but not limited to,
23 golf car vehicles, go-carts, riding lawnmowers, garden tractors, all-
24 terrain vehicles and utility-type vehicles as defined in section
25 60-6,355, minibikes as defined in section 60-636, and snowmobiles as
26 defined in section 60-663, and (k) bicycles as defined in section 60-611;

27 (8) Nonresident means every person who is not a resident of this
28 state;

29 (9) Nonresident's operating privilege means the privilege conferred
30 upon a nonresident by the laws of this state pertaining to the operation
31 by him or her of a motor vehicle or the use of a motor vehicle owned by

1 him or her in this state;

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

4 (11) Owner means a person who holds the legal title of a motor
5 vehicle, or in the event (a) a motor vehicle is the subject of an
6 agreement for the conditional sale or lease thereof with the right of
7 purchase upon performance of the conditions stated in the agreement and
8 with an immediate right of possession vested in the conditional vendee or
9 lessee or (b) a mortgagor of a vehicle is entitled to possession, then
10 such conditional vendee or lessee or mortgagor shall be deemed the owner
11 for the purposes of the act;

12 (12) Person means every natural person, firm, partnership, limited
13 liability company, association, or corporation;

14 (13) Proof of financial responsibility means evidence of ability to
15 respond in damages for liability, on account of accidents occurring
16 subsequent to the effective date of such proof, arising out of the
17 ownership, maintenance, or use of a motor vehicle, (a) in the amount of
18 twenty-five thousand dollars because of bodily injury to or death of one
19 person in any one accident, (b) subject to such limit for one person, in
20 the amount of fifty thousand dollars because of bodily injury to or death
21 of two or more persons in any one accident, and (c) in the amount of
22 twenty-five thousand dollars because of injury to or destruction of
23 property of others in any one accident;

24 (14) Registration means registration certificate or certificates and
25 registration plates issued under the laws of this state pertaining to the
26 registration of motor vehicles;

27 (15) State means any state, territory, or possession of the United
28 States, the District of Columbia, or any province of the Dominion of
29 Canada; and

30 (16) The forfeiture of bail, not vacated, or of collateral deposited
31 to secure an appearance for trial shall be regarded as equivalent to

1 conviction of the offense charged.

2 Sec. 4. Section 60-628.01, Revised Statutes Supplement, 2017, is
3 amended to read:

4 60-628.01 Low-speed vehicle means a (1) four-wheeled motor vehicle
5 (a) ~~(1)~~ whose speed attainable in one mile is more than twenty miles per
6 hour and not more than twenty-five miles per hour on a paved, level
7 surface, (b) ~~(2)~~ whose gross vehicle weight rating is less than three
8 thousand pounds, and (c) ~~(3)~~ that complies with 49 C.F.R. part 571, as
9 such part existed on January 1, 2018, or (2) three-wheeled motor vehicle
10 (a) whose maximum speed attainable is not more than twenty-five miles per
11 hour on a paved, level surface, (b) whose gross vehicle weight rating is
12 less than three thousand pounds, (c) which is equipped with a windshield
13 and an occupant protection system, and (d) that complies with 49 C.F.R.
14 part 571, as such part existed on January 1, 2018. A motorcycle with a
15 sidecar attached is not a low-speed vehicle 2017.

16 Sec. 5. Original sections 60-119.01, 60-336.01, 60-501, and
17 60-628.01, Revised Statutes Supplement, 2017, are repealed.