

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 70

Introduced By: Fischer, 43;
Read first time: January 5, 2007
Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to all-terrain vehicles; to amend section
2 60-6,356, Reissue Revised Statutes of Nebraska; to permit
3 operation of all-terrain vehicles within municipalities by
4 municipal employees; and to repeal the original section.
5 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) Except as provided in subsections (2) through
4 ~~(5)~~ (7) of this section, an all-terrain vehicle shall not be
5 operated on any highway of this state. The crossing of any
6 controlled-access highway shall not be permitted.

7 (2) The crossing of a highway shall be permitted only if:

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

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

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

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

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

19 ~~(3) An all-terrain vehicle may be operated on a highway
20 when such operation occurs only between the hours of sunrise and
21 sunset and such operation is incidental to the vehicle's use for
22 agricultural purposes.~~

23 (3) Any person operating an all-terrain vehicle on a
24 highway under subsection (5), (6), or (7) of this section shall have
25 a valid Class O operator's license or a farm permit as provided in
26 section 60-4,126, shall only operate the vehicle between the hours of
27 sunrise and sunset, and shall not operate such the vehicle at a

1 speed in excess of thirty miles per hour. When operated on a highway,
2 the headlight and taillight of the vehicle shall be on and the vehicle
3 shall be equipped with a bicycle safety flag which extends not less
4 than five feet above ground attached to the rear of such vehicle. The
5 bicycle safety flag shall be triangular in shape with an area of not
6 less than thirty square inches and shall be day-glow in color.

7 (4) All-terrain vehicles may be operated on highways in
8 parades which have been authorized by the State of Nebraska or any
9 department, board, commission, or political subdivision of the state.

10 (5) All-terrain vehicles may be operated on highways if
11 such operation is incidental to the vehicle's use for agricultural
12 purposes. Such operation shall be in accordance with the requirements
13 of subsection (3) of this section.

14 ~~(5) (6) All-terrain vehicles may be operated on highways~~
15 ~~outside the corporate limits of any municipality by electric utility~~
16 ~~personnel within the course of their employment. Such operation shall~~
17 ~~be in accordance with the operation requirements of subsection (3)~~
18 ~~of this section, , except that the operation of the vehicle~~
19 ~~pursuant to this subsection need not be incidental to the use of the~~
20 ~~vehicle for agricultural purposes.~~

21 (7) All-terrain vehicles may be operated on highways within
22 the corporate limits of any municipality by employees of such
23 municipality within the course of their employment. Such operation
24 shall be in accordance with the requirements of subsection (3) of
25 this section.

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

