

## LEGISLATIVE BILL 11

Approved by the Governor February 10, 1975

Introduced by Executive Board, Savage, 10, V-Chmn.;  
Goodrich, 20; Kremer, 34; Schmit, 23

AN ACT to amend sections 39-6,113 and 39-6,138, Reissue Revised Statutes of Nebraska, 1943, relating to Nebraska Rules of the Road; to delete obsolete matter; to correct an internal reference; and to repeal the original sections.

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

Section 1. That section 39-6,113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,113. Any person who shall be convicted of a misdemeanor as provided in sections 39-601 to 39-6,122, ~~or in Chapter 39, article 6 or 7, or section 60-407,~~ for which a specific penalty is not provided shall be punished by a fine of not to exceed five hundred dollars, or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

Sec. 2. That section 39-6,138, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,138. (1) Every motor vehicle upon a highway within this state during the period from a half hour after sunset to a half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the highway at a distance of five hundred feet ahead, shall be equipped with lighted front and rear lamps as respectively required in this section for different classes of vehicles.

(2) Every motor vehicle, other than a motorcycle, road roller, road machinery, or farm tractor, shall be equipped with two or more head lamps, at the front of and on opposite sides of the motor vehicle and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such vehicle, which head lamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142, and, except as to acetylene head lamps, shall be of a type which has

been approved by the Department of Motor Vehicles.

(3) Every farm tractor upon a highway within this state during the period from a half hour after sunset to a half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the highway at a distance of five hundred feet ahead, shall be equipped with two or more head lamps, at the front or on opposite sides of the tractor, and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such tractor, which head lamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142, and shall be of a type which has been approved by the Department of Motor Vehicles.

(4) Every motorcycle shall be equipped with at least one and not more than two head lamps and with a lamp on the rear exhibiting a red light visible, under normal atmospheric conditions, from a distance of at least five hundred feet to the rear of such motor vehicle, which head lamp or lamps shall comply with the requirements and limitations set forth in sections 39-6,140 and 39-6,142, and, except as to acetylene head lamps, shall be of a type which has been approved by the department.

~~(5) Every bicycle shall be equipped with a lighted lamp on the front thereof visible, under normal atmospheric conditions, from a distance of at least five hundred feet in front of such bicycle and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under like conditions from a distance of at least five hundred feet to the rear of such bicycle.~~

(6) (5) It shall be unlawful for any owner or operator of any motor vehicle to operate such vehicle upon a highway, unless (a) the condition of the lamps and electric circuit shall be such as to give substantially normal light output; (b) the tail light shall show red directly to the rear, glass therein shall be unbroken, the lamp shall be securely fastened, and its electric circuit free from grounds or shorts; (c) if equipped with spot lamps, the number shall be limited to not more than one spot lamp; (d) if equipped with auxiliary driving lamps, the number shall be limited to not more than two auxiliary driving lamps; and such auxiliary lamps, if used, must be mounted on the front at a point not less than fifteen inches above the level surface upon which the vehicle stands, and every such auxiliary lamp or

lamps shall meet the statutory requirements for head lamps; (e) if equipped with any lighting device, other than head lamps, spot lamp, or auxiliary driving lamps, which projects a beam of light of an intensity greater than twenty-five candle power, such lighting device shall be so directed that no part of the beam therefrom will strike the level of the surface on which the vehicle stands at a distance of more than fifty feet from the vehicle; and (f) if equipped with side cowl or fender lamps, the number shall be limited to two such lamps, and each such side cowl or fender lamp shall emit an amber or white light.

Sec. 3. That original sections 39-6,113 and 39-6,138, Reissue Revised Statutes of Nebraska, 1943, are repealed.