

LEGISLATIVE BILL 50

Approved by the Governor March 26, 1981

Introduced by Landis, 46

AN ACT relating to transportation; to provide for ridesharing arrangements as prescribed; and to provide severability.

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

Section 1. For purposes of this act, ridesharing arrangement shall mean the carrying of more than one, but not more than fifteen passengers by motor vehicle on any public road or highway, either regularly or occasionally, with or without compensation, but not for profit, and the carriage of such passengers is incidental to another purpose of the motor vehicle operator. The term shall include ridesharing arrangements commonly known as carpools, vanpools, and buspools.

Sec. 2. The following laws and regulations of this state shall not apply to any ridesharing arrangement using a motor vehicle with a seating capacity for not more than fifteen persons, including the driver:

(1) Chapter 75, pertaining to the regulation of motor carriers of any kind or description by the Public Service Commission;

(2) Laws and regulations containing insurance requirements that are specifically applicable to motor carriers or commercial motor vehicles;

(3) Laws and regulations with equipment requirements and special accident reporting requirements that are specifically applicable to motor carriers or commercial motor vehicles; and

(4) Laws imposing a tax on fuel purchased in another state by a motor carrier.

Sec. 3. Chapter 48, article 1, providing compensation for workers injured during the course of their employment shall not apply to a person injured while participating in a ridesharing arrangement between his or her place of residence and place of employment or terminals near such places, except that if the employer owns, leases, or contracts for the motor vehicle used in such arrangement, pays for the time spent in travel, or pays the expense of travel, Chapter 48, article 1, shall apply.

Sec. 4. (1) An employer shall not be liable for injuries to passengers and other persons resulting from the operation or use of a motor vehicle not owned, leased, or contracted for by the employer, in a ridesharing arrangement.

(2) An employer shall not be liable for injuries to passengers and other persons because he or she provides information, incentives, or otherwise encourages his or her employees to participate in ridesharing arrangements, except as provided in section 3 of this act.

Sec. 5. No county, city, village, or other municipal subdivision may impose a tax on, or require a license for, a ridesharing arrangement using a motor vehicle with a seating capacity for not more than fifteen persons, including the driver.

Sec. 6. The mere fact that an employee participates in any kind of ridesharing arrangement shall not result in the application of Chapter 48, article 12, relating to payment of a minimum wage, overtime pay, or otherwise regulating the hours a person may work.

Sec. 7. A motor vehicle used in a ridesharing arrangement that has a seating capacity for not more than fifteen persons, including the driver, shall not be a bus or commercial vehicle under the portion of Chapter 39 or Chapter 60 relating to equipment requirements, rules of the road, or registration.

Sec. 8. Motor vehicles owned or operated by any state or local agency may be used in ridesharing arrangements for public employees. Participants in any such ridesharing arrangement shall pay the actual total costs of using the vehicle in that arrangement.

Sec. 9. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.