

AMENDMENTS TO LB755

Introduced by Brewer, 43.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 60-6,356, Revised Statutes Cumulative Supplement,
4 2016, is amended to read:

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

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

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

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

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

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

1 operating an all-terrain vehicle or a utility-type vehicle as authorized
2 in subsection (2) of this section shall have a valid Class 0 operator's
3 license or a farm permit as provided in section 60-4,126, shall have
4 liability insurance coverage for the all-terrain vehicle or a utility-
5 type vehicle while operating the all-terrain vehicle or a utility-type
6 vehicle on a highway, and shall not operate such vehicle at a speed in
7 excess of thirty miles per hour. The person operating the all-terrain
8 vehicle or a utility-type vehicle shall provide proof of such insurance
9 coverage to any peace officer requesting such proof within five days of
10 such a request.

11 (b) When operating an all-terrain vehicle or a utility-type vehicle
12 as authorized in subsection (2) of this section, whether at day or night,
13 the headlight and taillight of the vehicle shall be on and the vehicle
14 shall be equipped with a bicycle safety flag which extends not less than
15 five 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 than
17 thirty square inches and shall be day-glow in color.

18 (c) When operating an all-terrain vehicle or a utility-type vehicle
19 as authorized in subsection (2) of this section between the hours of
20 sunrise and sunset, such vehicle shall be equipped with brake and
21 turnsignal lights in good working order.

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

26 (5) The crossing of a highway other than a controlled-access highway
27 with more than two marked traffic lanes shall be permitted by an all-
28 terrain vehicle or a utility-type vehicle without complying with
29 subsection (3) of this section only if:

30 (a) The crossing is made at an angle of approximately ninety degrees
31 to the direction of the highway and at a place where no obstruction

1 prevents a quick and safe crossing;

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

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

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

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

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

16 (7) A city or village may adopt an ordinance authorizing the
17 operation of all-terrain vehicles and utility-type vehicles within the
18 corporate limits of the city or village if the operation is in accordance
19 with subsection (3) of this section. The city or village may place other
20 restrictions on the operation of all-terrain vehicles and utility-type
21 vehicles within its corporate limits.

22 (8) A county board may adopt a resolution authorizing the operation
23 of all-terrain vehicles and utility-type vehicles within any
24 unincorporated village within the county if the operation is in
25 accordance with subsection (3) of this section. The county may place
26 other restrictions on the operation of all-terrain vehicles and utility-
27 type vehicles within the unincorporated village.

28 (9) The crossing of a controlled-access highway with more than two
29 marked traffic lanes shall be permitted by a utility-type vehicle if the
30 operation is in accordance with the operation requirements of subsection
31 (3) of this section and if the following requirements are met:

- 1 (a) The crossing is made at an intersection that:
- 2 (i) Is controlled by a traffic control signal; or
- 3 (ii) For any intersection located outside the corporate limits of a
- 4 city or village, is controlled by stop signs;
- 5 (b) The crossing at such intersection is made in compliance with the
- 6 traffic control signal or stop signs; and
- 7 (c) The crossing at such intersection is specifically authorized as
- 8 follows:
- 9 (i) If such intersection is located within the corporate limits of a
- 10 city or village, by ordinance of such city or village;
- 11 (ii) If such intersection is located within an unincorporated
- 12 village, by resolution of the county board of the county in which such
- 13 unincorporated village is located; or
- 14 (iii) If such intersection is located outside the corporate limits
- 15 of a city or village and outside any unincorporated village, by
- 16 resolution of the county board of the county in which such intersection
- 17 is located.

18 Sec. 2. Original section 60-6,356, Revised Statutes Cumulative

19 Supplement, 2016, is repealed.