

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB530

Hearing Date: Friday February 28, 2025
Committee On: Judiciary
Introducer: Kauth
One Liner: Change provisions relating to the Nebraska Rules of the Road, motor vehicle homicide, and motor vehicle homicide of an unborn child

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

| | | |
|----------------------------|---|--|
| Aye: | 6 | Senators Bosn, Hallstrom, Holdcroft, Rountree, Storer, Storm |
| Nay: | | |
| Absent: | | |
| Present Not Voting: | 2 | Senators DeBoer, McKinney |

Testimony:

Proponents:

Senator Kathleen Kauth
Aaron Hanson
Julie Harris
Yun Saksena
Eric Anderson
Brian Ortnier
Kristi Covalciuc
Jared Haynes
Robert Bell
Luke Riley

Representing:

Opening Presenter
Douglas County Sheriff's Office
Bike Walk Nebraska
BicycLincoln
Bike Walk Nebraska
AAA Auto Club Group
Self
Bike Walk Nebraska
Nebraska Insurance Federation
Strong Towns Lincoln

Opponents:

Spike Eickholt

Representing:

Nebraska Criminal Defense Attorneys Association

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 530 changes provisions relating to motor vehicle homicide and motor vehicle homicide of an unborn child. The bill provides and changes penalties and also amends provisions of the Nebraska Rules of the Road to change fine amounts for speeding violations, define "vulnerable road user" and redefine "reckless driving," change provisions regarding passing a stopped vehicle, and provide a requirement for approaching or passing a vulnerable road user.



Section-by-Section Summary

Section 1: Amends section 28-306 by changing the conviction level for motor vehicle homicide to a Class IV felony if the proximate cause of the death of another is the operation of a motor vehicle. This section further amends section 28-306 to provide that the minimum period of time that a court may order a person not to drive any motor vehicle following a conviction for motor vehicle homicide be dependent on the violation and the misdemeanor or felony designation. Depending on the type of conviction, the minimum period a court shall order a person not to drive is up to 2 years while the maximum is 15 years. Regardless of the length of the driving ban, the person's license shall be suspended for the same period of time.

Section 2: Amends section 28-394 regarding motor vehicle homicide of an unborn child by changing the minimum period of time provisions that a court may order a person not to drive any motor vehicle following a conviction to be dependent on the violation and the misdemeanor or felony designation. Depending on the type of conviction, the minimum period a court shall order a person not to drive is at least 60 days while the maximum is not more than 15 years. For a conviction relating to motor vehicle homicide of a child, such period is up to 2 years. Regardless of the length of the driving ban, the person's license shall be suspended for the same period of time.

Sections 3 and 4: Harmonizing changes to sections 60-601 and 60-605.

Section 5: Adds a new section to the Nebraska Rules of the Road defining "vulnerable road user."

Section 6: Amends section 60-682.01 to increase the fine amounts for speed limit violations. Convictions for a violation of 1 to 5 miles per hour (MPH) over the speed limit shall be \$50.00; convictions for a violation over 5 but not over 10 MPH shall be \$75.00; convictions for a violation over 10 but not over 15 MPH shall be \$100.00; convictions for a violation over 15 but not over 20 MPH shall be \$200.00; convictions for a violation over 20 but not over 35 MPH shall be \$300.00; and convictions for a violation over 35 MPH shall be \$400.00.

Section 7: Amends section 60-6,213 to provide that evidence that a person was driving in excess of double the posted maximum speed limit is prima facie evidence of reckless driving.

Section 8: Amends section 60-6,378 to change required actions of a motorist passing a stopped vehicle located on the same side of the highway and depending on how many adjacent lanes of travel are in the same direction. This section further amends section 60-6,378 to provide that this section is inapplicable if the stopped vehicle is unoccupied or there are no individuals present near the vehicle. Finally new language is added to this section providing that moving into another lane is considered not reasonably possible if it would be impractical or unsafe because of weather conditions, road conditions, or the immediate presence of vehicular or pedestrian traffic.

Section 9: This is a new section added to the Nebraska Rules of the Road that mandates an operator of a motor vehicle to proceed with due care and caution when approaching or passing a vulnerable road user. This section also provides required actions of a motorist approaching or passing a vulnerable road user, depending on how many adjacent lanes of travel are in the same direction. Finally, this section adds new language to provide that this section does not grant any vulnerable road user the right to be on or along any highway in violation of any other state or local law.

Section 10: Repealer.

Explanation of amendments:



The Committee considered and adopted an amendment (AM 1149) which strikes and replaces the original sections and includes LB 530 as amended by AM 559 and AM 980. AM 1149 also incorporates both LB 6 and LB 124 as introduced, LB 44 as amended by AM 1141, LB 395 as amended by AM 795, LB 404 as amended by AM 372, portions of LB 556, portions of LB 600, and LB 684 as amended AM 1166. LB 530 comprises sections 3, 4, 24 to 27, and 30 to 32 of AM 1149; LB 6 comprises section 5 of AM 1149 , LB 44 comprises section 10 of AM 1149, LB 124 is included in section 4 of AM 1149, LB 395 comprises sections 6 and 21 of AM 1149, LB 404 comprises sections 7 to 9 of AM 1149, LB 684 comprises sections 1, 2, 12, 13, 16 to 20, 22, and 23 of AM 1149, portions of LB 556 comprise sections 11, 14, and 15 of AM 1149, and portions of LB 600 comprise sections 24, 28, and 29 of AM 1149.

LB 6 was introduced by Senator Bosn and amends subsection (16) of section 28-416 of the Uniform Controlled Substances Act to provide for an enhanced penalty for any person convicted of a violation of subsection (1) of such section, by mandating that he or she be punished by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of such section, if such violation resulted in the use of a controlled substance and directly and proximately caused the death of, or serious bodily injury to, another person. The bill further provides in no event shall an enhanced penalty under this subsection result in a penalty greater than a Class IB felony.

LB 6 was amended into LB 530 on a 7-1 vote of the committee:

Aye: Senators Bosn, DeBoer, Hallstrom, Holdcroft, Rountree, Storer, Storm

Nay: Senator McKinney

LB 6 had a public hearing January 29, 2025, with the following testimony:

Proponents:

Senator Carolyn Bosn , Opening Presenter

Patrick Condon, Lancaster County Attorney; Nebraska County Attorneys Association

Sandra Allen, Attorney General's Office

Patrick Dempsey, Omaha Police Officers Association

Robert Griffith, Self

Adam Wiblishhouser, Self

Joseph LeDuc, Self

Opponents:

Sarah Newell, Nebraska Criminal Defense Attorneys Association; Lancaster County Public Defenders Office

Spike Eickholt, Nebraska Criminal Defense Attorneys Association

Alex Dworak, Self

Neutral: None

LB 44 was introduced by Senator McKinney and amends section 29-3001 by adding an additional factor to be considered when determining when the one-year statute of limitation shall run on the filing for a verified motion for postconviction relief by a prisoner claiming a right to be released on the ground of denial or infringement of constitutional rights. As amended, the statute of limitation shall run from the later of the factors established within the statute to include the date on which the prisoner reaches twenty-one years of age.

AM 1141 further amends section 29-3001 regarding when an individual can petition the court for postconviction relief, amending new subdivision (4)(f) of such section to add that for the new factor added by LB 44 to apply, the offense would have to be committed when the prisoner was younger than eighteen years of age.

LB 44, as amended, was amended into LB 530 on a 7-0-1 vote of the committee:



Aye: Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storm
Present Not Voting: Senator Storer

LB 44 had a public hearing March 14, 2025, with the following testimony:

Proponents:

Senator Terrell McKinney , Opening Presenter

Spike Eickholt, Nebraska Criminal Defense Attorneys Association; Nebraskans for Alternatives to the Death Penalty

Webb Bancroft, Bancroft Law

Jason Witmer, ACLU of Nebraska

Opponents: None

Neutral: None

LB 124 was introduced by Senator Holdcroft and harmonizes the penalty for motor vehicle homicide of an unborn child while driving under the influence to match the penalty for motor vehicle homicide while driving under the influence. As such, the penalty increases from a Class IIIA felony to a Class IIA felony if driving under the influence of alcohol or drugs or driving with a revoked license. The penalty increases from a Class IIA felony to a Class II felony if the driver had a prior conviction for driving under the influence of alcohol and is driving under the influence or driving with a revoked license.

LB 124 was amended into LB 530 on a 8-0 vote of the committee:

Aye: Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm

LB 124 had a public hearing January 23, 2025, with the following testimony:

Proponents:

Senator Rick Holdcroft , Opening Presenter

Ryan Lindberg, Douglas County Attorney; Nebraska County Attorneys Association

Darla Bengtson, self

Chris Wagner, Project Extra Mile

Elizabeth Nunnally, Nebraska Family Alliance

Bud Synhorst, Nebraska Right to Life

Opponents:

Spike Eickholt, Nebraska Criminal Defense Attorneys Association

Neutral: None

LB 395 was introduced by Senator DeKay and relates to sealed juvenile records and unlawful possession of a firearm by a prohibited juvenile offender. The bill makes sealed juvenile record information readily available to local law enforcement agencies to determine prior adjudications for firearm background check purposes. The bill as amended by AM 795 clarifies that the offense of possession of a firearm by a prohibited juvenile offender includes an offense for which a juvenile record has been sealed upon termination of probation, and provides that when the court orders a juvenile record sealed, the juvenile be informed that he or she is prohibited from possessing a firearm under section 28-1204.05.

LB 395 was amended into LB 530 on a 8-0 vote of the committee:

Aye: Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm



LB 395 had a public hearing March 27, 2025, with the following testimony:

Proponents:

Senator Barry DeKay , Opening Presenter

Kari Rumbaugh, Administrative Office of the Courts & Probation

William Rinn, Douglas County Sheriff's Office; Nebraska Sheriffs Association; Police Chiefs Association of Nebraska

Opponents: None

Neutral: None

LB 404 was introduced by Senator Hallstrom and amends section 29-2263 to authorize the court to extend a term of probation upon joint application of the probation officer and the probationer. As amended by AM 372, the bill also amends section 29-2262.06 to authorize the court to waive payment of probation and programming fees described in subdivisions 2(m) and (o) of section 29-2262, in whole or in part, if the offender has been previously found to be indigent in the case for which he or she is placed on probation. AM 372 also amends section 29-2267 to provide that when a motion or information to revoke probation is filed, the probation term may be extended at the joint request of the probationer and prosecutor until final resolution of the motion or information to revoke probation or until the expiration of the statutorily defined maximum period of probation for the offense for which the probationer has been placed on probation.

LB 404, as amended, was amended into LB 530 on a 8-0 vote of the committee:

Aye: Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm

LB 404 had a public hearing February 19, 2025, with the following testimony:

Proponents:

Senator Bob Hallstrom , Opening Presenter

Gene Cotter, Administrative Office of the Courts & Probation

Opponents: None

Neutral: None

LB 684 was introduced by Senator Bostar and adopts the Juvenile Probation Administration Act. The Act transfers the responsibility for administering juvenile probation from the Office of Probation Administration to a newly created Juvenile Probation Agency within the executive branch. The Juvenile Probation Agency would consist of the Juvenile Probation Administrator, the newly created Nebraska Juvenile Probation System, and other employees as necessary. The agency would supervise and administer the system, establish probation policies and standards for the system in consultation with the Nebraska Supreme Court, and supervise juveniles on probation.

The Governor would be required to appoint the Juvenile Probation Administrator by July 1, 2026, subject to the Legislature's approval. The Juvenile Probation Administrator would be required to submit a biannual report to the DAS budget division, the Legislative Fiscal Analyst, and the Supreme Court that includes the number of juvenile cases and the total number of juvenile screening interviews and detentions authorized in the previous six months. The Juvenile Probation Administrator would also be required, in consultation with the Supreme Court, to divide the state into juvenile probation districts and to appoint for each district probation officers, including a chief juvenile probation officer and deputy juvenile probation officers.



The bill also eliminates the following terminated entities: the Children and Juveniles Data Feasibility Study Advisory Group, a child welfare practice model work group, and a child welfare strategic leadership group.

The committee adopted AM 1166 to LB 684 which strikes all original provisions, including the Juvenile Probation Administration Act, and replaces them with five new sections of law and six amendatory sections. The new sections are found in sections 2, 12, 17, 19, and 22 of AM 1149 and involve electronic monitoring devices, notice requirements when a juvenile probationer is taken into custody, high-risk juvenile probationers, revocation hearings for juvenile probationers, and county lists of juvenile probationers. The amendatory sections are found in sections 1, 13, 16, 18, 20, and 23 of AM 1149 and are explained in the section-by-section summary of this statement.

LB 684 was amended into LB 530 on a 6-1-1 vote of the committee:

Aye: Senators Bosn, Hallstrom, Holdcroft, Rountree, Storer, Storm

Nay: Senator McKinney

Present Not Voting: Senator DeBoer

LB 684 had a public hearing February 28, 2025, with the following testimony:

Proponents:

Senator Eliot Bostar , Opening Presenter

Patrick Dempsey, Omaha Police Officers Association

Don Kleine, Douglas County Attorney

Joe Villamonte, Lincoln Police Union

Matayo Bass, El Centro

Isaac Loewe, Lighthouse After School Program

Steve Cerveney, Omaha Police Department

Michon Morrow, Lincoln Police Department

Dan Martin, Omaha Police Officers Association

Anthony Conner, Nebraska State Fraternal Order of Police

Tiffany Pelley, Self

Ben Houchin, Nebraska Sheriffs Association

Amber Wood, Self

Tammy Parker, Self

Ryan Dvorak, Lancaster County Human Services

Bill Michener, Lighthouse

Opponents:

William Reay, Omaha Creative Care

Corey Steele, Administrative Office of the Courts & Probation

Justin Wayne, Self

Roger Heideman, Nebraska Juvenile Court Judges Association

Lori Harder, Self

Deb Minardi, Self

Dennis Marks, Self

Tami Robinson Soper, Boys Town

Jennifer Houlden, Nebraska Criminal Defense Attorneys Association

Nick Juliano, RADIUS

Tim Hruza, Nebraska State Bar Association



Neutral:

Aaron Hanson, Douglas County Sheriff's Office

Pat Condon, Lancaster County

Katie Nungesser, Voices for Children in Nebraska

Section-by-Section Summary:

Section 1: Amends section 28-101 to add Section 2 of the bill to the Nebraska Criminal Code. (LB 684 as amended by AM 1166)

Section 2: A new section that prohibits a person from intentionally and without authorization removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device required to be worn or used by that person or another person pursuant to a court order or as a condition of parole. A violation of this section is a Class IV felony if the electronic monitoring device is required to be worn or used pursuant to a court order or as a condition of parole in a felony case. In all other cases, it is a Class I misdemeanor. (LB 684 as amended by AM 1166)

Section 3: Amends section 28-306 to provide that for a conviction under subsection (2) or subdivision (3)(a) of this section, the court may, as a part of the judgment of conviction, order the person not drive any motor vehicle for any purpose for period of up to 2 years and order that the operator's license of such person be suspended for the same period. Section 28-306 is further amended to provide that for a conviction under subsection (3)(b) or subdivision (c) of this section, the court may, as a part of the judgment of conviction, order the person not drive any motor vehicle for any purpose for period of 15 years and shall order that the operator's license of such person be suspended for the same period. (LB 530 as amended by AM 559)

Section 4: Includes the increased penalty changes made by LB 530, but also amends section 28-394 to provide that for a conviction under subsection (2) or subdivision (3)(a) of this section, the court may, as a part of the judgment of conviction, order the person not drive any motor vehicle for any purpose for period of up to 2 years and order that the operator's license of such person be suspended for the same period. Section 28-394 is further amended to provide that for a conviction under subdivision (3)(b) or (c) of this section, that the court shall, as part of the judgement of conviction, order the person not to drive any motor vehicle for any purpose for a period of at least 60 days and not more than 15 years and shall order that the operator's license of such person be revoked for the same period. An order of the court described in this section shall be administered upon sentencing, final judgment of any appeal, or the date that any probation is revoked. (LB 530 as amended by AM 559 and LB 124)

Section 5: Amends section 28-416 to provide enhanced penalties for any person convicted of a violation of subsection (1) of this section to mandate punishment by the next higher penalty classification than the penalty prescribed in subsection (2), (7), (8), (9), or (10) if such violation resulted in the use of a controlled substance and directly and proximately caused the death of, or serious bodily injury to another person. A penalty enhanced under this subsection shall in no event result in penalty greater than a Class IB felony. (LB 6)

Section 6: Amends section 28-1204.05, which provides that a person under the age of 25 years commits the offense of knowingly possessing a firearm by a prohibited juvenile offender if he or she has previously been adjudicated in juvenile court for a misdemeanor or felony domestic violence crime. The bill adds language that this section applies to domestic violence offenses for which a juvenile record has been sealed upon termination of probation. (LB 395)

Section 7: Amends 29-2262.06 authorizing the court to waive payment of probation and programming fees described in subdivisions 2(m) and (o) of section 29-2262, in whole or in part, if the offender has been previously found to be indigent in the case for which he or she is placed on probation or if after a hearing a determination is made that such



payment would constitute an undue hardship on the offender. Such waiver shall be in effect only during the period of time that the probationer or participant in a non-probation-based program or service is unable to pay his or her monthly programming fee. (LB 404 as amended by AM 372)

Section 8: Amends section 29-2263 to provide that the court on joint application of the probation officer and the probationer may extend the term of probation within the limits authorized by subdivision (1)(a) of this section. (LB 404 as amended by AM 372)

Section 9: Amends section 29-2267 to provide that when a motion or information to revoke probation is filed, the probation term may be extended at the joint request of the probationer and prosecutor until final resolution of the motion or information to revoke probation or until the expiration of the statutorily defined maximum period of probation for the offense for which the probationer has been placed on probation. A court shall accept such request to extend a term of probation so long as the probationer is represented by counsel or the court finds, in open court, that the probationer makes the request freely, voluntarily, knowingly, and intelligently. (LB 404 as amended by AM 372)

Section 10: Amends section 29-3001 regarding when a prisoner can petition the court for postconviction relief. New subdivision (4)(f) of such section provides another date by which the statute of limitations may run. Such date is when the prisoner reaches 21 years of age for an offense committed when such prisoner was younger than 18 years of age. (LB 44 as amended by AM 1141)

Section 11: Amends section 43-245 to define "detention" for purposes of the Nebraska Juvenile Code. (LB 684 as amended by AM 1166)

Section 12: A new section of law that provides that if a peace officer takes a juvenile probationer into custody for a criminal violation as defined in section 43-286.01, the peace officer shall immediately take reasonable measures to notify a juvenile intake probation officer. (LB 684 as amended by AM 1166)

Section 13: Amends section 43-250 to provide that, when a juvenile is arrested for a felony or misdemeanor involving firearms or deadly weapons, the probation officer shall determine the need for detention as provided in section 43-260.01. If the results of the standardized juvenile detention screening instrument indicate that detention is not required, the probation officer shall make a recommendation to the judge for release without restriction or release to an alternative to detention. For any other arrest of a juvenile, the probation officer shall determine the need for detention as provided in section 43-260.01. This section also sets out conditions for when a juvenile may not be released without bond when detention is not required. (LB 684 as amended by AM 1166)

Section 14: Amends section 43-251.01 to provide that a juvenile may be detained if detention is a matter of immediate and urgent necessity for the protection of such juvenile, as evidenced by a demonstrable record of fleeing from law enforcement, absconding from a court-ordered placement, absconding from home, committing a violent offense, committing multiple property crimes, or threatening harm to self or others. This section also lowers the minimum age for detention from 13 years of age to 11 years of age. (LB 684 as amended by AM 1166)

Section 15: Amends section 43-253 to provide that a hearing for a juvenile taken into temporary custody for longer than 24 hours may only be waived by the juvenile if the waiver is with the agreement of the juvenile's counsel and the prosecuting attorney. Current law allows a juvenile to waive the hearing through counsel. This section also provides that a juvenile may be detained if detention is a matter of immediate and urgent necessity for the protection of such juvenile, as evidenced by a demonstrable record of fleeing from law enforcement, absconding from a court-ordered placement, absconding from home, committing a violent offense, committing multiple property crimes, or threatening harm to self or others. (LB 684 as amended by AM 1166)



Section 16: Harmonizing change to section 43-250. (LB 684 as amended by AM 1166)

Section 17: A new section of law that provides that if a juvenile court decides to place a juvenile on probation, the court shall conduct a hearing to determine whether the juvenile is a high-risk juvenile probationer. This section also defines when a court must designate a juvenile as a high-risk juvenile probationer. (LB 684 as amended by AM 1166)

Section 18: Amends section 43-286.01 to define the terms “criminal violation” and “high-risk juvenile probationer” for purposes of this section. This section changes the requirements for probation officers providing notice and reports to county attorneys regarding graduated response sanctions imposed by the probation officer. (LB 684 as amended by AM 1166)

Section 19: A new section of law that provides that the probation officer shall send a progress report to the county attorney and the juvenile's attorney at least fourteen calendar days before the expiration of any juvenile's term of probation. This section also allows the county attorney to file a motion to revoke probation and provides for the appointment of counsel for an unrepresented juvenile. If a motion to revoke probation under this section is filed no later than seven calendar days before the expiration of the juvenile's term of probation, the court shall schedule a revocation hearing prior to the date of expiration. (LB 684 as amended by AM 1166)

Section 20: Amends section 43-2,108 to provide that when a juvenile court order places a juvenile on electronic monitoring, the order must state that a designated law enforcement officer shall receive data from the electronic monitoring device. This section also requires the Office of Probation Administration to provide the Nebraska Commission on Law Enforcement and Criminal Justice with certain information to include whether the juvenile is a prohibited juvenile offender, search and seizure status, criminal associations, and school records. (LB 684 as amended by AM 1166)

Section 21: Amends section 43-2,108.05 to provide that if the court orders a juvenile record sealed, the court shall explain to the juvenile that he or she is prohibited from possessing a firearm under section 28-1204.05. (LB 395 as amended by AM 795)

Section 22: A new section of law that requires the Office of Probation Administration to generate a list of all juvenile probationers in each county on or before the first day of each month and provide such list to each law enforcement agency with jurisdiction over such county. (LB 684 as amended by AM 1166)

Section 23: Harmonizing change to section 43-2,129. (LB 684 as amended by AM 1166)

Section 24: Harmonizing change to section 60-601. (LB 530 as amended by AM 559 and AM 980)

Section 25: Harmonizing changes to section 60-605. (LB 530 as amended by AM 559)

Section 26: Amends the Nebraska Rules of the Road to provide a new defined term of "vulnerable road user" to mean any pedestrian who is on a highway and constructing or repairing such highway, working on utility facilities along a highway, providing emergency services on or along a highway, in a crosswalk, or on the shoulder; any individual operating any bicycle, electric bicycle, motorcycle, moped, or any vehicle or device similar to any vehicle or device listed above; any individual who is riding an animal or driving an animal-drawn vehicle on or along a highway; any individual operating an implement of husbandry including a farm tractor on or along a highway; and any individual who is in a crosswalk or on a shoulder and who is on any coaster, skate, sled, ski, board, or toy vehicle, electric personal assistive mobility devices, or wheelchair. (LB 530)

Section 27: Amends section 60-682.01 to increase the fine amounts for speed limit violations. Convictions for a



violation of 1 to 5 miles per hour (MPH) over the speed limit shall be \$50.00; convictions for a violation over 5 but not over 10 MPH shall be \$75.00; convictions for a violation over 10 but not over 15 MPH shall be \$100.00; convictions for a violation over 15 but not over 20 MPH shall be \$200.00; convictions for a violation over 20 but not over 35 MPH shall be \$300.00; and convictions for a violation over 35 MPH shall be \$400.00. (LB 530)

Section 28: Harmonizing change to section 60-6,186. (LB 530 as amended by AM 559)

Section 29: A new section of law added to the Nebraska Rules of the Road authorizing the Department of Transportation to temporarily reduce speed limits under specific conditions, such as adverse weather, an emergency situation, or traffic congestion. The department must clearly communicate these changes to drivers through electronic or digital signage. The department shall develop and implement a policy to carry out this section and shall keep appropriate records relating to such speed limit changes. (LB 530 as amended by AM 559)

Section 30: Amends section 60-6,213 to provide that evidence that a person was driving in excess of double the posted speed limit is prima facie evidence that the motor vehicle was being driven in a manner as to indicate an indifferent or wanton disregard for the safety of persons or property. (LB 530)

Section 31: Amends section 60-6,378 to to change required actions of a motorist passing a stopped vehicle located on the same side of the highway. As amended, drivers shall proceed with due care and caution if there are at least two adjacent lanes of travel in the same direction and on the same side of the highway as the stopped vehicle, and the driver of the approaching or passing vehicle shall proceed with due care and caution and yield the right-of-way when approaching or passing the stopped vehicle by moving into a lane at least one moving lane apart from the stopped vehicle unless directed otherwise by any peace officer, authorized emergency personnel, or road assistance personnel. If there are not two adjacent lanes of travel in the same direction on the same side of the highway or if moving into another lane is not reasonably possible, the driver of the approaching or passing vehicle shall reduce speed, and maintain a safe speed with regard to the location of the stopped vehicle, weather conditions, and vehicular or pedestrian traffic. Section 60-6,378 is further amended to provide that a violation of this subsection is a Class IIIA misdemeanor for a second or subsequent violation committed within five years after a conviction for a violation of this subsection, or a traffic infraction for any other violation. These requirements do not apply if the stopped vehicle is unoccupied and there are no individuals present near the vehicle. (LB 530)

Section 32: This new section added to the Nebraska Rules of the Road mirrors the provisions of section 31 but is in regard to the operation of a motor vehicle when approaching or passing a vulnerable road user. This section also provides that any vulnerable road user does not have the right to be on or along any highway in violation of any other state or local law. (LB 530)

Section 33: Repealer.

Carolyn Bosn, Chairperson

