

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 98

FINAL READING

Introduced by Moser, 22.

Read first time January 10, 2025

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-103,
- 2 60-135.01, 60-305, 60-358.01, and 60-6,355, Reissue Revised Statutes
- 3 of Nebraska; to redefine the definitions of all-terrain vehicle and
- 4 utility-type vehicle in the Motor Vehicle Certificate of Title Act,
- 5 the Motor Vehicle Registration Act, and the Nebraska Rules of the
- 6 Road; to repeal the original sections; and to declare an emergency.
- 7 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 60-103, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 60-103 All-terrain vehicle means any motorized off-highway device
4 which (1) is fifty inches or less in width, (2) ~~has a dry weight of~~
5 ~~twelve hundred pounds or less,~~ (3) travels on three or more nonhighway
6 tires, and (3) ~~(4)~~ is designed for operator use only with no passengers
7 or is specifically designed by the original manufacturer for the operator
8 and one passenger.

9 **Sec. 2.** Section 60-135.01, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-135.01 (1) Utility-type vehicle means any motorized off-highway
12 device which (a) is seventy-four inches in width or less, (b) is not more
13 than one hundred eighty inches, including the bumper, in length, and (c)
14 ~~has a dry weight of two thousand pounds or less, and~~ (d) travels on four
15 or more nonhighway tires.

16 (2) Utility-type vehicle does not include all-terrain vehicles, golf
17 car vehicles, or low-speed vehicles.

18 **Sec. 3.** Section 60-305, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 60-305 All-terrain vehicle means any motorized off-highway vehicle
21 which (1) is fifty inches or less in width, (2) ~~has a dry weight of~~
22 ~~twelve hundred pounds or less,~~ (3) travels on three or more nonhighway
23 tires, and (3) ~~(4)~~ is designed for operator use only with no passengers
24 or is specifically designed by the original manufacturer for the operator
25 and one passenger. All-terrain vehicles which have been modified or
26 retrofitted with after-market parts to include additional equipment not
27 required by sections 60-6,357 and 60-6,358 shall not be registered under
28 the Motor Vehicle Registration Act, nor shall such modified or
29 retrofitted vehicles be eligible for registration in any other category
30 of vehicle defined in the act.

31 **Sec. 4.** Section 60-358.01, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 60-358.01 (1) Utility-type vehicle means any motorized off-highway
3 vehicle which (a) is seventy-four inches in width or less, (b) is not
4 more than one hundred eighty inches, including the bumper, in length, and
5 ~~(c) has a dry weight of two thousand pounds or less, and (d) travels on~~
6 ~~four or more nonhighway tires. Utility-type vehicles which have been~~
7 ~~modified or retrofitted with after-market parts to include additional~~
8 ~~equipment not required by sections 60-6,357 and 60-6,358 shall not be~~
9 ~~registered under the Motor Vehicle Registration Act, nor shall such~~
10 ~~modified or retrofitted vehicles be eligible for registration in any~~
11 ~~other category of vehicle defined in the act.~~

12 (2) Utility-type vehicle does not include all-terrain vehicles, golf
13 car vehicles, or low-speed vehicles.

14 **Sec. 5.** Section 60-6,355, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 60-6,355 (1) For purposes of sections 60-6,355 to 60-6,362:

17 (a) All-terrain vehicle means any motorized off-highway vehicle
18 which (i) is fifty inches or less in width, (ii) ~~has a dry weight of~~
19 ~~twelve hundred pounds or less, (iii) travels on three or more nonhighway~~
20 ~~tires, and (iii) (iv) is designed for operator use only with no~~
21 ~~passengers or is specifically designed by the original manufacturer for~~
22 ~~the operator and one passenger.~~

23 (b)(i) Utility-type vehicle means any motorized off-highway vehicle
24 which (A) is seventy-four inches in width or less, (B) is not more than
25 one hundred eighty inches, including the bumper, in length, and ~~(C) has a~~
26 ~~dry weight of two thousand pounds or less, (D) travels on four or more~~
27 ~~nonhighway tires.~~

28 (ii) Utility-type vehicle does not include all-terrain vehicles,
29 golf car vehicles, or low-speed vehicles.

30 (2) All-terrain vehicles and utility-type vehicles which have been
31 modified or retrofitted with after-market parts to include additional

1 equipment not required by sections 60-6,357 and 60-6,358 shall not be
2 registered under the Motor Vehicle Registration Act, nor shall such
3 modified or retrofitted vehicles be eligible for registration in any
4 other category of vehicle defined in the act.

5 **Sec. 6.** Original sections 60-103, 60-135.01, 60-305, 60-358.01, and
6 60-6,355, Reissue Revised Statutes of Nebraska, are repealed.

7 **Sec. 7.** Since an emergency exists, this act takes effect when
8 passed and approved according to law.