

LEGISLATIVE BILL 1149

Approved by the Governor March 21, 1972

Introduced by C. W. Holmquist, 16th District

AN ACT to amend sections 60-2001 and 60-2013, Revised Statutes Supplement, 1971, relating to motor vehicles; to define terms; to provide for regulation of snowmobiles by local authorities; and to repeal the original sections.

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

Section 1. That section 60-2001, Revised Statutes Supplement, 1971, be amended to read as follows:

60-2001. As used in sections 60-2001 to 60-2023, unless the context otherwise requires:

(1) Person shall mean any individual, partnership, corporation, the state and its agencies and subdivisions, and any body of persons, whether incorporated or not;

(2) Snowmobile shall mean a self-propelled motor vehicle designed to travel on snow or ice or a natural terrain steered by wheels, skis or runners and propelled by a belt-driven track with or without steel cleats;

(3) Owner shall mean a person, other than a lienholder, having the property in or title to a snowmobile or entitled to the use or possession thereof;

(4) Operate shall mean to ride in or on and control the operation of a snowmobile;

(5) Operator shall mean every person who operates or is in actual physical control of a snowmobile;

(6) Register shall mean the act of assigning a registration number to a snowmobile;

(7) Director shall mean the Director of Motor Vehicles acting directly or through his authorized agent;

(8) Roadway shall mean that portion of a highway improved, designed, or ordinarily used for vehicular travel;

(9) Dealer shall mean any person engaged in the business of selling snowmobiles at wholesale or retail; and

(10) Manufacturer shall mean a person, partnership, or corporation engaged in the business of manufacturing snowmobiles; and

(11) Local authorities shall mean every municipal and other local board or body having authority to enact laws or regulations relating to traffic under the Constitution and laws of this state.

Sec. 2. That section 60-2013, Revised Statutes Supplement, 1971, be amended to read as follows:

60-2013. (1) No person shall operate a snowmobile upon any public way, shoulder, or inside bank or slope of any street or highway or highway right-of-way except as provided in sections 60-2001 to 60-2023. * Subject to regulation by the Department of Roads and by local authorities, in their respective jurisdictions, a snowmobile may be operated within on the right-of-way roadway of any street or highway, except between one half hour after sunset and one half hour before sunrise, on the right-hand side of such right-of-way roadway and in the same direction as the highway traffic; on-the-nearest lane--of--the--roadway--adjacent--thereto; Provided, no snowmobile shall be operated at any time within the right-of-way of any interstate highway or freeway within this state;

(2) A snowmobile may make a direct crossing of a street or highway at any hour of the day if:

(a) The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(b) The snowmobile is brought to a complete stop before crossing the shoulder or main-traveled way of the highway;

(c) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard;

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

(e) If the crossing is made between the hours of one half hour after sunset and one half hour before

sunrise or in conditions of reduced visibility, both front and rear lights are on;

(3) No snowmobile shall be operated upon a public street or highway unless it is equipped with at least one head lamp, one tail lamp, each of minimum candlepower as prescribed by regulations of the director, reflector material of a minimum area of sixteen square inches mounted on each side forward of the handle bars, and with brakes each of which shall conform to standards prescribed by rule of the director pursuant to the authority vested in him by section 60-2012;

(4) A snowmobile may be operated upon a public street or highway other than as provided by subsection (2) of this section in an emergency during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical;

(5) All provisions of Chapters 39 and 60, shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application; and

(6) No person shall operate a snowmobile upon any private lands without first having obtained permission of the owner, lessee or operator of such lands.

Sec. 3. That original sections 60-2001 and 60-2013, Revised Statutes Supplement, 1971, are repealed.