

AMENDMENTS TO LB138

Introduced by Raybould, 28.

1 1. Insert the following new sections:

2 Sec. 20. Section 60-601, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 60-601 Sections 60-601 to 60-6,383 and sections 23, 24, 25, and 26
5 of this act shall be known and may be cited as the Nebraska Rules of the
6 Road.

7 Sec. 21. Section 60-605, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 60-605 For purposes of the Nebraska Rules of the Road, the
10 definitions found in sections 60-606 to 60-676 and sections 23, 24, 25,
11 and 26 of this act shall be used.

12 Sec. 22. Section 60-611, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-611 Bicycle shall mean:

15 (1) Every every device propelled solely by human power, upon which
16 any person may ride, and having two, three, or four wheels any one or
17 more of which being tandem wheels either of which is more than fourteen
18 inches in diameter; and or

19 (2) An electric bicycle. ~~a device with two or three wheels, fully~~
20 ~~operative pedals for propulsion by human power, and an electric motor~~
21 ~~with a capacity not exceeding seven hundred fifty watts which produces no~~
22 ~~more than one brake horsepower and is capable of propelling the bicycle~~
23 ~~at a maximum design speed of no more than twenty miles per hour on level~~
24 ~~ground.~~

25 Sec. 23. Class I electric bicycle means a device with the following
26 components:

27 (1) Two, three, or four wheels;

- 1 (2) A saddle or seat for the rider;
- 2 (3) Fully operative pedals for propulsion by human power; and
- 3 (4) An electric motor:
- 4 (a) Not exceeding seven hundred fifty watts of power;
- 5 (b) That produces no more than one brake horsepower;
- 6 (c) Capable of propelling the bicycle at a maximum design speed of
- 7 no more than twenty miles per hour on level ground;
- 8 (d) That only provides power when the rider is pedaling; and
- 9 (e) That does not provide power if the electric bicycle is traveling
- 10 at a speed of more than twenty miles per hour.

11 Sec. 24. Class II electric bicycle means a device with the
12 following components:

- 13 (1) Two, three, or four wheels;
- 14 (2) A saddle or seat for the rider;
- 15 (3) Fully operative pedals for propulsion by human power; and
- 16 (4) An electric motor:
- 17 (a) Not exceeding seven hundred fifty watts of power;
- 18 (b) That produces no more than one brake horsepower;
- 19 (c) Capable of propelling the bicycle at a maximum design speed of
- 20 no more than twenty miles per hour on level ground;
- 21 (d) Capable of providing power whether or not the rider is pedaling;
- 22 and
- 23 (e) That does not provide power if the electric bicycle is traveling
- 24 at a speed of more than twenty miles per hour.

25 Sec. 25. Class III electric bicycle means a device with the
26 following components:

- 27 (1) Two, three, or four wheels;
- 28 (2) A saddle or seat for the rider;
- 29 (3) Fully operative pedals for propulsion by human power; and
- 30 (4) An electric motor:
- 31 (a) Not exceeding seven hundred fifty watts of power;

- 1 (b) That produces no more than one brake horsepower;
- 2 (c) Capable of propelling the bicycle at a maximum design speed of
- 3 no more than twenty-eight miles per hour on level ground;
- 4 (d) That only provides power when the rider is pedaling; and
- 5 (e) That does not provide power if the electric bicycle is traveling
- 6 at a speed of more than twenty-eight miles per hour.

7 Sec. 26. Electric bicycle means a Class I electric bicycle, a Class
8 II electric bicycle, and a Class III electric bicycle.

9 Sec. 28. Section 60-640, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 60-640 (1) Motor-driven cycle means every motorcycle, including
12 every motor scooter, with a motor which produces not to exceed five brake
13 horsepower as measured at the drive shaft, mopeds, and every bicycle with
14 a motor attached except for an electric a bicycle as described in
15 subdivision (2) of section 60-611. Motor-driven cycle shall not include
16 an electric personal assistive mobility device.

17 (2) For purposes of this section, motorcycle does not include an
18 auticycle.

19 Sec. 29. Section 60-678, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 60-678 (1) The State of Nebraska or any department, board,
22 commission, or governmental subdivision thereof is hereby authorized, in
23 its respective jurisdiction, to enact regulations permitting,
24 prohibiting, and controlling the use of motor vehicles, minibikes,
25 motorcycles, off-road recreation vehicles of any and all types, electric
26 bicycles, other powered vehicles, electric personal assistive mobility
27 devices, and vehicles which are not self-propelled. Any person who
28 operates any of such vehicles without the permission of the appropriate
29 governmental entity or in a place, time, or manner which has been
30 prohibited by such entity shall be guilty of a Class III misdemeanor.

31 (2) Such governmental entity described in subsection 1 of this

1 section may further authorize the supervising official of any area under
2 its ownership or control to permit, control, or prohibit operation of any
3 motor vehicle, minibike, motorcycle, off-road recreational vehicle of any
4 or all types, electric bicycles, other powered vehicle, electric personal
5 assistive mobility device, or vehicle which is not self-propelled on all
6 or any portion of any area under its ownership or control at any time by
7 posting or, in case of an emergency, by personal notice. Any person
8 operating any such vehicle where prohibited, where not permitted, or in a
9 manner so as to endanger the peace and safety of the public or as to harm
10 or destroy the natural features or manmade features of any such area
11 shall be guilty of a Class III misdemeanor.

12 2. Renumber the remaining sections and correct the repealer
13 accordingly.