

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1155**

Final Reading

Introduced by Lathrop, 12.

Read first time January 19, 2012

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-102,  
2 60-135.01, 60-358.01, 60-4,108, 60-4,110, and 60-6,355,  
3 Reissue Revised Statutes of Nebraska, and sections  
4 23-187, 60-101, 60-123, 60-301, 60-302, 60-339, 60-471,  
5 60-501, 60-520, 60-547, 60-601, 60-605, 60-6,348, and  
6 60-6,349, Revised Statutes Supplement, 2011; to allow  
7 operation of golf car vehicles on highways as prescribed;  
8 to provide powers for counties, cities, and villages; to  
9 change penalties relating to operating a motor vehicle  
10 while under orders not to operate a motor vehicle; to  
11 harmonize provisions; to provide operative dates; and to  
12 repeal the original sections.

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

1           Section 1. Section 23-187, Revised Statutes Supplement,  
2 2011, is amended to read:

3           23-187 (1) In addition to the powers granted by section  
4 23-104, a county may, in the manner specified by sections 23-187 to  
5 23-193, regulate the following subjects by ordinance:

6           (a) Parking of motor vehicles on public roads, highways,  
7 and rights-of-way as it pertains to snow removal for and access by  
8 emergency vehicles to areas within the county;

9           (b) Motor vehicles as defined in section 60-339 that are  
10 abandoned on public or private property;

11           (c) Low-speed vehicles as described and operated pursuant  
12 to section 60-6,380;

13           (d) Golf car vehicles as described and operated pursuant  
14 to section 23 of this act;

15           ~~(d)-(e)~~ Graffiti on public or private property;

16           ~~(e)-(f)~~ False alarms from electronic security systems  
17 that result in requests for emergency response from law enforcement  
18 or other emergency responders; and

19           ~~(f)-(g)~~ Violation of the public peace and good order of  
20 the county by disorderly conduct, lewd or lascivious behavior, or  
21 public nudity.

22           (2) For the enforcement of any ordinance authorized by  
23 this section, a county may impose fines, forfeitures, or penalties  
24 and provide for the recovery, collection, and enforcement of such  
25 fines, forfeitures, or penalties. A county may also authorize such

1 other measures for the enforcement of ordinances as may be necessary  
2 and proper. A fine enacted pursuant to this section shall not exceed  
3 five hundred dollars for each offense.

4 Sec. 2. Section 60-101, Revised Statutes Supplement,  
5 2011, is amended to read:

6 60-101 Sections 60-101 to 60-197 and section 4 of this  
7 act shall be known and may be cited as the Motor Vehicle Certificate  
8 of Title Act.

9 Sec. 3. Section 60-102, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11 60-102 For purposes of the Motor Vehicle Certificate of  
12 Title Act, unless the context otherwise requires, the definitions  
13 found in sections 60-103 to 60-136.01 and section 4 of this act shall  
14 be used.

15 Sec. 4. Golf car vehicle means a vehicle that has at  
16 least four wheels, has a maximum level ground speed of less than  
17 twenty miles per hour, has a maximum payload capacity of one thousand  
18 two hundred pounds, has a maximum gross vehicle weight of two  
19 thousand five hundred pounds, has a maximum passenger capacity of not  
20 more than four persons, and is designed and manufactured for  
21 operation on a golf course for sporting and recreational purposes.

22 Sec. 5. Section 60-123, Revised Statutes Supplement,  
23 2011, is amended to read:

24 60-123 Motor vehicle means any vehicle propelled by any  
25 power other than muscular power. Motor vehicle does not include (1)

1 mopeds, (2) farm tractors, (3) self-propelled equipment designed and  
2 used exclusively to carry and apply fertilizer, chemicals, or related  
3 products to agricultural soil and crops, agricultural floater-  
4 spreader implements, and other implements of husbandry designed for  
5 and used primarily for tilling the soil and harvesting crops or  
6 feeding livestock, (4) power unit hay grinders or a combination which  
7 includes a power unit and a hay grinder when operated without cargo,  
8 (5) vehicles which run only on rails or tracks, (6) off-road designed  
9 vehicles not authorized by law for use on a highway, including, but  
10 not limited to, golf carts, ~~car vehicles,~~ go-carts, riding  
11 lawnmowers, garden tractors, all-terrain vehicles, utility-type  
12 vehicles, snowmobiles registered or exempt from registration under  
13 sections 60-3,207 to 60-3,219, and minibikes, (7) road and general-  
14 purpose construction and maintenance machinery not designed or used  
15 primarily for the transportation of persons or property, including,  
16 but not limited to, ditchdigging apparatus, asphalt spreaders, bucket  
17 loaders, leveling graders, earthmoving carryalls, power shovels,  
18 earthmoving equipment, and crawler tractors, (8) self-propelled  
19 chairs used by persons who are disabled, and (9) electric personal  
20 assistive mobility devices.

21           Sec. 6. Section 60-135.01, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23           60-135.01 (1) Utility-type vehicle means any motorized  
24 off-highway device which (a) is not less than forty-eight inches nor  
25 more than seventy-four inches in width, (b) is not more than one

1 hundred thirty-five inches, including the bumper, in length, (c) has  
2 a dry weight of not less than nine hundred pounds nor more than two  
3 thousand pounds, (d) travels on four or more low-pressure tires, and  
4 (e) is equipped with a steering wheel and bench or bucket-type  
5 seating designed for at least two people to sit side-by-side.

6 (2) Utility-type vehicle does not include golf ~~cars~~car  
7 vehicles or low-speed vehicles.

8 Sec. 7. Section 60-301, Revised Statutes Supplement,  
9 2011, is amended to read:

10 60-301 Sections 60-301 to 60-3,222 and section 9 of this  
11 act shall be known and may be cited as the Motor Vehicle Registration  
12 Act.

13 Sec. 8. Section 60-302, Revised Statutes Supplement,  
14 2011, is amended to read:

15 60-302 For purposes of the Motor Vehicle Registration  
16 Act, unless the context otherwise requires, the definitions found in  
17 sections 60-302.01 to 60-360 and section 9 of this act shall be used.

18 Sec. 9. Golf car vehicle means a vehicle that has at  
19 least four wheels, has a maximum level ground speed of less than  
20 twenty miles per hour, has a maximum payload capacity of one thousand  
21 two hundred pounds, has a maximum gross vehicle weight of two  
22 thousand five hundred pounds, has a maximum passenger capacity of not  
23 more than four persons, and is designed and manufactured for  
24 operation on a golf course for sporting and recreational purposes.

25 Sec. 10. Section 60-339, Revised Statutes Supplement,

1 2011, is amended to read:

2           60-339 Motor vehicle means any vehicle propelled by any  
3 power other than muscular power. Motor vehicle does not include (1)  
4 mopeds, (2) farm tractors, (3) self-propelled equipment designed and  
5 used exclusively to carry and apply fertilizer, chemicals, or related  
6 products to agricultural soil and crops, agricultural floater-  
7 spreader implements, and other implements of husbandry designed for  
8 and used primarily for tilling the soil and harvesting crops or  
9 feeding livestock, (4) power unit hay grinders or a combination which  
10 includes a power unit and a hay grinder when operated without cargo,  
11 (5) vehicles which run only on rails or tracks, (6) off-road designed  
12 vehicles not authorized by law for use on a highway, including, but  
13 not limited to, golf carts, ~~car vehicles,~~ go-carts, riding  
14 lawnmowers, garden tractors, all-terrain vehicles, utility-type  
15 vehicles, snowmobiles registered or exempt from registration under  
16 sections 60-3,207 to 60-3,219, and minibikes, (7) road and general-  
17 purpose construction and maintenance machinery not designed or used  
18 primarily for the transportation of persons or property, including,  
19 but not limited to, ditchdigging apparatus, asphalt spreaders, bucket  
20 loaders, leveling graders, earthmoving carryalls, power shovels,  
21 earthmoving equipment, and crawler tractors, (8) self-propelled  
22 chairs used by persons who are disabled, and (9) electric personal  
23 assistive mobility devices.

24           Sec. 11. Section 60-358.01, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

1           60-358.01 (1) Utility-type vehicle means any motorized  
2 off-highway vehicle which (a) is not less than forty-eight inches nor  
3 more than seventy-four inches in width, (b) is not more than one  
4 hundred thirty-five inches, including the bumper, in length, (c) has  
5 a dry weight of not less than nine hundred pounds nor more than two  
6 thousand pounds, (d) travels on four or more low-pressure tires, and  
7 (e) is equipped with a steering wheel and bench or bucket-type  
8 seating designed for at least two people to sit side-by-side.

9           (2) Utility-type vehicle does not include golf ~~carts~~car  
10 vehicles or low-speed vehicles.

11           Sec. 12. Section 60-471, Revised Statutes Supplement,  
12 2011, is amended to read:

13           60-471 Motor vehicle means all vehicles propelled by any  
14 power other than muscular power. Motor vehicle does not include (1)  
15 self-propelled chairs used by persons who are disabled, (2) farm  
16 tractors, (3) farm tractors used occasionally outside general farm  
17 usage, (4) road rollers, (5) vehicles which run only on rails or  
18 tracks, (6) electric personal assistive mobility devices as defined  
19 in section 60-618.02, and (7) off-road designed vehicles not  
20 authorized by law for use on a highway, including, but not limited  
21 to, ~~golf carts~~, go-carts, riding lawn mowers, garden tractors, all-  
22 terrain vehicles and utility-type vehicles as defined in section  
23 60-6,355, minibikes as defined in section 60-636, and snowmobiles as  
24 defined in section 60-663.

25           Sec. 13. Section 60-4,108, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           60-4,108 (1) It shall be unlawful for any person to  
3 operate a motor vehicle during any period that he or she is subject  
4 to a court order not to operate any motor vehicle for any purpose or  
5 during any period that his or her operator's license has been revoked  
6 or impounded pursuant to conviction or convictions for violation of  
7 any law or laws of this state, by an order of any court, or by an  
8 administrative order of the director. Except as otherwise provided by  
9 subsection (3) of this section or by other law, any person so  
10 offending shall (a) for a first such offense, be guilty of a Class II  
11 misdemeanor, and the court shall, as a part of the judgment of  
12 conviction, order such person not to operate any motor vehicle for  
13 any purpose for a period of one year from the date ordered by the  
14 court and also order the operator's license of such person to be  
15 revoked for a like period, ~~and~~ (b) for ~~each subsequent~~ a second or  
16 third such offense, be guilty of a Class II misdemeanor, and the  
17 court shall, as a part of the judgment of conviction, order such  
18 person not to operate any motor vehicle for any purpose for a period  
19 of two years from the date ordered by the court and also order the  
20 operator's license of such person to be revoked for a like period,  
21 and (c) for a fourth or subsequent such offense, be guilty of a Class  
22 I misdemeanor, and the court shall, as a part of the judgment of  
23 conviction, order such person not to operate any motor vehicle for  
24 any purpose for a period of two years from the date ordered by the  
25 court and also order the operator's license of such person to be

1 revoked for a like period. Such orders of the court shall be  
2 administered upon sentencing, upon final judgment of any appeal or  
3 review, or upon the date that any probation is revoked, whichever is  
4 later.

5           (2) It shall be unlawful for any person to operate a  
6 motor vehicle (a) during any period that his or her operator's  
7 license has been suspended, (b) after a period of revocation but  
8 before issuance of a new license, or (c) after a period of  
9 impoundment but before the return of the license. Except as provided  
10 in subsection (3) of this section, any person so offending shall be  
11 guilty of a Class III misdemeanor, and the court may, as a part of  
12 the judgment of conviction, order such person not to operate any  
13 motor vehicle for any purpose for a period of one year from the date  
14 ordered by the court, except that if the person at the time of  
15 sentencing shows proof of reinstatement of his or her suspended  
16 operator's license, proof of issuance of a new license, or proof of  
17 return of the impounded license, the person shall only be fined in an  
18 amount not to exceed one hundred dollars. If the court orders the  
19 person not to operate a motor vehicle for a period of one year from  
20 the date ordered by the court, the court shall also order the  
21 operator's license of such person to be revoked for a like period.  
22 Such orders of the court shall be administered upon sentencing, upon  
23 final judgment of any appeal or review, or upon the date that any  
24 probation is revoked, whichever is later.

25           (3) If a juvenile whose operator's license or permit has

1 been impounded by a juvenile court operates a motor vehicle during  
2 any period that he or she is subject to the court order not to  
3 operate any motor vehicle or after a period of impoundment but before  
4 return of the license or permit, such violation shall be handled in  
5 the juvenile court and not as a violation of this section.

6 Sec. 14. Section 60-4,110, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8 60-4,110 (1) Every motor vehicle, regardless of the  
9 registered owner of the motor vehicle, being operated by a person  
10 whose operator's license has been suspended, revoked, or impounded  
11 pursuant to a conviction or convictions for violation of section  
12 60-6,196, 60-6,197, 60-6,211.01, or 60-6,211.02 or by an order of any  
13 court or an administrative order of the director is hereby declared a  
14 public nuisance. The motor vehicle may be seized upon the arrest of  
15 the operator of the motor vehicle and impounded at the expense of the  
16 owner of the motor vehicle. If such operator's license is suspended,  
17 revoked, or impounded pursuant to subdivision (1)(c) of section  
18 60-4,108 or section 60-498.01, 60-498.02, 60-6,196, 60-6,197,  
19 60-6,211.01, or 60-6,211.02, the motor vehicle shall be impounded for  
20 not less than ten days nor more than thirty days. No motor vehicle  
21 impounded under this section shall be impounded for a period of time  
22 exceeding thirty days except as provided in subsection (3) of this  
23 section.

24 (2) Any motor vehicle impounded shall be released:

25 (a) To the holder of a bona fide lien on the motor

1 vehicle executed prior to such impoundment when possession of the  
2 motor vehicle is requested as provided by law by such lienholder for  
3 purposes of foreclosing and satisfying his or her lien on the motor  
4 vehicle;

5 (b) To the titled owner of the motor vehicle when the  
6 titled owner is a lessor. Upon learning the address or telephone  
7 number of the rental or leasing company which owns the motor vehicle,  
8 the impounding law enforcement agency shall immediately contact the  
9 company and inform it that the motor vehicle is available for the  
10 company to take possession; or

11 (c) To the registered owner, a registered co-owner, or a  
12 spouse of the owner upon good cause shown by an affidavit or  
13 otherwise to the court before which the complaint is pending against  
14 the operator that the impounded motor vehicle is essential to the  
15 livelihood of the owner, co-owner, or spouse or the dependents of  
16 such owner, co-owner, or spouse.

17 (3) Any person who, at the direction of a peace officer,  
18 tows and stores a motor vehicle pursuant to this section shall have a  
19 lien upon such motor vehicle while in his or her possession for  
20 reasonable towing and storage charges and shall have a right to  
21 retain such motor vehicle until such charges are paid.

22 (4) If the registered owner of a motor vehicle was not  
23 the operator of the motor vehicle whose actions caused the motor  
24 vehicle to be impounded, the registered owner of the motor vehicle  
25 may recover civilly from the operator of the motor vehicle all

1 expenses incurred by reason of the impoundment. In the case of a  
2 criminal action, the court may order such operator of the motor  
3 vehicle to pay restitution to the registered owner in an amount equal  
4 to any expenses incurred with respect to impoundment.

5 Sec. 15. Section 60-501, Revised Statutes Supplement,  
6 2011, is amended to read:

7 60-501 For purposes of the Motor Vehicle Safety  
8 Responsibility Act, unless the context otherwise requires:

9 (1) Department means Department of Motor Vehicles;

10 (2) Golf car vehicle means a vehicle that has at least  
11 four wheels, has a maximum level ground speed of less than twenty  
12 miles per hour, has a maximum payload capacity of one thousand two  
13 hundred pounds, has a maximum gross vehicle weight of two thousand  
14 five hundred pounds, has a maximum passenger capacity of not more  
15 than four persons, and is designed and manufactured for operation on  
16 a golf course for sporting and recreational purposes;

17 ~~(2)~~(3) Judgment means any judgment which shall have  
18 become final by the expiration of the time within which an appeal  
19 might have been perfected without being appealed, or by final  
20 affirmation on appeal, rendered by a court of competent jurisdiction  
21 of any state or of the United States, (a) upon a cause of action  
22 arising out of the ownership, maintenance, or use of any motor  
23 vehicle for damages, including damages for care and loss of services,  
24 because of bodily injury to or death of any person or for damages  
25 because of injury to or destruction of property, including the loss

1 of use thereof, or (b) upon a cause of action on an agreement of  
2 settlement for such damages;

3 ~~(3)~~ (4) License means any license issued to any person  
4 under the laws of this state pertaining to operation of a motor  
5 vehicle within this state;

6 ~~(4)~~ (5) Low-speed vehicle means a four-wheeled motor  
7 vehicle (a) whose speed attainable in one mile is more than twenty  
8 miles per hour and not more than twenty-five miles per hour on a  
9 paved, level surface, (b) whose gross vehicle weight rating is less  
10 than three thousand pounds, and (c) that complies with 49 C.F.R. part  
11 571, as such part existed on January 1, 2011;

12 ~~(5)~~ (6) Minitruck means a foreign-manufactured import  
13 vehicle or domestic-manufactured vehicle which (a) is powered by an  
14 internal combustion engine with a piston or rotor displacement of one  
15 thousand cubic centimeters or less, (b) is sixty-seven inches or less  
16 in width, (c) has a dry weight of four thousand two hundred pounds or  
17 less, (d) travels on four or more tires, (e) has a top speed of  
18 approximately fifty-five miles per hour, (f) is equipped with a bed  
19 or compartment for hauling, (g) has an enclosed passenger cab, (h) is  
20 equipped with headlights, taillights, turnsignals, windshield wipers,  
21 a rearview mirror, and an occupant protection system, and (i) has a  
22 four-speed, five-speed, or automatic transmission;

23 ~~(6)~~ (7) Motor vehicle means any self-propelled vehicle  
24 which is designed for use upon a highway, including trailers designed  
25 for use with such vehicles, minitrucks, and low-speed vehicles. Motor

1 vehicle does not include (a) mopeds as defined in section 60-637, (b)  
2 traction engines, (c) road rollers, (d) farm tractors, (e) tractor  
3 cranes, (f) power shovels, (g) well drillers, (h) every vehicle which  
4 is propelled by electric power obtained from overhead wires but not  
5 operated upon rails, (i) electric personal assistive mobility devices  
6 as defined in section 60-618.02, and (j) off-road designed vehicles,  
7 including, but not limited to, golf ~~carts~~, car vehicles, go-carts,  
8 riding lawnmowers, garden tractors, all-terrain vehicles and utility-  
9 type vehicles as defined in section 60-6,355, minibikes as defined in  
10 section 60-636, and snowmobiles as defined in section 60-663;

11 ~~(7)~~ (8) Nonresident means every person who is not a  
12 resident of this state;

13 ~~(8)~~ (9) Nonresident's operating privilege means the  
14 privilege conferred upon a nonresident by the laws of this state  
15 pertaining to the operation by him or her of a motor vehicle or the  
16 use of a motor vehicle owned by him or her in this state;

17 ~~(9)~~ (10) Operator means every person who is in actual  
18 physical control of a motor vehicle;

19 ~~(10)~~ (11) Owner means a person who holds the legal title  
20 of a motor vehicle, or in the event (a) a motor vehicle is the  
21 subject of an agreement for the conditional sale or lease thereof  
22 with the right of purchase upon performance of the conditions stated  
23 in the agreement and with an immediate right of possession vested in  
24 the conditional vendee or lessee or (b) a mortgagor of a vehicle is  
25 entitled to possession, then such conditional vendee or lessee or

1 mortgagor shall be deemed the owner for the purposes of the act;

2 ~~(11)~~ (12) Person means every natural person, firm,  
3 partnership, limited liability company, association, or corporation;

4 ~~(12)~~ (13) Proof of financial responsibility means  
5 evidence of ability to respond in damages for liability, on account  
6 of accidents occurring subsequent to the effective date of such  
7 proof, arising out of the ownership, maintenance, or use of a motor  
8 vehicle, (a) in the amount of twenty-five thousand dollars because of  
9 bodily injury to or death of one person in any one accident, (b)  
10 subject to such limit for one person, in the amount of fifty thousand  
11 dollars because of bodily injury to or death of two or more persons  
12 in any one accident, and (c) in the amount of twenty-five thousand  
13 dollars because of injury to or destruction of property of others in  
14 any one accident;

15 ~~(13)~~ (14) Registration means registration certificate or  
16 certificates and registration plates issued under the laws of this  
17 state pertaining to the registration of motor vehicles;

18 ~~(14)~~ (15) State means any state, territory, or possession  
19 of the United States, the District of Columbia, or any province of  
20 the Dominion of Canada; and

21 ~~(15)~~ (16) The forfeiture of bail, not vacated, or of  
22 collateral deposited to secure an appearance for trial shall be  
23 regarded as equivalent to conviction of the offense charged.

24 Sec. 16. Section 60-520, Revised Statutes Supplement,  
25 2011, is amended to read:

1                   60-520 Judgments in excess of the amounts specified in  
2 subdivision ~~(12)~~(13) of section 60-501 shall, for the purpose of the  
3 Motor Vehicle Safety Responsibility Act only, be deemed satisfied  
4 when payments in the amounts so specified have been credited thereon.  
5 Payments made in settlement of any claims because of bodily injury,  
6 death, or property damage arising from a motor vehicle accident shall  
7 be credited in reduction of the respective amounts so specified.

8                   Sec. 17. Section 60-547, Revised Statutes Supplement,  
9 2011, is amended to read:

10                   60-547 Proof of financial responsibility may be evidenced  
11 by the bond of a surety company duly authorized to transact business  
12 within this state, or a bond with at least two individual sureties  
13 who each own real estate within this state, which real estate shall  
14 be scheduled in the bond approved by a judge of a court of record.  
15 The bond shall be conditioned for the payment of the amounts  
16 specified in subdivision ~~(12)~~(13) of section 60-501. It shall be  
17 filed with the department and shall not be cancelable except after  
18 ten days' written notice to the department. Such bond shall  
19 constitute a lien in favor of the state upon the real estate so  
20 scheduled of any surety, which lien shall exist in favor of any  
21 holder of a final judgment against the person who has filed such  
22 bond, for damages, including damages for care and loss of services,  
23 because of bodily injury to or death of any person, or for damages  
24 because of injury to or destruction of property, including the loss  
25 of use thereof, resulting from the ownership, maintenance, use, or

1 operation of a motor vehicle after such bond was filed, upon the  
2 filing of notice to that effect by the department in the office of  
3 the register of deeds of the county where such real estate shall be  
4 located.

5           Sec. 18. Section 60-601, Revised Statutes Supplement,  
6 2011, is amended to read:

7           60-601 Sections 60-601 to 60-6,380 and sections 20 and 23  
8 of this act shall be known and may be cited as the Nebraska Rules of  
9 the Road.

10           Sec. 19. Section 60-605, Revised Statutes Supplement,  
11 2011, is amended to read:

12           60-605 For purposes of the Nebraska Rules of the Road,  
13 the definitions found in sections 60-606 to 60-676 and section 20 of  
14 this act shall be used.

15           Sec. 20. Golf car vehicle means a vehicle that has at  
16 least four wheels, has a maximum level ground speed of less than  
17 twenty miles per hour, has a maximum payload capacity of one thousand  
18 two hundred pounds, has a maximum gross vehicle weight of two  
19 thousand five hundred pounds, has a maximum passenger capacity of not  
20 more than four persons, is designed and manufactured for operation on  
21 a golf course for sporting and recreational purposes, and is not  
22 being operated within the boundaries of a golf course.

23           Sec. 21. Section 60-6,348, Revised Statutes Supplement,  
24 2011, is amended to read:

25           60-6,348 Minibikes and all off-road designed vehicles not

1 authorized by law for use on a highway, including, but not limited  
2 to, ~~golf carts,~~ go-carts, riding lawnmowers, garden tractors, and  
3 snowmobiles, shall be exempt from the provisions of sections 60-678,  
4 60-6,351 to 60-6,353, and 60-6,380 and section 23 of this act during  
5 any public emergency or while being used in parades by regularly  
6 organized units of any recognized charitable, social, educational, or  
7 community service organization.

8           Sec. 22. Section 60-6,349, Revised Statutes Supplement,  
9 2011, is amended to read:

10           60-6,349 All minibikes and similar two-wheeled, three-  
11 wheeled, and four-wheeled miniature vehicles offered for sale in this  
12 state shall bear the following notice to the customer and user: This  
13 vehicle as manufactured or sold is for off-road use only. This  
14 section shall not apply to a golf car vehicle or a low-speed vehicle,  
15 as applicable to its design, or to an electric personal assistive  
16 mobility device.

17           Sec. 23. (1) A city or village may adopt an ordinance  
18 authorizing the operation of golf car vehicles within the corporate  
19 limits of the city or village if the operation is on streets adjacent  
20 and contiguous to a golf course.

21           (2) A county board may adopt a resolution authorizing the  
22 operation of golf car vehicles within the county if the operation is  
23 on roads adjacent and contiguous to a golf course.

24           (3) Any person operating a golf car vehicle as authorized  
25 under this section shall have a valid Class O operator's license and

1 the owner of the golf car vehicle shall have liability insurance  
2 coverage for the golf car vehicle. The Department of Roads may  
3 prohibit the operation of golf car vehicles on any highway under its  
4 jurisdiction if it determines that the prohibition is necessary in  
5 the interest of public safety.

6 (4) For purposes of this section:

7 (a) Road means a public way for the purposes of vehicular  
8 travel, including the entire area within the right-of-way; and

9 (b) Street means a public way for the purposes of  
10 vehicular travel in a city or village and includes the entire area  
11 within the right-of-way.

12 Sec. 24. Section 60-6,355, Reissue Revised Statutes of  
13 Nebraska, is amended to read:

14 60-6,355 (1) For purposes of sections 60-6,355 to  
15 60-6,362:

16 (a) All-terrain vehicle means any motorized off-highway  
17 vehicle which (i) is fifty inches or less in width, (ii) has a dry  
18 weight of nine hundred pounds or less, (iii) travels on three or more  
19 low-pressure tires, (iv) is designed for operator use only with no  
20 passengers or is specifically designed by the original manufacturer  
21 for the operator and one passenger, (v) has a seat or saddle designed  
22 to be straddled by the operator, and (vi) has handlebars or any other  
23 steering assembly for steering control; and

24 (b)(i) Utility-type vehicle means any motorized off-  
25 highway vehicle which (A) is not less than forty-eight inches nor

1 more than seventy-four inches in width, (B) is not more than one  
2 hundred thirty-five inches, including the bumper, in length, (C) has  
3 a dry weight of not less than nine hundred pounds nor more than two  
4 thousand pounds, (D) travels on four or more low-pressure tires, and  
5 (E) is equipped with a steering wheel and bench or bucket-type  
6 seating designed for at least two people to sit side-by-side.

7 (ii) Utility-type vehicle does not include golf ~~carts~~car  
8 vehicles or low-speed vehicles.

9 (2) All-terrain vehicles and utility-type vehicles which  
10 have been modified to include additional equipment not required by  
11 sections 60-6,357 and 60-6,358 shall not be required to be registered  
12 under the Motor Vehicle Registration Act.

13 Sec. 25. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
14 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 27 of this act become  
15 operative on January 1, 2013. The other sections of this act become  
16 operative on their effective date.

17 Sec. 26. Original sections 60-4,108 and 60-4,110, Reissue  
18 Revised Statutes of Nebraska, are repealed.

19 Sec. 27. Original sections 60-102, 60-135.01, 60-358.01,  
20 and 60-6,355, Reissue Revised Statutes of Nebraska, and sections  
21 23-187, 60-101, 60-123, 60-301, 60-302, 60-339, 60-471, 60-501,  
22 60-520, 60-547, 60-601, 60-605, 60-6,348, and 60-6,349, Revised  
23 Statutes Supplement, 2011, are repealed.