

CHAPTER 3 – MOTOR VEHICLES AND BICYCLES

ARTICLE 1 – TRAFFIC REGULATIONS

SECTION 3-101: TERMS DEFINED

The words and phrases used in this ordinance pertaining to motor vehicles and traffic regulations shall be construed as defined in Chapter 60, Article 6 of the Nebraska Revised Statutes, as now existing or as hereafter amended, unless the context otherwise requires; and, if not so defined, the common meaning of such words and phrases shall prevail. ▫

SECTION 3-102: TRUCK ROUTES

The Village Board may, by resolution, designate certain streets in the Village as truck routes, restricting traffic for vehicles weighing in excess of ten tons. It shall be unlawful for persons operating such vehicles to travel on streets other than those designated for such vehicles unless to pick up or deliver goods, wares or merchandise, and in that event, the operator of such vehicle shall return to said truck routes as soon as possible in traveling through or about the Village. The Village Board shall cause notices to be posted or shall erect signs indicating the streets so designated as restricted routes. ▫

SECTION 3-103: TURNING, GENERALLY

Vehicles turning to the right into an intersecting street shall approach such intersection in the lane of traffic nearest to the right-hand side of the street and must turn the corner as near the right-hand curb as possible to keep between the curb to the right and the center of the intersection of the two streets. The driver of a vehicle intending to turn to the left shall approach such center line of the street, and in turning shall pass as near as possible to the center of the intersection, passing as closely as practicable to the right thereof before turning to the left. For the purposes of this section, the center of the intersection shall mean the meeting point of the medial lines of the streets intersecting one another. ▫

Source: Neb. Rev. Stat. §60-6,159

SECTION 3-104: TURNING; CAUTION

Before stopping, turning or changing the course of a vehicle, the operator of such vehicle shall see that there is sufficient space to make such movement in safety. If any pedestrian might be affected by such movement, the operator shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement, he/she shall give some other unmistakable signal to the drivers of all other vehicles of his/her intention to make such movement. ▫

SECTION 3-105: TURNING; "U" TURNS

No vehicle shall be turned so as to proceed in the opposite direction except at a street intersection. No vehicle shall be turned so as to proceed in the opposite direction at any intersection where an automatic signal is in operation, or where a sign is posted indicating that U turns are prohibited. ▫

SECTION 3-106: RIGHT OF WAY; GENERALLY

1. When two vehicles approach or enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right when the paths of such vehicles intersect and there is danger of a collision, unless otherwise directed by a law enforcement officer stationed at the intersection. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. The driver of a vehicle entering a village street from a private road or drive shall yield the right of way to all vehicles approaching on such streets. ▫

2. The driver of a vehicle on any street shall yield the right of way to a pedestrian crossing such street within any clearly marked crosswalk or at any regular pedestrian crossing at the end of a block where the movement of traffic is being regulated by traffic officers or traffic direction devices. Every pedestrian crossing a street at any point other than a pedestrian crossing, crosswalk or intersection shall yield the right of way to vehicles upon the street. ▫

Source: Neb. Rev. Stat. §60-6,146 through 60-6,154

SECTION 3-107: RIGHT OF WAY; EMERGENCY VEHICLES

Upon the approach of any authorized emergency vehicle which is operated on official business and the driver thereof sounds the siren or activates the vehicle's flashing emergency lights, every vehicle within one block of the route of such emergency vehicle shall immediately stop except at the time it is on or crossing a street intersection, in which event such vehicle shall clear the street intersection and then stop. Every vehicle along the route of such emergency vehicle shall immediately move to a position as near the right-hand curb as possible and remain there until such emergency vehicle has passed. ▫

SECTION 3-108: POSITION OF VEHICLE ON ROADWAY; GENERALLY

Upon all streets and highways of sufficient width, the driver of a vehicle shall drive on the right half of the roadway. In passing or meeting other vehicles, drivers shall give each other at least one-half of the main traveled portion of the roadway. ▫

Source: Neb. Rev. Stat. §60-6,131

SECTION 3-109: BACKING

The driver of a parked vehicle about to back up shall give moving vehicles the right of way. While backing, the driver shall exercise unceasing vigilance so as not to injure those behind. ▫

Source: Neb. Rev. Stat. §60-6,169

SECTION 3-110: DRIVING IN SIDEWALK SPACE

No motor vehicle, including motorcycles or scooters, shall be driven on any sidewalk or within any sidewalk space except on a driveway. ▫

Source: Neb. Rev. Stat. §60-6,178

SECTION 3-111: STOPS; MANDATORY

All vehicles, before crossing a sidewalk or emerging from a garage, alley or other place, shall come to a complete stop and, after giving sufficient warning, shall proceed slowly and with extreme caution while crossing such sidewalk or leaving such garage, alley or other place. The term "slowly" shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and amount of traffic thereon. ▫

SECTION 3-112: STOP SIGNS

Every person operating any vehicle, upon approaching any stop sign erected in accordance with ordinances prescribed herein, shall cause such vehicle to come to a complete stop with the front wheels of said vehicle even with said stop sign. ▫

Source: Neb. Rev. Stat. §60-6,123

SECTION 3-113: SIGNS, SIGNALS

The Village Board may, by resolution, provide for the placing of stop signs, restricted parking or other signs, signals, standards or mechanical devices in any street or alley for the purpose of regulating or prohibiting traffic and parking. Such resolution shall describe the portion of the street or alley wherein traffic is to be regulated or prohibited; details of the regulation or prohibition; the location where such sign, signal, standard or mechanical device shall be placed; and the hours when such regulation or prohibition shall be effective. It shall be unlawful for any person to fail, neglect or refuse to comply with such regulation or prohibition. The placement of such regulatory sign shall be prima facie evidence of the restricting resolution. ▫

SECTION 3-114: SPEED AND WEIGHT LIMITS

1. "Motor vehicle" shall be as defined in the Nebraska Department of Motor Vehicles and shall include, but not be limited to, all automobiles, cars, pickups, sport utility vehicles and trucks of all types. ▫

2. The Board of Trustees of the Village, by and through its agents, is authorized to erect and post mile-per-hour speed limit signs within the Village consistent with this article. No person shall operate a motor vehicle: ▫

- A. On Broad Street (also known as Highway 77) within the village limits at a speed in excess of 40 miles per hour, except as posted. ▫
- B. On Ridgeland Street between Broad Street and Hanson Street within the village limits at a speed in excess of 25 miles per hour. ▫
- C. On any street or alley in the Village other than Broad Street at a speed in excess of 25 miles per hour, except as otherwise posted. ▫

3. The Board of Trustees, by and through its agents, is authorized to erect and post weight limit signs within the Village consistent with this article. No person shall operate a motor vehicle which exceeds 10 tons gross vehicular weight on the following streets or portion of streets within the Village: ▫

- A. Main Street from Cloverly to River Road, also known as Hills Farms Road; ▫
- B. Cloverly Street from Broad Street to North Boulevard; ▫
- C. North Boulevard from Main Street to Ridgeland Road; and ▫
- D. Prospect Street from Main Street to Hanson Street. ▫

(Ord 289, 10/7/02)

SECTION 3-115: CARELESS DRIVING

Any person who drives a motor vehicle in the Village carelessly or without due caution so as to endanger any person or property shall be guilty of careless driving. ▫

Source: Neb. Rev. Stat. §60-6,212

SECTION 3-116: FUNERAL PROCESSIONS

No vehicle, except law enforcement or fire department vehicles when responding to emergency calls or orders, ambulances responding to emergency calls or vehicles carrying United States mail, shall be driven through a funeral procession or cortege except with the permission of a law enforcement officer. ▫

SECTION 3-117: GLASS, POINTED OBJECTS

No person shall throw, cast, lay or place upon any street any thorns, nails, tacks, glass, bottles, window glass or other articles made of or containing glass, and in case of an accident causing the breaking of any glass upon any street, the owner or person in charge of such glass or the person responsible for such breakage shall at once remove or cause the same to be removed from the street. ▫

SECTION 3-118: SIGNS; DEFACING OR INTERFERING WITH

It shall be unlawful for any person to willfully deface, injure, remove, obstruct or interfere with any official traffic sign or signal. ▫

Source: Neb. Rev. Stat. §60-6,129 to 60-6,139

SECTION 3-119: TRAFFIC OFFICERS

The Village Board may at any time detail officers, to be known as "traffic officers," at street intersections. All traffic officers shall be vested with the authority to regulate and control traffic at the intersections to which they are assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order or signal of any such traffic officer, notwithstanding the directive of a stop sign or signal device which may have been placed at any such intersection. ▫

Source: Neb. Rev Stat. §60-680, 60-683

SECTION 3-120: TRAFFIC; ENFORCEMENT

The sheriff's department or village traffic officers are hereby authorized, empowered and ordered to exercise all powers and duties with relation to the management of street traffic and, in the interest of public safety, health and convenience, to direct, control, stop, restrict, regulate, temporarily divert, or exclude the movement of pedestrian, animal and vehicular traffic of every kind in streets and parks and on bridges. The driver of any vehicle shall stop upon the signal of any law enforcement officer. ▫

Source: Neb. Rev. Stat. §60-683

SECTION 3-121: REFUSAL TO OBEY OFFICER

It shall be unlawful for any person to refuse or fail to comply with any lawful order, signal or direction of a law enforcement officer. ▫

SECTION 3-122: OVERLOADING FRONT SEAT OR OBSTRUCTING DRIVER'S VIEW OR DRIVING MECHANISM

No person shall drive a motor vehicle when it is so loaded, or when there is in the front such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or to interfere with the driver's control over such vehicle. No passenger in a vehicle shall ride in such a position as to interfere with the driver's control over such vehicle. ▫

SECTION 3-123: RIDING OUTSIDE VEHICLE

No person shall permit any other person to ride on the running board, hood, top, fenders, bumpers or outside step of any motor vehicle; nor shall any person ride on the running board, hood, top, fenders, bumpers or outside of any motor vehicle. ▫

SECTION 3-124: DRIVING ABREAST

Two or more vehicles shall not be driven abreast except when passing. ▫

SECTION 3-125: FOLLOWING; DISTANCE

The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles, traffic conditions and the condition of the street. ▫

SECTION 3-126: ENGINE BRAKING

It shall be and hereby is determined unlawful for any person in any part of the Village to make or cause to be made loud or disturbing noises with any mechanical device operated by compressed air and used for the purposes of assisting braking on any semi-tractor. Proper notices shall be posted by the Village notifying the public of such prohibition. ▫

SECTION 3-127: MUFFLER

Every motor vehicle operated within this village shall be provided with a muffler in good working order to prevent excessive or unusual noise. It shall be unlawful to use a "muffler cut-out" on any motor vehicle upon any street; provided, the provisions of this section shall not apply to authorized emergency vehicles. ▫

SECTION 3-128: LOADS; PROJECTING

When any vehicle shall be loaded in such a manner that any portion of the load extends more than four feet beyond the rear of the bed or the body of such vehicle, a red flag by day and a red light after sunset shall be affixed at the furthest projection of such load. ▫

SECTION 3-129: LOADS; SPILLING

All vehicles used for carrying coal, earth, sand, gravel, rock, asphalt, tar or any similar substance shall be so constructed as to prevent the sifting or spilling of any of the contents. ▫

ARTICLE 2 – ABANDONED VEHICLES

SECTION 3-201: TERMS DEFINED

1. No person, firm, partnership, association, corporation or organization of any kind shall abandon any vehicle, as defined by Nebraska Revised Statutes, within the Village. A motor vehicle shall be deemed to be an abandoned vehicle if left unattended: ▫

- A. With no number plates affixed thereto, for more than six hours on any public property; ▫
- B. For more than 24 hours on any public property, except any portion thereof on which parking is legally permitted; ▫
- C. For more than 48 hours, after the parking of such vehicle shall have become illegal if left on a portion of public property on which parking is legally permitted; ▫
- D. For more than seven days on private property if left initially without the permission of the owner, or after permission of the owner shall be terminated. ▫

2. No person in charge or control of any private property, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than seven continuous days. Any vehicle described in this paragraph shall be deemed to be an abandoned vehicle for purposes of this article. ▫

3. For purposes of this article, "public property" shall mean (A) any public right of way, street, highway, alley, park or other village-owned property. A vehicle in an enclosed building, appropriate storage pound or depository licensed by the Village, or owned and being restored or repaired with satisfactory progress being shown by the controller of the real property where said vehicle is located, is specifically excluded from this section. ▫

SECTION 3-202: ENFORCEMENT

The Village Board shall remove, or cause to be removed, any abandoned vehicle. Such vehicle shall be impounded until lawfully claimed or disposed of as provided in Section 3-204 hereafter; provided, any such abandoned vehicle which is located on private property shall not be removed or impounded until the Board has given written notice of intent to remove said abandoned vehicle ten days prior thereto to the property owner upon whose property said abandoned vehicle is located. The Board or its duly authorized agent may enter upon private property at all reasonable hours for the purpose of inspecting such abandoned vehicle, posting notice thereon and/or removing or impounding such abandoned vehicle. It shall be unlawful for any person to prevent the Board or its agent(s) from entering on private property for the purpose of carrying out such duties. Neither the owner, lessee or occupant of the premises from which any abandoned vehicle shall be removed nor the Village shall

be liable for any loss or damage to such abandoned vehicle which occurs during its removal, while in the possession of the Village, or as a result of any subsequent disposition. ▫

SECTION 3-203: NOTICE

1. Except for vehicles automatically becoming the property of the Village as set forth in Section 3-205 hereunder, the Board shall make an inquiry concerning the last registered owners of such abandoned vehicles as follows: ▫

- A. Abandoned vehicles with numbered plates affixed: to the jurisdiction which issued said plates; or ▫
- B. Abandoned vehicles with no numbered plates affixed: to the Department of Motor Vehicles. ▫

2. The Village Board shall notify the last registered owner, if any, that the vehicle in question has been recovered as an abandoned vehicle and that, if unclaimed, it will be sold at public auction after five days from the date that such notice was mailed. If the agency described in Subsection A or B of this section also notifies the Board that a lien or mortgage exists, such notice shall also be sent to the lien holder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of its removal and storage. In the event the owner does not appear within the time prescribed herein, or in the event that the owner cannot be determined, such abandoned vehicle shall be disposed of as hereinafter provided. ▫

SECTION 3-204: DISPOSITION

The Village Board shall sell said abandoned vehicle at public auction to the highest bidder within 60 days from the date that title to such abandoned vehicle is vested in the Village as provided in Section 3-205 hereafter. Such sale and the time and place thereof shall be advertised for one week in a newspaper of general circulation in the Village. Any proceeds from the sale of an abandoned vehicle, less any expenses incurred by the Village, shall be held by the Village without interest for the benefit of the owner of such abandoned vehicle for a period of two years. If not claimed within such two-year period, such proceeds shall be paid into the general fund of the Village. ▫

SECTION 3-205: TRANSFER OF TITLE

If an abandoned vehicle at the time of abandonment has no numbered plates of the current year affixed and is of a wholesale value of \$250.00 or less, taking into consideration the vehicle's condition as determined by the Village Board, title shall immediately vest in the Village and the Board is not required to follow Section 3-203 herein. With respect to those abandoned vehicles governed by Section 3-203 herein, title to such vehicles, if unclaimed, shall vest in the Village five days from the date the notice referred to therein is mailed or, if the last registered owner cannot be

determined, when notice of that fact is received by the Board. Upon the sale of an abandoned vehicle at auction, the Village shall furnish the purchaser with the requisite affidavit to provide to the county clerk where the vehicle was last registered as proof that said vehicle was abandoned and became the property of the Village prior to the sale. ▫

SECTION 3-206: PENAL PROVISIONS

Any person who violates any of the prohibitions or provisions of this article shall be deemed guilty of a misdemeanor and fined in a sum not to exceed \$500.00. ▫

Source: Neb. Rev. Stat. §60-1901 through 60-1911

ARTICLE 3 – PARKING

SECTION 3-301: DEFINITIONS

For the purposes of this article, the following definitions shall apply: ▫

“Snow emergency” shall mean the condition declared by the village chairman or his agent after six inches of snow has fallen, as verified by the local weather reporting station. ▫

“Vehicle” shall mean any apparatus, whether motorized or not, used to transport people or cargo between points. This definition includes snowmobiles, automobiles, trucks, pickups, boats, boat trailers, trailers, campers, recreational vehicles, off-road vehicles, and the like. ▫

SECTION 3-302: PARKING; GENERALLY

No person shall park any vehicle or approach the curb with a vehicle except when headed in the direction of the traffic. Vehicles, when parked, shall stand parallel with and adjacent to the curb in such manner as to have both right wheels within 12 inches of the curb and so as to leave at least four feet between the vehicle so parked and any other parked vehicle. Where stalls are designated either on the curb or pavement, vehicles shall be parked within such stalls. No vehicle shall be parked upon a roadway when there is a shoulder adjacent to the roadway which is available for parking. No person shall park a vehicle so as to obstruct a private driveway or drive for any period of time. No person shall park a vehicle, or permit it to stand, within 15 feet in either direction from the entrance of any fire station. ▫

Source: Neb. Rev. Stat. §60-680, 60-6,167

SECTION 3-303: PARKING; AREAS

The Village Board may, by resolution, set aside and post any street, alley, public way or portion thereof for the parking of any particular kind or class of vehicle. Where the parking of vehicles has been prohibited by resolution, no vehicle prohibited from parking thereon shall stand or be parked adjacent to the curb of said street, alley, public way or portion thereof longer than a period of time necessary to load and unload freight or passengers. The placement of "no parking" or restricted parking signs shall be prima facie evidence of the restricting resolution. ▫

SECTION 3-304: BUSINESS DISTRICT UNLOADING

It shall be unlawful for the operator of any truck with an overall length of more than 20 feet to stop or park any such vehicle on a street which the Village Board has designated to be within the business district, except to load or unload, and then only when loading or unloading in an alley is impossible. Vehicles may stop or stand for a period of time not to exceed what is reasonably necessary to load or unload. It shall be unlawful for the operator of any truck, regardless of length, to park said vehicle within a street intersection, on a crosswalk, in front of a private driveway, or on

a sidewalk. The Village Board may, by resolution, provide truck parking areas adjoining or adjacent to the business district, and when such parking areas are provided, it shall be the duty of all truck operators to use such parking areas for all parking purposes. ▫

SECTION 3-305: UNLOADING; FREIGHT VEHICLES

Vehicles having an overall length of less than 20 feet, including load, while discharging freight may back to the curb but shall occupy as little of the street as possible. ▫

SECTION 3-306: OBSTRUCTING TRAFFIC

Except in case of an accident or emergency, no vehicle shall stop within any street intersection or alley entrance, or any location where it obstructs any street, crosswalk or alley entrance. ▫

Source: Neb. Rev. Stat. §60-680

SECTION 3-307: OBSTRUCTING ALLEY

No vehicle, while parked, shall have any portion thereof projecting into any alley entrance. ▫

SECTION 3-308: SCHOOLS, THEATERS

The Village Board may, by resolution, prohibit the parking or stopping of vehicles at the curb on streets directly in front of any entrance to a school building, fire station or theater, and if such parking shall be prohibited by resolution, such curbs adjacent to the entrance of said school building, fire station or theater shall be painted red to indicate such prohibition. ▫

SECTION 3-309: DISPLAY OR REPAIR OF VEHICLES

It shall be unlawful for any person to park on any street, alley or public place within this village any vehicle displayed for sale. No person shall adjust or repair any automobile or motorcycle or race the motor of same while such vehicle stands on the public streets or alleys of this village except in case of breakdown or other emergency. No person or employee connected with a garage or repair shop shall use sidewalks, streets or alleys in the vicinity of such garage or shop for the purpose of working on automobiles or vehicles of any description. ▫

SECTION 3-310: EMERGENCY VEHICLES

The provisions of this article regulating the movement, parking and standing of vehicles shall not apply to authorized emergency vehicles, as defined in this article, while the driver of such vehicle is operating the same in an emergency in the necessary performance of public duties. ▫

SECTION 3-311: SNOW REMOVAL AND MAINTENANCE

The village police shall have the power to order any street or alley, or portion thereof, vacated for weather emergencies or street maintenance. Notice shall be given by personally notifying the owner or operator of a vehicle parked on such street or alley or by posting appropriate signs along such streets or alleys. Any person parking a vehicle in violation of this section shall be subject to the penalties provided in this chapter, and such vehicle may be removed and parked under the supervision of the village police to a suitable nearby location without further notice to the owner or operator of such vehicle. ▫

SECTION 3-312: SNOW EMERGENCY

Whenever a snow emergency is declared, it shall be unlawful to leave vehicles parked on village streets for more than six hours after such emergency has been declared. ▫

SECTION 3-313: REMOVAL OF ILLEGALLY PARKED VEHICLES

1. Whenever any law enforcement officer shall find a vehicle standing upon a street or alley in violation of any of the provisions of this article, such officer may remove or have such vehicle removed or require the driver or other person in charge of the vehicle to move such vehicle to a position off the roadway of such street or alley or from such street or alley. ▫

2. The owner or other person lawfully entitled to the possession of any vehicle towed or stored shall be charged with the reasonable cost of towing and storage fees. Any such towing or storage fee shall be a lien upon the vehicle prior to all other claims. Any person towing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid. The lien provided for in this section shall not apply to the contents of any vehicles. ▫

SECTION 3-314: FIRE HYDRANTS

No vehicle shall be parked within 15 feet in either direction of any fire hydrant. The curb space within such area of 15 feet in either direction of such fire hydrant shall be painted red to indicate such prohibition. ▫

Source: Neb. Rev. Stat. §60-6,166

SECTION 3-315: FIRE DEPARTMENT GARAGE

It shall be unlawful to park any vehicle in front of the Fire Department garage or to otherwise obstruct emergency vehicle access from and to the garage. ▫

SECTION 3-316: TIME LIMIT

It shall be unlawful to leave vehicles parked on village streets for more than 24 hours, regardless of conditions.

SECTION 3-317: TRUCK PARKING

It shall be unlawful to park any truck with a gross weight of seven tons or greater on any streets or rights of way in areas prohibiting truck parking, designated by signs stating "No Truck Parking." ▫

SECTION 3-318: RESTRICTED PARKING ADJACENT TO VILLAGE HALL

1. It shall be unlawful for any person to park a motor vehicle for more than two hours in any parking area adjacent to the Village Hall. "Parking areas adjacent to Village Hall" means all parking areas (A) on the north side of Boulevard Street located in the first 190 feet west of the intersection of Park Avenue and Boulevard Street, and (B) on the west side of Park Avenue located in the first 120 feet north of the intersection of Park Avenue and Boulevard Street. ▫

2. It shall be unlawful for any person to park a motor vehicle overnight in any parking areas adjacent to the Village Hall as defined in subsection 1. ▫

3. The Board of Trustees, by and through its agents, is authorized to erect and post two-hour and no-overnight parking signs within the area adjacent to the Village Hall, consistent with this section. ▫
(Ord. 263)

ARTICLE 4 – BICYCLES, MOTORCYCLES, MINI-BIKES, MOPEDS, SNOWMOBILES AND ALL-TERRAIN VEHICLES

SECTION 3-401: BICYCLE OPERATION

1. No person shall ride or propel a bicycle on a street or other public highway of this village with another person on the handlebars or in any position in front of the operator. ▫

2. No bicycle shall be ridden faster than is reasonable and proper, but every bicycle shall be operated with reasonable regard to the safety of the operator and any other persons upon the streets and public highways. ▫

3. Persons riding bicycles shall observe all traffic signs and stop at all stop signs. ▫

4. No bicycle shall be permitted on any street or other public highway from one-half hour after sunset to one-half hour before sunrise without a firmly attached headlight which is visible under normal atmospheric conditions from the front thereof for not less than 500 feet. The said headlight shall emit a clear, white light and shall be turned on when such bicycle is ridden during the hours stated above. Such bicycle shall also be equipped with a yellow or red light reflector attached to and visible 500 feet from the rear thereof. ▫

5. No person shall ride or propel a bicycle upon any street or other public highway abreast of more than one other person riding or propelling a bicycle. ▫

6. Every person riding or propelling a bicycle upon any street or other public highway shall observe all traffic rules and regulations applicable thereto, turning only at intersections, signaling for all turns, riding at the right-hand side of the street or highway and passing to the left when overtaking vehicles and individuals that are slower moving. ▫

7. No person shall park a bicycle on any sidewalk unless a bicycle stand is located on said sidewalk. ▫

Source: Neb. Rev. Stat. §60-6,315, 60-6,317, 60-6,318

SECTION 3-402: CLINGING TO MOTOR VEHICLE

No person riding upon any bicycle, roller skates, mini-bike, motorcycle, coaster, sled, skis or toy vehicle shall attach the same or himself/herself to any moving vehicle upon any roadway, and it shall be unlawful for the driver of any vehicle to suffer or permit any person traveling upon any bicycle, roller skates, mini-bike, motorcycle, coaster, sled, skis or toy vehicle to cling to or attach himself/herself or his/her bicycle, roller skates, mini-bike, motorcycle, coaster, sled, skis or toy vehicle to such vehicle so driven and operated by him/her. ▫

Source: Neb. Rev. Stat. §60-6,316

SECTION 3-403: MOTORCYCLE OPERATION

1. Any person who operates a motorcycle shall have all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this chapter. ▫

2. Any person who operates a motorcycle shall ride only upon a permanent and regular seat attached thereto and shall not carry any other person, nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle to the rear or side of the operator. ▫

3. Any person shall ride upon a motorcycle only while sitting astride the seat, facing forward. ▫

4. No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him/her from keeping both hands on the handlebars. ▫

5. No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator. ▫

6. A motorcycle shall be entitled to full use of a traffic lane of any highway, and no vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of such lane. This subsection shall not apply to motorcycles operated two abreast in a single lane. ▫

7. The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken. ▫

8. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles. ▫

9. Motorcycles shall not be operated more than two abreast in a single lane. ▫

10. Subsections 7 and 8 of this section shall not apply to police officers in the performance of their official duties. ▫

Source: Neb. Rev. Stat. §60-6,307, 60-6,308

SECTION 3-404: MOTORCYCLE; LIGHTS

No person shall ride a motorcycle upon the streets, alleys or highways from one half hour after sunset to one half hour before sunrise unless the same shall be equipped with: (A) at least one and not more than two headlights, plainly visible from the front; and (B) a light on the rear exhibiting a red light visible under normal atmospheric conditions from a distance of at least 500 feet to the rear thereof; provided,

said lamps shall comply with the requirements and limitations of the statutes of the State of Nebraska. ▫

SECTION 3-405: MINI-BIKES; UNLAWFUL OPERATION

It shall be unlawful for any person to operate a mini-bike upon any street or highway within the corporate limits of the Village. For purposes of this article, "mini-bike" shall mean a two-wheeled motor vehicle which has a total wheel and tire diameter of less than 14 inches or an engine rated capacity of less than 45 cubic centimeters displacement, or any other two-wheeled motor vehicle primarily designed by the manufacturer for off-road use only. ▫

Source: Neb. Rev. Stat. §60-6,353

SECTION 3-406: MINI-BIKES; EMERGENCIES AND PARADES

Mini-bikes shall be exempt from the provisions of this article during any public emergency or while being used in parades by regularly organized units of any recognized charitable, social, educational or community service organization. ▫

Source: Neb. Rev. Stat. §60-6,348

SECTION 3-407: MINI-BIKES; PUBLIC LANDS

Mini-bikes shall be prohibited upon the public lands owned by the Village, except where allowed by resolution of the Village Board. ▫

Source: Neb. Rev. Stat. §60-6,352

SECTION 3-408: MINIBIKES; TRAFFIC LAWS INAPPLICABLE

The provisions of Chapter 60, Articles 1, 3, 4, and 5 of the Nebraska Revised Statutes shall not be applicable to the owners and operators of any mini-bike. ▫

Source: Neb. Rev. Stat. §60-6,347

SECTION 3-409: MOPEDS; DEFINED

For the purposes of this article, "moped" shall mean a bicycle with fully operative pedals for propulsion by human power, an automatic transmission and a motor with a cylinder capacity not exceeding 50 cubic centimeters, which produces no more than two brake horsepower and is capable of propelling the bicycle at a maximum design speed of no more than 30 miles per hour on level ground. mopeds, their owners and their operators shall be subject to Chapter 60, Article 4, Nebraska Revised Statutes and amendments thereto, but shall be exempt from the requirements of Chapter 60, Articles 1, 3, and 5, Nebraska Revised Statutes and amendments thereto. ▫

Source: Neb. Rev. Stat. §60-6,309

SECTION 3-410: MOPEDS; OPERATOR'S LICENSE REQUIRED

No person shall operate a moped upon the streets, alleys or public highways of the Village unless such person has a valid motor vehicle operator's license or a valid school or learner's permit. ▫

Source: Neb. Rev. Stat. §60-6,310

SECTION 3-411: MOPEDS; TRAFFIC REGULATIONS APPLICABLE

Any person who rides a moped upon a roadway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle under Chapter III of this code and Sections 39-601 to 39-6,122, Nebraska Revised Statutes and amendments thereto, except for those provisions of such sections which by their nature can have no application. Such regulations applicable to mopeds shall apply whenever a moped shall be operated upon any street, alley or public highway within the Village or upon any path set aside by the Department of Roads or local authority for the use of mopeds. Notwithstanding any established maximum speed limits in excess of 25 miles per hour, no person shall operate any moped at a speed in excess of 30 miles per hour. ▫

Source: Neb. Rev. Stat. §60-6,311

SECTION 3-412: MOPEDS; OPERATION

1. Any person who operates a moped shall ride only upon a permanent and regular seat attached thereto and shall not carry any other person, nor shall any other person ride on a moped unless such moped is designed by the manufacturer to carry more than one person. ▫

2. Any person shall ride a moped only while sitting astride the seat, facing forward. Further, no person shall operate a moped while carrying any package, bundle or other article which prevents him/her from keeping both hands on the handlebars. No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the moped or the view of the operator. No person who rides upon a moped shall attach himself/herself or the moped to any other vehicle on a roadway. ▫

Source: Neb. Rev. Stat. §60-6,312

SECTION 3-413: MOPEDS; USE OF TRAFFIC LANES

A moped shall be entitled to full use of a traffic lane of any street or highway with an authorized speed limit of 45 miles per hour or less and no vehicle shall be operated in such a manner as to deprive any moped of the full use of such lane. This section shall not apply to mopeds or motorcycles operated two abreast in a single lane. No person shall operate a moped between lanes of traffic or between adjacent lines or rows of vehicles. Mopeds shall not be operated more than two abreast in a single lane. Any person who operates a moped on a roadway with an authorized speed limit of more than 45 miles per hour shall ride as near to the right side of the roadway as practicable and shall not ride more than single file. ▫

Source: Neb. Rev. Stat. §60-6,313

SECTION 3-414: MOPEDS; EQUIPMENT

Any moped which carries a passenger shall be equipped with footrests for such passenger. No person shall operate any moped with handlebars more than 15 inches above the mounting point of the handlebars. ▫

Source: Neb. Rev. Stat. §60-6,312

SECTION 3-415: SNOWMOBILES; EQUIPMENT

Every snowmobile operated within the Village shall be registered with the State of Nebraska as required by law and shall be equipped as required by state statutes. ▫

SECTION 3-416: SNOWMOBILES; UNLAWFUL ACTS

It shall be deemed a misdemeanor for any person to allow a snowmobile, either owned or operated by him/her, to be operated: ▫

1. Within the Village unless weather conditions are such that it provides the only practicable method of safe vehicular travel, or said snowmobile is engaged in responding to an emergency. ▫

2. At a rate of speed greater than reasonable or proper under the surrounding circumstances. ▫

3. In a careless, reckless or negligent manner so as to endanger person or property. ▫

4. Without a lighted headlight and taillight when such would be required by conditions. ▫

5. In any tree nursery or planting in a manner which damages or destroys growing stock. ▫

6. Upon any private lands without first having obtained permission of the owner, lessee or operator of such lands. ▫

Source: Neb. Rev. Stat. §60-6,337

SECTION 3-417: SNOWMOBILES; STREETS

The operation of snowmobiles on any village street or other public property owned by the Village, except in times of a snow emergency as defined herein, is prohibited. A "snow emergency" is defined to be that time during and immediately following snowfall within the Village when two-wheel-drive vehicular travel is not possible and the Village's snow removal crew has not commenced removal of snow from village streets and alleys. ▫

SECTION 3-418: SNOWMOBILES; REGISTRATION

All snowmobiles used for transportation purposes during times of snow emergency shall be registered with the State of Nebraska as required by law and shall be equipped with at least one headlight, one taillight, reflective material of a minimum area of 16 square inches mounted on each side forward of the handlebars, and with brakes as prescribed by the Department of Motor Vehicles. In addition, all laws applicable to the operation of other motor vehicles shall apply to snowmobiles except those relating to required equipment and those which, by their nature, have no application. ▫

SECTION 3-419: ALL-TERRAIN VEHICLES; DEFINED

1. As used in this article, unless the context otherwise requires, "all-terrain vehicle" shall mean any motorized off-highway vehicle which (A) is 50 inches or less in width; (B) has a dry weight of 600 pounds or less; (C) travels on three or more low pressure tires; (D) is designed for operator use only with no passengers; (E) has a seat or saddle designed to be straddled by the operator; and (F) has handlebars or any other steering assembly for steering control. ▫

2. All-terrain vehicles which have been modified to include additional equipment not required by Section 3-421 and 3-422 of this article shall not be registered under Chapter 60, Article 3. ▫

Source: Neb. Rev. Stat. §60-2801

SECTION 3-420: ALL-TERRAIN VEHICLES; OPERATION

1. Except as provided in subsections 2 through 4 of this section, an all-terrain vehicle shall not be operated on any street, road or highway within the Village. The crossing of any controlled-access highway shall not be permitted. ▫

2. The crossing of a street, road or highway shall be permitted only if: ▫

- A. The crossing is made at an angle of approximately 90 degrees to the direction of the street, road or highway and at a place where no obstruction prevents a quick and safe crossing; ▫
- B. The vehicle is brought to a complete stop before crossing the shoulder or roadway of the street, road or highway; ▫
- C. The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard; ▫
- D. In crossing a divided street, road or highway, the crossing is made only at an intersection of such street, road or highway with another street, road or highway; and ▫

- E. Both the headlight and taillight of the vehicle are on when the crossing is made. ▫

3. An all-terrain vehicle may be operated on a street, road or highway when such operation occurs only between the hours of sunrise and sunset and such operation is incidental to the vehicle's use for agricultural purposes. Any person operating an all-terrain vehicle on a street, road or highway shall have a valid Class O operator's license or a farm permit as provided in Neb. Rev. Stat. §60-4,126 and shall not operate such vehicle at a speed in excess of 30 miles per hour. When operated on a street, road or highway, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above the ground, attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be in a Day-Glo color. ▫

4. All-terrain vehicles may be operated on streets, roads or highways in parades which have been authorized by the State of Nebraska or the Village. ▫
Source: Neb. Rev. Stat. §60-6,356

SECTION 3-421: ALL-TERRAIN VEHICLES; HEADLIGHTS

Every all-terrain vehicle shall display a lighted headlight and taillight during the period of time from one-half hour after sunset to one-half hour before sunrise and at any time when visibility is reduced due to insufficient light or unfavorable atmospheric conditions. ▫

Source: Neb. Rev. Stat. §60-2803

SECTION 3-422: ALL-TERRAIN VEHICLES; EQUIPMENT, REQUIREMENT

Every all-terrain vehicle shall be equipped with: ▫

1. A brake system maintained in good operating condition; ▫
2. An adequate muffler system in good working condition; and ▫
3. A United States Forest Service qualified spark arrester. ▫

Source: Neb. Rev. Stat. §60-2804

SECTION 3-423: ALL-TERRAIN VEHICLES; PROHIBITIONS

No person shall:

1. Equip the exhaust system of an all-terrain vehicle with a cutout, bypass or similar device. ▫
2. Operate an all-terrain vehicle with an exhaust system so modified; or ▫

3. Operate an all-terrain vehicle with the spark arrester removed or modified except for use in closed-course competition events. ▫

Source: Neb. Rev. Stat. §60-2805

SECTION 3-424: ALL-TERRAIN VEHICLES; COMPETITION

All-terrain vehicles participating in competitive events may be exempted from Sections 3-421 to 3-423 of this article at the discretion of the Department of Motor Vehicles. ▫

Source: Neb. Rev. Stat. §60-2807

SECTION 3-425: ALL-TERRAIN VEHICLES; ACCIDENT REPORT

If an accident results in the death of any person or in the injury of any person which requires treatment by a physician, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident in the same manner provided in Neb. Rev. Stat. §60-505. ▫

Source: Neb. Rev. Stat. §60-2807

SECTION 3-426: ALL-TERRAIN VEHICLES; PENALTY

Any violation of Section 3-420 to 3-425 of this article which is also a violation under Chapter 39 or Chapter 60 of Nebraska Revised Statutes may be punished under the penalty provisions of such chapter. ▫

Source: Neb. Rev. Stat. §60-2808

SECTION 3-427: ALL-TERRAIN VEHICLES; ENFORCEMENT

Any law enforcement officer of the State or of any political subdivision, including conservation officers of the Game and Parks Commission, shall be charged with the enforcement of the provisions of Sections 3-420 to 3-425 of this article. ▫

ARTICLE 5 – PENAL PROVISION

SECTION 3-501: VIOLATION; PENALTY

Any and all persons violating any of the provisions of the several articles of this chapter for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not more than \$500.00. Each day that maintenance of the same continues shall constitute a separate offense. ▫

