

CHAPTER 71: TRAFFIC REGULATIONS

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GENERAL PROVISIONS

§ 71.01 PROHIBITIONS ON OPERATION OF VEHICLES.

(A) The City Council may by ordinance or resolution prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles, for a total period not to exceed 90 days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which the City Council is responsible whenever any highway by reason of deterioration, rain, snow or other climatic condition will be seriously damaged or destroyed unless the use of vehicles

thereon is prohibited or the permissible weight thereof reduced. The City Council shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected thereby, and the ordinance or resolution shall not be effective until the signs are erected and maintained.

(B) The City Council may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on the highways.
(Neb. RS 60-681) (1999 Code, § 5-201)

§ 71.02 TRAFFIC LANES; DESIGNATION.

The governing body may, by resolution, mark lanes for traffic on street pavements at those places as it may deem advisable.
(1999 Code, § 5-202)

§ 71.03 ARTERIAL STREETS; DESIGNATION.

The governing body may, by resolution, designate any street or portion thereof as an arterial street and shall provide for appropriate signs or markings when that street has been so designated.
(1999 Code, § 5-203)

§ 71.04 CROSSWALKS.

The governing body may, by resolution, establish and maintain, by appropriate devices, markers or lines upon the street, crosswalks at intersections where there is particular danger to pedestrians crossing the street, and at other places as it may deem necessary.
(1999 Code, § 5-204)

§ 71.05 SIGNS; SIGNALS.

The City Council shall place and maintain traffic control devices upon highways under its jurisdiction as it deems necessary to indicate and to carry out the provisions of this title or to regulate, warn or guide traffic. All traffic control devices erected pursuant to this title shall conform with the *Manual*.
(1999 Code, § 5-205)

§ 71.06 SPEED LIMITS.

(A) *Basic rule.* No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. A person shall drive at a safe and appropriate speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.
(Neb. RS 60-6,185)

(B) *Maximum limits.*

(1) Except when a special hazard exists that requires lower speed for compliance with division (A) above, the limits set forth in this division (B)(1) and Neb. RS 60-6,187, 60-6,188, 60-6,305 and 60-6,313 shall be the maximum lawful speeds unless reduced pursuant to division (B)(2) below, and no person shall drive a vehicle on a highway at a speed in excess of these maximum limits:

- (a) Twenty-five mph in any residential district;
- (b) Twenty mph in any business district;
- (c) Fifty mph upon any highway that is not dustless surfaced and not part of the state highway system;
- (d) Fifty-five mph upon any dustless-surfaced highway not a part of the state highway system; and
- (e) Sixty mph upon any part of the state highway system other than an expressway or a freeway, except that the State Department of Roads may, where existing design and traffic conditions allow, according to an engineering study, authorize a speed limit five mph greater.

(2) The maximum speed limits established in division (B)(1) above may be reduced by the Department of Roads or the City Council pursuant to division (C) below or Neb. RS 60-6,188.

(3) The City Council may erect and maintain suitable signs along highways under its jurisdiction in a number and at those locations as it deems necessary to give adequate notice of the speed limits established pursuant to division (B)(1) or (B)(2) above upon those highways.
(Neb. RS 60-6,186)

(C) *Alternative maximum limits.*

(1) Whenever the Department of Roads determines, upon the basis of an engineering and traffic investigation, that any maximum speed limit is greater or less than is reasonable or safe under the conditions found to exist at any intersection, place or part of the state highway system outside of the corporate limits of cities and villages as well as inside the corporate limits of cities and villages on

freeways which are part of the state highway system, it may determine and set a reasonable and safe maximum speed limit for that intersection, place or part of the highway which shall be the lawful speed limit when appropriate signs giving notice thereof are erected at that intersection, place or part of the highway, except that the maximum rural and freeway limits shall not be exceeded. A maximum speed limit may be set to be effective at all times or at those times as are indicated upon the signs.

(2) On all highways within its corporate limits, except on state-maintained freeways which are part of the state highway system, the City Council shall have the same power and duty to alter the maximum speed limits as the Department if the change is based on engineering and traffic investigation, except that no imposition of speed limits on highways which are part of the state highway system in the city shall be effective without the approval of the Department.

(3) Not more than six speed limits shall be set per mile along a highway, except in the case of reduced limits at intersections, and the difference between adjacent limits shall not be more than 20 mph.

(4) When the Department or the City Council determines by an investigation that certain vehicles in addition to those specified in Neb. RS 60-6,187, 60-6,305 and 60-6,313 cannot with safety travel at the speeds provided in divisions (A) and (B) above and Neb. RS 60-6,187, 60-6,305 and 60-6,313 or set pursuant to division (B) above, this division (C)(4) or Neb. RS 60-6,188, the Department or the City Council may restrict the speed limit for those vehicles on highways under its respective jurisdiction and post proper and adequate signs.

(Neb. RS 60-6,190)

(1999 Code, § 5-206) Penalty, see § 70.99

§ 71.07 CARELESS DRIVING.

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

(1999 Code, § 5-207) Penalty, see § 71.99

Statutory reference:

Authority or similar provisions, see Neb. RS 60-6,212

§ 71.08 GOLF CARTS; OPERATION AND USE; HOURS AND REQUIREMENTS.

The operation of golf carts upon the public streets and rights-of-way within the city limits is authorized only in those areas which are zoned as residential areas. Golf carts shall be operated only between the hours of sunrise to sunset. Golf cart operation shall further be allowed only by use of the most direct route between the Friend Country Club and the place of permanent storage of the golf cart, and no operation for any other purpose of transportation shall be allowed. The operator of the golf cart shall be at least 16 years of age and hold a driver's license valid within the state, or be at least 14 years of age; provided that the operator of that age shall be accompanied in the golf cart by a person of at least 21 years of age who holds a driver's license valid within the state. Any golf cart operating outside the permitted hours of sunrise to sunset shall be equipped with head lights and tail lights in compliance with

Neb. RS 60-6,219. All golf carts operated as above permitted shall at all times be subject to the Nebraska Rules of the Road which are applicable to the operation and use of motor vehicles.
(1999 Code, § 5-210) (Ord. 01-564, passed 6-5-2001)

Statutory reference:

Authority or similar provisions, see Neb. RS 60-678

§ 71.09 ACCIDENT; DRIVER'S DUTIES.

(A) (1) Except as provided in division (A)(2) below, the driver of any vehicle involved in an accident either upon a public highway, private road or private drive, resulting in damage to property, shall:

(a) Immediately stop the vehicle at the scene of the accident; and

(b) Give his or her name, address, telephone number and operator's license number to the owner of the property struck or the driver or occupants of any other vehicle involved in the collision.

(2) The driver of any vehicle involved in an accident either upon a public highway, private road or private drive, resulting in damage to an unattended vehicle or property, shall immediately stop the vehicle and leave in a conspicuous place in or on the unattended vehicle or property a written notice containing the information required by division (A)(1) above. In addition, the driver shall, without unnecessary delay, report the collision, by telephone or otherwise, to an appropriate peace officer.

(B) The driver of any vehicle involved in an accident upon either a public highway, private road or private drive, resulting in injury or death to any person, shall:

(1) Immediately stop the vehicle at the scene of the accident;

(2) Give his or her name and address and the registration number of the vehicle and exhibit his or her operator's license to the person struck or the driver or occupants of any vehicle collided with; and

(3) Render to any person injured in the accident reasonable assistance, including the carrying of the person to a physician or surgeon for medical or surgical treatment if it is apparent that treatment is necessary or is requested by the injured person.

(1999 Code, § 5-211) (Ord. 02-593, passed 12-4-2002) Penalty, see § 71.99

Statutory reference:

Similar provisions, see Neb. RS 60-696, 60-697

SCHOOL CROSSING ZONES**§ 71.20 DESIGNATION.**

(A) Neb. RS 60-682.01 provides fines for operating a motor vehicle in violation of authorized speed limits and states that the fines are doubled if the violation occurs within a school crossing zone.

(B) Neb. RS 60-6,134.01 makes it unlawful for a person operating a motor vehicle to overtake and pass another vehicle in a school crossing zone in which the roadway has only one lane of traffic in each direction and provides fines for violation of that prohibition.

(C) The governing body may, by resolution, designate to the public any area of a roadway, other than a freeway, as a school crossing zone through the use of a sign or traffic control device as specified by the governing body in conformity with the *Manual on Uniform Traffic Control Devices*. Any school crossing zone so designated starts at the location of the first sign or traffic control device identifying the school crossing zone and continues until a sign or traffic control device indicates that the school crossing zone has ended.

(1999 Code, § 5-208) Penalty, see § 71.99

Statutory reference:

Similar provisions, see Neb. RS 60-658.01

§ 71.21 OVERTAKING AND PASSING.

A person operating a motor vehicle may not overtake and pass another vehicle in any school crossing zone designated by the governing body in which the roadway has only one lane of traffic in each direction.

(1999 Code, § 5-209) Penalty, see § 71.99

Statutory reference:

Similar provisions, see Neb. RS 60-6,134.01

ENGINE BRAKING; JAKE BRAKES**§ 71.35 DEFINED.**

ENGINE BRAKING or a **JAKE BRAKE** is hereby defined as any means used by which the engine on any vehicle is employed as a braking mechanism.

(1999 Code, § 5-212) (Ord. 03-631, passed 4-1-2003)

§ 71.36 USE UNLAWFUL.

It shall be unlawful for anyone to use jake brakes within the city limits.
(1999 Code, § 5-213) (Ord. 03-631, passed 4-1-2003) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) *Generally.* Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 70.99.

(B) *Engine braking; jake brakes.* In the event that anyone uses engine braking or jake brakes within the city and is convicted of such, he or she shall be fined a minimum of \$100 for the first offense and a sum of at least \$100 but not more than \$500 for a second or each subsequent offense.
(1999 Code, § 5-214) (Ord. 03-631, passed 4-1-2003)

Friend - Traffic Code