

CHAPTER 72: POLICE ENFORCEMENT

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GENERAL PROVISIONS

§ 72.01 ENFORCEMENT.

(A) All peace officers are hereby specifically directed and authorized and it shall be deemed and considered a part of the official duties of each of the officers to enforce the provisions of Nebraska Rules of the Road and this title, including the specific enforcement of maximum speed limits, and any other state or city law regulating the operation of vehicles or the use of the highways.

(B) To perform the official duties imposed by this section, peace officers shall have the power:

(1) To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of the Motor Vehicle Operator's License Act or this title or of any other law regulating the operation of vehicles or the use of the highways, if and when designated or called upon to do so as provided by law;

(2) To make arrests upon view and without warrant for any violation committed in their presence of any provision of the laws of this state relating to misdemeanors or felonies or of similar city ordinances if and when designated or called upon to do so as provided by law;

(3) At all times to direct all traffic in conformity with law or, in the event of a fire or other emergency or in order to expedite traffic or ensure safety, to direct traffic as conditions may require;

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(4) When in uniform, to require the driver of a vehicle to stop and exhibit his or her operator's license and registration certificate issued for the vehicle and submit to an inspection of the vehicle and the license plates and registration certificate for the vehicle and to require the driver of a motor vehicle to present the vehicle within five days for correction of any defects revealed by the motor vehicle inspection as may lead the inspecting officer to reasonably believe that the motor vehicle is being operated in violation of the statutes of Nebraska, the rules and regulations of the Director of Motor Vehicles, or any city ordinance or regulation;

(5) To inspect any vehicle of a type required to be registered according to law in any public garage or repair shop or in any place where the vehicle is held for sale or wrecking;

(6) To serve warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways; and

(7) To investigate traffic accidents for the purpose of carrying on a study of traffic accidents and enforcing motor vehicle and highway safety laws.

(Neb. RS 60-683) (1999 Code, § 5-301)

Statutory reference:

Motor Vehicle Operator's License Act, see Neb. RS 60-462

§ 72.02 REFUSAL TO OBEY.

Any person who knowingly fails or refuses to obey any lawful order of any peace officer who is controlling or directing traffic shall be guilty of a traffic infraction.

(Neb. RS 60-6,110) (1999 Code, § 5-302) Penalty, see § 70.99

§ 72.03 TRAFFIC OFFICERS.

Any person who knowingly fails to obey any lawful order of a peace officer shall be guilty of an offense whenever that order is given in furtherance of the apprehension of a person who has violated the Nebraska Rules of the Road or this title or of a person whom the officer reasonably believes has violated the Rules or this title.

(1999 Code, § 5-303)

TRAFFIC CITATIONS**§ 72.15 FORMS AND RECORDS.**

(A) The Municipal Clerk shall provide, in appropriate form, traffic citations containing notices to appear. The Municipal Clerk shall be responsible for the issuance of the books, and shall maintain a

record of every book, and each citation number therein issued to the municipal police. The Clerk shall require and retain a receipt for every book so issued. The Municipal Clerk shall require the return of all copies of every traffic citation which has been spoiled, or upon which any entry has been made, and not issued to an alleged violator.

(B) All records of traffic citations required herein shall be audited at least biennially by a member of the governing body.

(1999 Code, § 5-304)

Statutory reference:

Authority, see Neb. RS 60-680

§ 72.16 DISPOSITION AND RECORDS.

(A) The municipal police upon issuing a traffic citation to an alleged violator of any provision of this title shall deposit a copy of the traffic citation with the Municipal Attorney and County Attorney, unless the citation is just a warning.

(B) Upon the deposit of the traffic citation with the Attorneys, the citation may be disposed of only by trial in the court specified in the citation, or other official action by the judge of the court, including a forfeiture of bail, or by the deposit of sufficient bail with, or payment of a fine to the court by the person to whom the traffic citation has been issued.

(C) It shall be unlawful for the municipal police to dispose of a traffic citation, or copies thereof, or of the record of the issuance of the same in a manner other than as required herein.

(1999 Code, § 5-305) Penalty, see § 70.99

Statutory reference:

Authority, see Neb. RS 29-422, 29-424

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