

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1132**

Introduced by Lippincott, 34; Brewer, 43; Clements, 2; DeKay, 40; Erdman, 47; Halloran, 33; Hardin, 48; Ibach, 44; Meyer, 41.

Read first time January 10, 2024

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408,
- 2 60-310, 60-346, 60-509, 60-534, 60-538, 60-549, and 60-6,381,
- 3 Reissue Revised Statutes of Nebraska, and section 60-501, Revised
- 4 Statutes Supplement, 2023; to change liability insurance and
- 5 financial responsibility requirements; to harmonize provisions; to
- 6 provide an operative date; and to repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-6408, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 44-6408 (1) No policy insuring against liability imposed by law for  
4 bodily injury, sickness, disease, or death suffered by a natural person  
5 arising out of the ownership, operation, maintenance, or use of a motor  
6 vehicle within the United States, its territories or possessions, or  
7 Canada shall be delivered, issued for delivery, or renewed with respect  
8 to any motor vehicle principally garaged in this state unless coverage is  
9 provided for the protection of persons insured who are legally entitled  
10 to recover compensatory damages for bodily injury, sickness, disease, or  
11 death from (a) the owner or operator of an uninsured motor vehicle in  
12 limits of fifty ~~twenty-five~~ thousand dollars because of bodily injury,  
13 sickness, disease, or death of one person in any one accident and,  
14 subject to such limit for one person, one hundred ~~fifty~~ thousand dollars  
15 because of bodily injury, sickness, disease, or death of two or more  
16 persons in any one accident, and (b) the owner or operator of an  
17 underinsured motor vehicle in limits of fifty ~~twenty-five~~ thousand  
18 dollars because of bodily injury, sickness, disease, or death of one  
19 person in any one accident and, subject to such limit for one person, one  
20 hundred ~~fifty~~ thousand dollars because of bodily injury, sickness,  
21 disease, or death of two or more persons in any one accident.

22 (2) At the written request of the named insured, the insurer shall  
23 provide higher limits of uninsured and underinsured motorist coverages in  
24 accordance with its rating plan and rules, except that in no event shall  
25 the insurer be required to provide limits higher than one hundred  
26 thousand dollars per person and three hundred thousand dollars per  
27 accident.

28 (3) After purchase of uninsured and underinsured motorist coverages,  
29 no insurer or any affiliated insurer shall be required to notify any  
30 policyholder in any renewal, reinstatement, substitute, amended, altered,  
31 modified, transfer, or replacement policy as to the availability of

1 optional limits of such coverages. The named insured may, subject to the  
2 limitations of this section, make a written request for additional  
3 coverage or coverage more extensive than that provided in a prior policy.

4 Sec. 2. Section 60-310, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 60-310 Automobile liability policy means liability insurance written  
7 by an insurance carrier duly authorized to do business in this state  
8 protecting other persons from damages for liability on account of  
9 accidents occurring subsequent to the effective date of the insurance  
10 arising out of the ownership of a motor vehicle (1) in the amount of  
11 fifty ~~twenty-five~~ thousand dollars because of bodily injury to or death  
12 of one person in any one accident, (2) subject to the limit for one  
13 person, in the amount of one hundred ~~fifty~~ thousand dollars because of  
14 bodily injury to or death of two or more persons in any one accident, and  
15 (3) in the amount of fifty ~~twenty-five~~ thousand dollars because of injury  
16 to or destruction of property of other persons in any one accident. An  
17 automobile liability policy shall not exclude, limit, reduce, or  
18 otherwise alter liability coverage under the policy solely because the  
19 injured person making a claim is the named insured in the policy or  
20 residing in the household with the named insured.

21 Sec. 3. Section 60-346, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 60-346 Proof of financial responsibility means evidence of ability  
24 to respond in damages for liability, on account of accidents occurring  
25 subsequent to the effective date of such proof, arising out of the  
26 ownership, maintenance, or use of a motor vehicle, (1) in the amount of  
27 fifty ~~twenty-five~~ thousand dollars because of bodily injury to or death  
28 of one person in any one accident, (2) subject to such limit for one  
29 person, in the amount of one hundred ~~fifty~~ thousand dollars because of  
30 bodily injury to or death of two or more persons in any one accident, and  
31 (3) in the amount of fifty ~~twenty-five~~ thousand dollars because of injury

1 to or destruction of property of others in any one accident.

2 Sec. 4. Section 60-501, Revised Statutes Supplement, 2023, is  
3 amended to read:

4 60-501 For purposes of the Motor Vehicle Safety Responsibility Act,  
5 unless the context otherwise requires:

6 (1) Department means Department of Motor Vehicles;

7 (2) Former military vehicle means a motor vehicle that was  
8 manufactured for use in any country's military forces and is maintained  
9 to accurately represent its military design and markings, regardless of  
10 the vehicle's size or weight, but is no longer used, or never was used,  
11 by a military force;

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

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

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

31 (6) Low-speed vehicle means a (a) four-wheeled motor vehicle (i)

1 whose speed attainable in one mile is more than twenty miles per hour and  
2 not more than twenty-five miles per hour on a paved, level surface, (ii)  
3 whose gross vehicle weight rating is less than three thousand pounds, and  
4 (iii) that complies with 49 C.F.R. part 571, as such part existed on  
5 January 1, 2023, or (b) three-wheeled motor vehicle (i) whose maximum  
6 speed attainable is not more than twenty-five miles per hour on a paved,  
7 level surface, (ii) whose gross vehicle weight rating is less than three  
8 thousand pounds, and (iii) which is equipped with a windshield and an  
9 occupant protection system. A motorcycle with a sidecar attached is not a  
10 low-speed vehicle;

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

22 (8) Motor vehicle means any self-propelled vehicle which is designed  
23 for use upon a highway, including trailers designed for use with such  
24 vehicles, minitrucks, and low-speed vehicles. Motor vehicle includes a  
25 former military vehicle. Motor vehicle does not include (a) mopeds as  
26 defined in section 60-637, (b) traction engines, (c) road rollers, (d)  
27 farm tractors, (e) tractor cranes, (f) power shovels, (g) well drillers,  
28 (h) every vehicle which is propelled by electric power obtained from  
29 overhead wires but not operated upon rails, (i) electric personal  
30 assistive mobility devices as defined in section 60-618.02, (j) off-road  
31 designed vehicles, including, but not limited to, golf car vehicles, go-

1 carts, riding lawnmowers, garden tractors, all-terrain vehicles and  
2 utility-type vehicles as defined in section 60-6,355, minibikes as  
3 defined in section 60-636, and snowmobiles as defined in section 60-663,  
4 and (k) bicycles as defined in section 60-611;

5 (9) Nonresident means every person who is not a resident of this  
6 state;

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

11 (11) Operator means every person who is in actual physical control  
12 of a motor vehicle;

13 (12) Owner means a person who holds the legal title of a motor  
14 vehicle, or in the event (a) a motor vehicle is the subject of an  
15 agreement for the conditional sale or lease thereof with the right of  
16 purchase upon performance of the conditions stated in the agreement and  
17 with an immediate right of possession vested in the conditional vendee or  
18 lessee or (b) a mortgagor of a vehicle is entitled to possession, then  
19 such conditional vendee or lessee or mortgagor shall be deemed the owner  
20 for the purposes of the act;

21 (13) Person means every natural person, firm, partnership, limited  
22 liability company, association, or corporation;

23 (14) Proof of financial responsibility means evidence of ability to  
24 respond in damages for liability, on account of accidents occurring  
25 subsequent to the effective date of such proof, arising out of the  
26 ownership, maintenance, or use of a motor vehicle, (a) in the amount of  
27 fifty ~~twenty-five~~ thousand dollars because of bodily injury to or death  
28 of one person in any one accident, (b) subject to such limit for one  
29 person, in the amount of one hundred ~~fifty~~ thousand dollars because of  
30 bodily injury to or death of two or more persons in any one accident, and  
31 (c) in the amount of fifty ~~twenty-five~~ thousand dollars because of injury

1 to or destruction of property of others in any one accident;

2 (15) Registration means registration certificate or certificates and  
3 registration plates issued under the laws of this state pertaining to the  
4 registration of motor vehicles;

5 (16) State means any state, territory, or possession of the United  
6 States, the District of Columbia, or any province of the Dominion of  
7 Canada; and

8 (17) The forfeiture of bail, not vacated, or of collateral deposited  
9 to secure an appearance for trial shall be regarded as equivalent to  
10 conviction of the offense charged.

11 Sec. 5. Section 60-509, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 60-509 No such policy or bond shall be effective under section  
14 60-508 unless issued by an insurance company or surety company authorized  
15 to do business in this state, except that if such motor vehicle was not  
16 registered in this state or was a motor vehicle which was registered  
17 elsewhere than in this state at the effective date of a policy or bond or  
18 the most recent renewal thereof, such policy or bond shall not be  
19 effective under section 60-508 unless the insurance company or surety  
20 company, if not authorized to do business in this state, shall execute an  
21 acknowledgment that the company shall be amenable to process issued by a  
22 court of this state in any action upon such policy or bond arising out of  
23 such accident. Every such policy or bond is subject, if the accident has  
24 resulted in bodily injury, sickness, disease, or death, to a limit,  
25 exclusive of interest and costs, of not less than fifty ~~twenty-five~~  
26 thousand dollars because of bodily injury to or death of one person in  
27 any one accident and, subject to such limit for one person, to a limit of  
28 not less than one hundred ~~fifty~~ thousand dollars because of bodily injury  
29 to or death of two or more persons in any one accident and, if the  
30 accident has resulted in injury to or destruction of property, to a limit  
31 of not less than fifty ~~twenty-five~~ thousand dollars because of injury to

1 or destruction of property of others in any one accident. Upon receipt of  
2 a notice of such accident, the insurance company or surety company which  
3 issued such policy or bond shall furnish, for filing with the department,  
4 a written notice that such policy or bond was in effect at the time of  
5 such accident.

6 Sec. 6. Section 60-534, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 60-534 Such motor vehicle liability policy shall:

9 (1) Designate ~~designate~~ by explicit description or by appropriate  
10 reference all motor vehicles with respect to which coverage is thereby to  
11 be granted; and

12 (2) Insure ~~insure~~ the person named therein and any other person, as  
13 insured, using any such motor vehicle or motor vehicles with the express  
14 or implied permission of such named insured, against loss from the  
15 liability imposed by law for damages arising out of the ownership,  
16 maintenance, or use of such motor vehicle or motor vehicles within the  
17 United States of America or the Dominion of Canada, subject to limits  
18 exclusive of interest and costs, with respect to each such motor vehicle  
19 as follows:

20 (a) Fifty ~~Twenty-five~~ thousand dollars because of bodily injury to  
21 or death of one person in any one accident;

22 (b) Subject to the ~~and, subject to such~~ limit for one person  
23 described in subdivision (2)(a) of this section, one hundred  ~~, fifty~~  
24 thousand dollars because of bodily injury to or death of two or more  
25 persons in any one accident;  ~~,~~ and

26 (c) Fifty ~~twenty-five~~ thousand dollars because of injury to or  
27 destruction of property of others in any one accident.

28 Sec. 7. Section 60-538, Reissue Revised Statutes of Nebraska, is  
29 amended to read:

30 60-538 Every motor vehicle liability policy shall be subject to the  
31 following provisions which need not be contained therein: (1) The



1 liability of the insurance carrier with respect to the insurance required  
2 by sections 60-501 to 60-569 shall become absolute whenever injury or  
3 damage covered by said motor vehicle liability policy occurs; said policy  
4 may not be canceled or annulled as to such liability by any agreement  
5 between the insurance carrier and the insured after the occurrence of the  
6 injury or damage; no statement made by the insured or on his behalf and  
7 no violation of said policy shall defeat or void said policy; (2) the  
8 satisfaction by the insured of a judgment for such injury or damage shall  
9 not be a condition precedent to the right or duty of the insurance  
10 carrier to make payment on account of such injury or damage; (3) the  
11 insurance carrier shall have the right to settle any claim covered by the  
12 policy and, if such settlement is made in good faith, the amount thereof  
13 shall be deductible from the limits of liability specified in subdivision  
14 ~~subsection~~ (2) of section 60-534; and (4) the policy, the written  
15 application therefor, if any, and any rider or endorsement which does not  
16 conflict with the provisions of sections 60-501 to 60-569 shall  
17 constitute the entire contract between the parties.

18 Sec. 8. Section 60-549, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 60-549 Proof of financial responsibility may be evidenced by the  
21 certificate of the State Treasurer that the person named in the  
22 certificate has deposited with the State Treasurer an amount equal to the  
23 sum of the amounts specified in subdivisions (14)(b) and (c) of section  
24 60-501 ~~him or her seventy-five thousand dollars~~ per vehicle in cash or  
25 securities such as may legally be purchased by savings banks or for trust  
26 funds of a market value of such amount ~~seventy-five thousand dollars~~. The  
27 State Treasurer shall not accept any such deposit and issue a certificate  
28 therefor and the department shall not accept such certificate unless it  
29 is accompanied by evidence that there are no unsatisfied judgments of any  
30 character against the depositor in the county where the depositor  
31 resides.

1           Sec. 9. Section 60-6,381, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           60-6,381 (1)(a) A city or village may adopt an ordinance authorizing  
4 the operation of golf car vehicles within the corporate limits of the  
5 city or village if the operation is on streets adjacent and contiguous to  
6 a golf course.

7           (b) A county board may adopt an ordinance pursuant to section 23-187  
8 authorizing the operation of golf car vehicles within the county if the  
9 operation is on roads adjacent and contiguous to a golf course.

10          (c) Any person operating a golf car vehicle as authorized under this  
11 subsection shall have a valid Class 0 operator's license, and the owner  
12 of the golf car vehicle shall have liability insurance coverage for the  
13 golf car vehicle. The person operating the golf car vehicle shall provide  
14 proof of such insurance coverage to any peace officer requesting such  
15 proof within five days after such a request.

16          (d) The restrictions of subsection (2) of this section do not apply  
17 to ordinances adopted under this subsection.

18          (2)(a) A city or village may adopt an ordinance authorizing the  
19 operation of golf car vehicles on streets within the corporate limits of  
20 the city or village if the operation is (i) between sunrise and sunset  
21 and (ii) on streets with a posted speed limit of thirty-five miles per  
22 hour or less. When operating a golf car vehicle as authorized under this  
23 subsection, the operator shall not operate such vehicle at a speed in  
24 excess of twenty miles per hour. A golf car vehicle shall not be operated  
25 at any time on any state or federal highway but may be operated upon such  
26 a highway in order to cross a portion of the highway system which  
27 intersects a street as directed in subsection (3) of this section. A city  
28 or village may, as part of such ordinance, implement standards for  
29 operation of golf car vehicles that are more stringent than the  
30 restrictions of this subsection for the safety of the operator and the  
31 public.

1 (b) A county board may adopt an ordinance pursuant to section 23-187  
2 authorizing the operation of golf car vehicles on roads within the county  
3 if the operation is (i) between sunrise and sunset and (ii) on roads with  
4 a posted speed limit of thirty-five miles per hour or less. When  
5 operating a golf car vehicle as authorized under this subsection, the  
6 operator shall not operate such vehicle at a speed in excess of twenty  
7 miles per hour. A golf car vehicle shall not be operated at any time on  
8 any state or federal highway but may be operated upon such highway in  
9 order to cross a portion of the highway system which intersects a road as  
10 directed in subsection (3) of this section. A county may, as part of such  
11 ordinance, implement standards for operation of golf car vehicles that  
12 are more stringent than the restrictions of this subsection for the  
13 safety of the operator and the public.

14 (c) Any person operating a golf car vehicle as authorized under this  
15 subsection shall have a valid Class 0 operator's license, and the owner  
16 of the golf car vehicle shall have liability insurance coverage for the  
17 golf car vehicle. The person operating the golf car vehicle shall provide  
18 proof of such insurance coverage to any peace officer requesting such  
19 proof within five days after such a request. The liability insurance  
20 coverage shall be subject to limits, exclusive of interest and costs, as  
21 follows:

22 (i) Fifty ~~Twenty-five~~ thousand dollars because of bodily injury to  
23 or death of one person in any one accident;

24 (ii) Subject to the ~~and, subject to such~~ limit for one person  
25 described in subdivision (2)(c)(i) of this section, one hundred  ~~, fifty~~  
26 thousand dollars because of bodily injury to or death of two or more  
27 persons in any one accident;  ~~, and~~

28 (iii) Fifty ~~twenty-five~~ thousand dollars because of injury to or  
29 destruction of property of others in any one accident.

30 (3) The crossing of a highway shall be permitted by a golf car  
31 vehicle only if:

1 (a) The crossing is made at an angle of approximately ninety degrees  
2 to the direction of the highway and at a place where no obstruction  
3 prevents a quick and safe crossing;

4 (b) The golf car vehicle is brought to a complete stop before  
5 crossing the shoulder or roadway of the highway;

6 (c) The operator yields the right-of-way to all oncoming traffic  
7 that constitutes an immediate potential hazard; and

8 (d) In crossing a divided highway, the crossing is made only at an  
9 intersection of such highway with a street or road, as applicable.

10 (4) For purposes of this section:

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

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

16 Sec. 10. This act becomes operative on January 1, 2025.

17 Sec. 11. Original sections 44-6408, 60-310, 60-346, 60-509, 60-534,  
18 60-538, 60-549, and 60-6,381, Reissue Revised Statutes of Nebraska, and  
19 section 60-501, Revised Statutes Supplement, 2023, are repealed.