

LEGISLATIVE BILL 406

Approved by the Governor March 23, 1983

Introduced by Warner, 25

AN ACT to amend section 39-623, Reissue Revised Statutes of Nebraska, 1943, relating to rules of the road; to modify provisions relating to passing on the right of a vehicle; and to repeal the original section.

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

Section 1. That section 39-623, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-623. (1) The driver of a vehicle may overtake and pass ~~upon~~ on the right of another vehicle only under the following conditions:

(a) When the vehicle to be overtaken is making or about to make a left turn;

(b) Upon a two-way street or highway with an unobstructed roadway, not occupied by parked vehicles, of sufficient width for two or more lanes of moving vehicles in each going in the same direction; and when the passing vehicle is traveling in one of such lanes; or

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lanes of moving vehicles.

(2) In no event shall the driver of a vehicle overtake and pass another vehicle upon the right unless such movement may be made in safety and upon the pavement or main-traveled portion of the roadway.

Sec. 2. That original section 39-623, Reissue Revised Statutes of Nebraska, 1943, is repealed.