

LEGISLATIVE BILL 50

Approved by the Governor March 13, 1983

Introduced by Labeledz, 5; Kilgarin, 7; L. Johnson, 15; Haberman, 44; Higgins, 9; Remmers, 1; DeCamp, 40; Chronister, 18
H. Peterson, 35; Wagner, 41

AN ACT to amend section 39-6,131, Revised Statutes Supplement, 1982, relating to rules of the road; to allow the use or sale of tires with certain studs or spikes; to harmonize provisions; and to repeal the original section, and also sections 39-6,131.01 to 39-6,131.07, Revised Statutes Supplement, 1982.

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

Section 1. That section 39-6,131, Revised Statutes Supplement, 1982, be amended to read as follows:

39-6,131. Every solid rubber tire on a vehicle moved on any highway shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery. No tire on a vehicle moved on a highway shall have on its periphery any clock, stud, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that (1) this prohibition shall not apply to pneumatic tires with metal or metal-type studs not exceeding five-sixteenths of an inch in diameter inclusive of the stud-casing with an average protrusion beyond the tread surface of not more than seven sixty-fourths of an inch between November 1 and March 15, however, school buses, mail carrier vehicles, and emergency vehicles shall be permitted to use metal or metal-type studs at any time during the year, (a) vehicles used for the public's safety, which shall include, but not be limited to, law enforcement, fire, and other emergency vehicles; (b) vehicles driven by emergency medical personnel when necessary to their duties; (c) rural mail carrier vehicles used to deliver mail; and (d) vehicles which display license plates carrying the wheelchair symbol as provided in section 60-311-14; (2) it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and (3) it shall be permissible to use tire chains of reasonable

proportions upon any vehicle when required for safety because of snow, ice, or other condition tending to cause a vehicle to slide or skid. The exceptions provided in subdivision (1) of this section shall only be applicable for such vehicles if the requirements of section 39-6,131.03 have been met. The Department of Roads and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery.

Sec. 2. That original section 39-6,131, Revised Statutes Supplement, 1982, and also sections 39-6,131.01 to 39-6,131.07, Revised Statutes Supplement, 1982, are repealed.