

LEGISLATIVE BILL 416

Approved by the Governor March 6, 1989

Introduced by Robak, 22

AN ACT relating to rules of the road; to amend sections 39-6,149 and 39-6,151, Reissue Revised Statutes of Nebraska, 1943; to change provisions relating to flashing or rotating lights on emergency and other vehicles as prescribed; to harmonize provisions; and to repeal the original sections.

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

Section 1. That section 39-6,149, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,149. A flashing or rotating red light or red and white light shall be displayed on any emergency vehicle whenever operated in this state. A blue light may also be displayed with such flashing or rotating red light or red and white light. For purposes of this section, any publicly owned police, fire, or rescue vehicle and publicly or privately owned ambulances and funeral escort vehicles shall be considered to be emergency vehicles.

Sec. 2. That section 39-6,151, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,151. (1) A rotating or flashing red light or lights or such light or lights in combination with a blue light or lights may be displayed on any motor vehicle operated by any volunteer firefighter or law enforcement officer anywhere in this state while actually en route to the scene of a fire or other emergency requiring his or her services as a volunteer firefighter or law enforcement officer but only after its use shall have been authorized in writing by the county sheriff. Application for a permit to display such light shall be made in writing to the sheriff on forms to be prescribed and furnished by the Superintendent of Law Enforcement and Public Safety. The application shall be accompanied by a statement that the applicant is a volunteer firefighter or law enforcement officer and requesting issuance of the permit, which statement shall be signed by the chief of the applicant's fire department or law enforcement

superior. Such permit shall be carried at all times in the vehicle named therein. Each such permit shall expire on December 31 of each year and shall be renewed in the same manner as it was originally issued. The sheriff may at any time revoke such permit upon a showing of abuse thereof or upon receipt of notice from the chief of the fire department that the holder thereof is no longer an active volunteer firefighter or law enforcement officer. Any person whose permit has been so revoked shall upon demand surrender it to the sheriff or his or her authorized agent.

(2) A rotating or flashing red light or lights or such light or lights in combination with a blue light or lights may be displayed on any motor vehicle being used by rescue squads actually en route to, at, or returning from any emergency requiring their services, or by any privately owned wrecker when engaged in emergency services at the scene of an accident, or at a disabled vehicle, located outside the city limits of a ~~metropolitan-~~ metropolitan-class or primary-class city, but only after its use shall have been authorized in writing by the county sheriff. Applications shall be made and revoked in the same manner as for volunteer firefighters as provided in subsection (1) of this section.

(3) It shall be the duty of the operator of any motor vehicle to yield the right-of-way to any motor vehicle displaying a rotating or flashing red light or lights or such light or lights in combination with a blue light or lights.

Sec. 3. That original sections 39-6,149 and 39-6,151, Reissue Revised Statutes of Nebraska, 1943, are repealed.