

CHAPTER 5
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Article 3. Prohibitions and Enforcement

§5-301 LITTERING. It shall be unlawful for any person to drop, or cause to be left, upon any municipal highway, street, or alley, except at places designated by the Governing Body, any rubbish, debris, or waste, and any person so doing shall be guilty of littering. (Ref. 39-683 R.S. Neb.)

§5-302 GLASS; POINTED OBJECTS. No person shall throw, cast, lay, or place upon any street any thorns, nails, tacks, glass, bottles, window glass, or other articles made of, or containing, glass, and in case of an accident causing the breaking of any glass upon any street, the owner or person in charge of such glass, or the person responsible for such breakage, shall at once remove, or cause the same to be removed, from the street. (Ref. 39-683 R.S. Neb.)

§5-303 SIGNS; DEFACING OR INTERFERING WITH. It shall be unlawful for any person to willfully deface, injure, remove, obstruct or interfere with any official traffic sign or signal. (Ref. 39-619 R.S. Neb.)

§5-304 SIGNS; UNAUTHORIZED DISPLAY. It shall be unlawful for any person to maintain or display upon, or in view of any street, any unofficial sign, signal, or device which purports to be, is an imitation of, or resembles an official traffic sign or signal which attempts to direct the movement of traffic, or which hides from view, or interferes with the effectiveness of any official sign or signal. Every such prohibited sign, signal, or device is hereby declared to be a public nuisance, and any police officer is hereby empowered to remove the same, or cause it to be removed, without notice. (Ref. 39-618 RS Neb.)

§5-305 SIREN SIGNALING DEVICES. Siren signaling devices shall not be used on any vehicle except those operated by the Police Department, Fire Department, the Sheriff, and authorized utility vehicles when on emergency calls. No person shall make or cause to be made any unnecessary noise with any signal device or use the same except as a road signal.

§5-306 DISPLAY OF MERCHANDISE IN PARKING ZONE. It shall be unlawful for any person to use any parking stall, lane, or space for the display of merchandise, goods, or wares, or

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for any purpose whatsoever, except the parking of motor vehicles; and no parking stall, lane, or space shall be blocked, or barricaded by any person; provided, however, parking areas may be temporarily blocked, used, or barricaded for construction and other necessary purposes, by obtaining special permission therefor from the Municipal Police.

§5-307 INTERSECTIONS; OBSTRUCTING PROHIBITED. It shall be unlawful for any person to erect, plant, construct, maintain or permit to exist any hedge, tree, bush, sign, fence, building or any other natural or artificial obstruction to vision of drivers of motor vehicles approaching on intersecting streets, whether said obstruction be on the street, the street parking, or on the private property of such person. When such obstruction is found to exist, the Municipal Police shall notify the owner or occupant of said premises to forthwith remove the same, and in the event the owner or occupant shall fail to remove the same within five (5) days of such notice, the City may remove the obstruction at the expense of the owner or occupant of said premises.

§5-308 SERVICE CHARGE. A charge shall be made upon the owners, renter, lessee or the person otherwise having possession or in charge of a trailer or vehicle designed and used for camping and camping living quarters for parking in the City Park in the amount of eight (\$8.00) dollar for each day such trailer or vehicle is parked in the City Park. For the purpose of said service charge a day shall consist of one twenty-four (24) hour period. The Mayor and Council may by resolution increase or decrease the service charge and increase or decrease the number of days after which a service charge shall be made.

§5-309 SPEED LIMITS. No person shall operate a motor vehicle on any street, alley, or other place at a rate of speed greater than twenty-five (25) miles per hour within the residential district, and twenty (20) miles per hour within the business district, unless a different rate of speed is specifically permitted by ordinance. In no instance shall a person drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions. Where a different maximum speed is set by

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ordinance, appropriate signs shall be posted. (Ref. 39-662, 39-663 R.S. Neb.)

§5-310 SPEED, NEAR SCHOOLS. It shall be unlawful for the driver of any vehicle, when passing premises on which school grounds are located, and which are used for school purposes, during school recess, or while children are going to, or leaving school during the opening or closing hours, to drive said vehicle at a rate of speed in excess of twenty (20) miles per hour past said premises, unless a greater speed is allowed by resolution of the Governing Body, and such driver shall stop at all stop signs located at, or near, such school premises, and it shall be unlawful for such driver to make a U-turn at any intersection where such stop signs are located at, or near, such school premise. (Ref. 39-663 R.S. Neb.)

§5-311 SPEED; ELECTRONIC DETECTION. Determinations made regarding the speed of any motor vehicle based upon the visual observation of any law enforcement officer may be corroborated by the use of radio microwaves or other electronic device. The results of such radio microwave or other electronic speed measurement may be accepted as competent evidence of the speed of such motor vehicle in any court or legal proceeding when the speed of the vehicle is at issue. Before the Municipality may offer in evidence the results of such radio microwave or other electronic speed measurement for the purpose of establishing the speed of any motor vehicle, the, Municipality shall prove the following:

- A. The measuring device was in proper working order at the time of conducting the measurement;
- B. The measuring device was being operated in such a manner and under such conditions so as to allow a minimum possibility of distortion or outside interference;
- C. The person operating such device and interpreting such measurement was qualified by training and experience to properly test and operate the device; and
- D. The operator conducted external tests of accuracy upon the measuring device, within a reasonable time both prior to and subsequent to an arrest being made, and the measuring device was found to be in proper working order.

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The driver of any such motor vehicle may be arrested without a warrant under the authority herein granted if the arresting officer is in uniform or displays his or her badge of authority; provided, that such officer shall have observed the recording of the speed of such motor vehicle by the radio microwaves, or other electronic device or had received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves or other electronic device. In the event of an arrest based on such a message, such radio message must have been dispatched immediately after the speed of the motor vehicle had been recorded, and must include a description of the vehicle and the recorded speed. (Ref. 39-664 R.S. Neb.)

§5-312 DRIVING UNDER THE INFLUENCE.

(A) For purposes of this section:

(1) Motor vehicle shall mean a vehicle required by Neb. RS 60-6,266 to be equipped with an occupant protection system; and

(2) Occupant protection system shall have the meaning provided in Neb. RS 60-6,265.

(B) (1) Except as provided in subdivision (B)(2), no driver shall operate a motor vehicle upon a highway or street unless the driver and each front-seat occupant in the vehicle are wearing occupant protection systems and all occupant protection systems worn are properly adjusted and fastened.

(2) The following persons shall not be required to wear an occupant protection system:

(a) A person who possesses written verification from a physician that the person is unable to wear an occupant protection system for medical reasons;

(b) A rural letter carrier of the United States Postal Service while performing his or her duties as a rural letter carrier between the first and last delivery points; and

(c) A member of an emergency medical service while involved in patient care. (Neb. RS 60-6,270)

(C) All persons being transported in a motor vehicle operated by a holder of a provisional operator's permit or a school permit shall use such motor vehicle's occupant protection system. (Neb. RS 60-6,267)

(D) Enforcement of divisions (B) and (C) of shall be accomplished only as a secondary action when an operator of a motor vehicle has been cited or charged with a violation

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of some other offense.

(Neb. RS 60-6,268, 60-6,271)

(E) Regardless of the number of persons in such vehicle not wearing an occupant protection system pursuant to division

(B), only one violation shall be assessed against the driver of such motor vehicle for each time the motor vehicle is stopped and a violation of such section is found. (Neb. RS 60-6,272)

(Ord. No. 1593, 08/05/03)

§5-312.01 WILLFUL RECKLESS DRIVING. Any person who drives any motor vehicle in such a manner as to indicate a willful disregard for the safety of persons or property shall be guilty of willful reckless driving. (Ref. 60-6,214 R.S. Neb.)

§5-312.02 RECKLESS DRIVING. Any person who drives any motor vehicle in such a manner as to indicate an indifferent or wanton disregard for the safety of persons or property shall be guilty of reckless driving. (Ref. 60-6,213 R.S. Neb.)

§5-312.03 CARELESS DRIVING. Any person who drives any motor vehicle in this state carelessly or without due caution so as to endanger a person or property shall be guilty of careless driving. (Ref. 60-6,212 R.S. Neb.)

§5-312.04 DRIVING UNDER THE INFLUENCE; PERSON UNDER TWENTY-ONE YEARS OF AGE.

(1) It shall be unlawful for any person under twenty-one (21) years of age to operate or be in the actual physical control of any motor vehicle:

(a) When such person has a concentration of two-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his or her blood but less than the concentration prescribed under subdivision (1)(b) of Neb. RS 60-6,196; or

(b) When such person has a concentration of two-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his or her breath but less than the concentration prescribed under subdivision (1)(c) of Neb. RS 60-6,196.

(2) Any person who operates or has in his or her

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actual physical control a motor vehicle in the state shall be deemed to have given his or her consent to submit to a chemical test or tests of his or her blood or breath for the purposes of determining the concentration of alcohol in such blood or breath.

(3) Any peace officer who has been duly authorized to make arrests for violations of traffic laws of this state or of ordinances of the municipality may require any person under twenty-one (21) years of age to submit to a chemical test or tests of his or her blood or breath for the purpose of determining the concentration of alcohol in such blood or breath when the officer has probable cause to believe that such person was driving or was in actual physical control of a motor vehicle in the municipality in violation of this section. Such peace officer may require such person to submit to a preliminary breath test. Any person who refuses to submit to such preliminary breath test or whose preliminary breath test results indicate an alcohol concentration in violation of this section shall be placed under arrest.

(4) Any person arrested as provided in this section may, upon the direction of a peace officer, be required to submit to a chemical test or tests of his or her blood or breath for a determination of the concentration of alcohol. If the chemical test discloses the presence of a concentration of alcohol in violation of this section, or such person refuses to submit to such test or tests required pursuant to this section shall be guilty of an offense.

(5) Upon the conviction of any person for the violation of this section, there shall be assessed as part of the court costs the fee charged by any physician or any agency administering tests pursuant to a permit issued in accordance with Neb. RS 60-6,201, for the test administered and the analysis thereof if such test was actually made. (*Neb. R.S. 60-6,211.01; 60-6,211.02; 60-6,203*) (*Ord. 1453; 08/03/99*) (*Ord. 1496; 07/03/00*)

§5-313 NEGLIGENT DRIVING. It shall be unlawful for any person to operate a motor vehicle in such a manner as to cause unnecessary noise, spinning or squealing of tires, skids, slides, abrupt turns or sways or in any other manner as to indicate a want of ordinary care and caution that a person of ordinary prudence would use under like circumstances.

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§5-314 BACKING. It shall be unlawful for any person to back a motor vehicle on the Municipal streets except to park in or to remove the vehicle from a permitted parking position, to move the vehicle from a driveway, or to back to the curb for unloading where such unloading is permitted; provided, a vehicle shall be backed only when such movement can be made in safety and in no case shall the distance of the backing exceed one and one half (1-1/2) lengths of the vehicle.

§5-315 UNNECESSARY STOPPING. It shall be unlawful for any person to stop any vehicle on any public street or alley, other than in permitted parking areas, except when such a stop is necessary for emergency situations, to comply with traffic control devices and regulations, or to yield the right-of-way to pedestrians or to other vehicles.

§5-316 PASSING; INTERSECTIONS. The driver of a vehicle shall not overtake and pass another vehicle proceeding in the same direction, while traversing a street intersection, if such passing requires such overtaking vehicle to drive to the left of the center of the street.

§5-317 PASSING; HINDRANCE. The driver of a vehicle about to be overtaken and passed by another vehicle shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

§5-318 DRIVING ABREAST. Two (2) or more vehicles shall not be driven abreast except when passing, or when traversing a multi-lane or one-way street; provided, motorcycles may be driven no more than two (2) abreast in a single lane.

§5-319 FOLLOWING; DISTANCE. The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent having due regard for the speed of the vehicles, and the traffic and condition of the street.

§5-320 FOLLOWING; FIRE APPARATUS. The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500') feet, or drive into, or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

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§5-321 CROWDING; FRONT SEAT. No person shall drive a motor vehicle when it is so loaded, or when there is in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or to interfere with the driver's control over the driving mechanism of such vehicle.

§5-322 DRAGGING; ROPE, CHAIN. No person shall permit any rope, strap, chain or other article to drop behind any vehicle while in use on the streets, except persons operating vehicles transporting gasoline, benzene or other flammable materials.

§5-323 NEW PAVEMENT, DRIVING OVER. No person shall drive any vehicle over or across any newly laid pavement in any public street, across or around which pavement there is a barrier or over or near which there is a person or a sign warning persons not to drive over or across such pavement. No person shall drive a vehicle over, against or upon any traffic barrier or sign stating that the street or alley is closed.

§5-324 RIDING OUTSIDE VEHICLE. No person shall permit any other person to ride on the running board, hood, top, or fenders of any motor vehicle. Nor shall any person ride on the running board, hood, top, or fenders of any motor vehicle.

§5-325 DRIVING IN SIDEWALK SPACE. No motor vehicle or livestock shall be driven or ridden within any sidewalk space, except a permanent or temporary driveway. (*Ref. 16-210 R.S. Neb*)

§5-326 EMERGING FROM ALLEY OR DRIVEWAY. All vehicles before crossing a sidewalk when emerging from a garage, alley, filling station or other place within the Business District shall come to a complete stop, and, after giving sufficient warning, shall proceed slowly while crossing such sidewalk or leaving such garage, alley, filling station or other place. The term slowly shall be construed to mean such rate of speed as is reasonable and proper under the circumstances and the condition of the street and the traffic thereon.

Every driver of any vehicle when approaching or about to drive over any sidewalk or sidewalk space, except at a

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street intersection or at an alley intersection shall bring such vehicle to a complete stop and shall then proceed in a careful and cautious manner, having due regard for the use of such sidewalk or sidewalk space by pedestrians.

§5-327 VEHICLE; MUFFLER. Every motor vehicle operated within this Municipality shall be provided with a muffler in good working order to prevent excessive or unusual noise or smoke. No person shall modify or change the exhaust muffler, intake muffler or any other noise abatement device of a motor vehicle in a manner such that the noise emitted by the motor vehicle is increased above that emitted by the vehicle as originally manufactured. It shall be unlawful to use a "muffler cutout" on any motor vehicle upon any streets; provided, the provisions of this Section shall not apply to authorized emergency vehicles. (Ref. 60-2209 R.S. Neb.)

§5-328 SOLICITING RIDES. It shall be unlawful for any person to stand on the traveled portion of any street or alley for the purpose of soliciting rides from the driver of a vehicle.

§5-329 ABANDONED VEHICLES. The person in charge of any garage or repair shop at which has been left a motor vehicle of unknown ownership for a period of fifteen (15) consecutive days without being removed by its owner or any other person duly authorized to remove the same, shall report to the Police Department, giving the name, engine number, manufacturer's serial number, registration plate number, and the name and address of the person abandoning same, if known.

§5-330 ADVERTISING VEHICLES. No advertising vehicle shall be allowed in any street or alley in the City. Nothing herein contained shall prevent the putting of business notices upon ordinary business vehicles, so long as such business vehicle is engaged in the usual business or regular work of the owner and not used merely or primarily for advertisement. No motor vehicle shall have any poster, sign, picture or advertising material on the windshield or glass of the side or rear window thereof and no person shall, by himself or through his agent, place or post any poster, sign, picture or advertising material on the

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windshield or glass of either his own motor vehicle or that of any other person.

§5-331 ACCIDENT; DRIVER'S DUTY.

(A) (1) Except as provided in subsection (2) of this division, the driver of any vehicle involved in an accident either upon a public highway, private road, or private drive, resulting in damage to property, shall:

(a) Immediately stop such vehicle at the scene of such accident; and

(b) Give his or her name, address, telephone number, and operator's license number to the owner of the property struck or the driver or occupants of any other vehicle involved in the collision.

(2) The driver of any vehicle involved in an accident either upon a public highway, private road, or private drive, resulting in damage to an unattended vehicle or property, shall immediately stop such vehicle and leave in a conspicuous place in or on the unattended vehicle or property a written notice containing the information required by subsection (1) of this division. In addition, such driver shall, without unnecessary delay, report the collision, by telephone or otherwise, to an appropriate peace officer. (*Neb. RS 60-696*)

(B) The driver of any vehicle involved in an accident upon either a public highway, private road, or private drive, resulting in injury or death to any person, shall:

(1) Immediately stop such vehicle at the scene of such accident;

(2) Give his or her name and address and the registration number of the vehicle and exhibit his or her operator's license to the person struck or the driver or occupants of any vehicle collided with; and

(3) Render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment if it is apparent that such treatment is necessary or is requested by the injured person. (*Neb. RS 60-69.7 (Ord. No. 1589, 08/05/03)*)

§5-332 ACCIDENT; PENALTY. (*Repealed by Ord. No. 1589, 08/05/03*)

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§5-333 EMERGENCY, REGULATIONS. The Chief of Police and Police Officers shall direct all traffic in conformity with the law, or in event of a fire or other emergency, or to expedite traffic or to insure safety as conditions may require, notwithstanding the provisions of law. (Ref. 60-435 R.S. Neb.)

§5-334 POLICE; ENFORCEMENT. The Municipal Police are hereby authorized, empowered, and ordered to exercise all powers, and duties, with relation to the management of street traffic and to direct, control, stop, restrict, regulate, and, when necessary, temporarily divert, or exclude, in the interest of public safety, health, and convenience the movement of pedestrian, animal, and vehicular traffic of every kind in streets, parks, and on bridges. The driver of any vehicle shall stop upon the signal of any police officer. (Ref. 16-132 R.S. Neb)

§5-335 POLICE; REFUSAL TO OBEY. It shall be unlawful for any person to refuse, or fail to comply with, any lawful order, signal, or direction of a police officer.

§5-336 POLICE; TRAFFIC OFFICERS. The Governing Body or the Municipal Police may at any time detail officers, to be known as "traffic officers". As an extension of the Municipal Police, traffic officers shall be vested with the authority to regulate and control traffic at the location where assigned. It shall be their duty to direct the movement of traffic and prevent congestion and accidents. It shall be unlawful for any person to violate any order or signal of any such traffic officer notwithstanding the directive of a stop sign or signal device located in the vicinity of such traffic officer. (Amended by Ord. 1975, 7/5/2016)

§5-337 LOADS; PROJECTING. When any vehicle shall be loaded in such a manner that any portion of the load extends more than four feet (4') beyond the rear of the bed or the body of such vehicle, a red flag of not less than twelve inches (12") both in length and width shall be carried by day, and red light after sunset at the extreme rear end of such load.

§5-338 LOADS; SPILLING OR SHIFTING.

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(A) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle.

(B) No person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any vehicle on any hard-surfaced highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering.

(C) No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be either tie downs and tie down assemblies of adequate strength or sides, sideboards, or stakes and a rear end gate, end board, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle. (*Neb. RS 60-6,304*)
(*Ord. No. 1591, 08/05/03*)

§5-339 RADAR DEVICE; PROHIBITED. It shall be unlawful for any person to operate or possess any radar transmission device while operating a motor vehicle on any road, street, highway, or interstate highway in this Municipality; except that this section shall not apply to any such device which has been lawfully licensed by the Federal Communications Commission or is being used by law enforcement officials in their official duties.

For purposes of this section unless the context otherwise requires:

(1) Radar transmission device shall mean any mechanism designed to interfere with the reception of radio microwaves in the electromagnetic spectrum, which microwaves, commonly referred to as radar, are employed by law enforcement officials to measure the speed of motor vehicles;

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(2) Possession shall mean to have a device defined above in a motor vehicle if such device is not:

(a) Disconnected from all power sources and

(b) In the rear trunk, which shall include the spare tire compartment or any other compartment which is not accessible to the driver or any other person in the vehicle while such vehicle is in operation. If no such compartment exists in a vehicle, then such device must be disconnected from all power sources and be placed in a position not readily accessible to the driver or any other person in the vehicle, and

(3) Transceiver shall mean an apparatus contained in a single housing, functioning alternately as a radio transmitter and receiver.

§5-340 CHILD PASSENGERS; USE OF RESTRAINT SYSTEM OR OCCUPANT PROTECTION SYSTEM.

(A) Any person who drives any motor vehicle which has or is required to have an occupant protection system shall ensure that:

(1) All children up to six years of age being transported in such vehicle use a child passenger restraint system of a type which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Traffic Safety Administration, as such standard existed on July 20, 2002, and which is correctly installed in such vehicle; and

(2) All children six years of age and less than sixteen years of age being transported in such vehicle use an occupant protection system.

This division (A) shall apply to every motor vehicle which is equipped with an occupant protection system or is required to be equipped with restraint systems pursuant to Federal Motor Vehicle Safety Standard 208, as such standard existed on July 20, 2002, except taxicabs, mopeds, motorcycles, and any motor vehicle designated by the manufacturer as a 1963 year model or earlier which is not equipped with an occupant protection system.

(B) Whenever any licensed physician determines, through accepted medical procedures, that use of a child passenger restraint system by a particular child would be harmful by reason of the child's weight, physical condition, or other medical reason, the provisions of division (A) shall be waived. The driver of any vehicle transporting such a child shall carry on his or her person or in the vehicle a signed written statement of the

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physician identifying the child and stating the grounds for such waiver.

(C) The drivers of authorized emergency vehicles shall not be subject to the requirements of division (A) when operating such authorized emergency vehicles pursuant to their employment.

(Neb. RS 60-6,267)

(D) (1) The failure to provide a child restraint system for more than one child in the same vehicle at the same time, as required in division (A), shall not be treated as a separate offense.

(2) Enforcement of division (A)(2) shall be accomplished only as a secondary action when an operator of a motor vehicle has been cited or charged with a violation of some other offense. (Neb. RS 60-6,268) (Ord. No. 1592, 08/05/03)

§5-340.01 OCCUPANT PROTECTION SYSTEMS; REQUIREMENTS.

(A) For purposes of this section:

(1) Motor vehicle shall mean a vehicle required by Neb. RS 60-6,266 to be equipped with an occupant protection system; and

(2) Occupant protection system shall have the meaning provided in Neb. RS 60-6,265.

(B) (1) Except as provided in subdivision (B)(2), no driver shall operate a motor vehicle upon a highway or street unless the driver and each front-seat occupant in the vehicle are wearing occupant protection systems and all occupant protection systems worn are properly adjusted and fastened.

(2) The following persons shall not be required to wear an occupant protection system:

(a) A person who possesses written verification from a physician that the person is unable to wear an occupant protection system for medical reasons;

(b) A rural letter carrier of the United States Postal Service while performing his or her duties as a rural letter carrier between the first and last delivery points; and

(c) A member of an emergency medical service while involved in patient care. (Neb. RS 60-6,270)

(C) All persons being transported in a motor vehicle operated by a holder of a provisional operator's permit or a school permit shall use such motor vehicle's occupant protection system. (Neb. RS 60-6,267)

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(D) Enforcement of divisions (B) and (C) of shall be accomplished only as a secondary action when an operator of a motor vehicle has been cited or charged with a violation of some other offense.

(Neb. RS 60-6,268, 60-6,271)

(E) Regardless of the number of persons in such vehicle not wearing an occupant protection system pursuant to division (B), only one violation shall be assessed against the driver of such motor vehicle for each time the motor vehicle is stopped and a violation of such section is found. (Neb. RS 60-6,272) (Ord. No. 1590, 08/05/03)

§5-341 SPEED LIMITS ESTABLISHED.

1. No person shall operate a motor vehicle on any streets or other place within the City at a rate of speed greater than is reasonable and proper having regard for the traffic and roadway and the condition of the streets or at such a speed as to endanger the life, limb or property of any person, and under no circumstances in excess of the following speeds, which are hereby declared to be prima facie lawful:

On State Highway No. 33 in the City, East City limits (Junction of State Highways Nos. 33 and 103) and Boswell Avenue, Fifty (50) miles per hour.

On State Highway No. 33 in the City, Boswell Avenue and 300 feet north of Seventeenth Street, forty (40) miles per hour.

On State Highway No. 33 in the City, between 300 feet north of Seventeenth Street and Kingwood Avenue, thirty (30) miles per hour.

On State Highway No. 33 between Kingwood Avenue and Oak Avenue, twenty-five (25) miles per hour.

On State Highway No. 33 between Oak Avenue and Sycamore Avenue, thirty-five (35) miles per hour.

On State Highway No. 33, between Sycamore Avenue and the west approach of the Big Blue River bridge, forty (40) miles per hour.

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On State Highway No. 33 between the west approach of the Big Blue River Bridge and 600 feet west of the Junction of State Highways Nos. 33 and 103, fifty (50) miles per hour.

On Main Street between Thirteenth Street South to the South City Limits of the City of Crete, Nebraska, twenty-five (25) mile per hour.

On Thirteenth Street between Code Avenue and Four Hundred feet (400') East of Jasmine Avenue, twenty-five (25) miles per hour.

On Thirteenth Street between Four Hundred feet (400') of Jasmine Avenue and East City limits, forty (40) miles per hour.

On all other streets, alleys, and places within the City, twenty-five (25) miles per hour.

2. No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation in compliance with law. (*Amended Ord. 1689, 09/04/07; Ord. 1826, 4/17/12*)

§5-342 AUTHORIZED EMERGENCY VEHICLES; PRIVILEGES CONDITION.

1. The driver of an authorized vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, or when responding to but not returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in Chapter 5.
2. The driver of such emergency vehicle may stop, park, or stand, irrespective of the provisions of Chapter 5 and disregard regulations governing direction of movement or turning in specified directions.
3. The driver of such emergency vehicle, except wreckers towing disabled vehicles, and highway maintenance vehicles and equipment may also:
 - a). Proceed past as steady red signal, a flashing red signal, or a stop sign, but only after slowing down as may be necessary for safe operation; and

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- b). Exceed the maximum speed limits so long as he does not endanger life, limb, or property.
4. Except for such emergency vehicle operated as a police vehicle, the exemptions granted in this section to such emergency shall apply only when the driver of such vehicle, while in motion, sounds a audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when such vehicle is equipped with a least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle (*Ref. 396-608 R.S. Neb.*)

§5-343 ENGINE COMPRESSION BRAKES; USE UNLAWFUL; PENALTY FOR USE: It shall be unlawful for anyone to use engine compression brakes within the City Limits of the City of Crete. In the event that anyone violates this section and is convicted of the same; he or she shall be fined in an amount not more than the sum of \$100. Signs shall be posted on each of the highways entering the City Limits giving notice that Engine Braking is prohibited. (*Ord. 1514; 03/20/01*)

§5-344 SCHOOL CROSSING ZONES; DESIGNATION:

(1) Section 60-682.01 RS Neb. provides fines for operating a motor vehicle in violation of authorized speed limits and states that the fines are doubled if the violation occurs within a school crossing zone.

(2) Section 60-6,134.01 RS Neb. makes it unlawful for a person operating a motor vehicle to overtake and pass another vehicle in a school crossing zone in which the roadway has only one lane of traffic in each direction and provides fines for violation of that prohibition.

(3) The Governing Body may, by resolution, designate to the public any area of a roadway, other than a freeway, as a school crossing zone through the use of a sign or traffic control device as specified by the Governing Body in conformity with the Manual on Uniform Traffic Control Devices. Any school crossing zone so designated starts at the location of the first sign or traffic control device identifying the school crossing zone and continues until a sign or traffic control device indicates that the school crossing zone has ended. (*Ref. 60-658.01 RS Neb.*) (*Ord. No.*

CHAPTER 5
TRAFFIC REGULATIONS
Article 3. Prohibitions and Enforcement

1587, 07/15/03)

§5-345 SCHOOL CROSSING ZONES; OVERTAKING AND PASSING. A person operating a motor vehicle may not overtake and pass another vehicle in any school crossing zone designated by the Governing Body in which the roadway has only one lane of traffic in each direction. (Ref. 60-6,134.01 RS Neb.) (Ord. No. 1588, 07/15/03)