

## LEGISLATIVE BILL 365

Approved by the Governor May 19, 1971

Introduced by John W. DeCamp, 40th District

AN ACT to amend sections 39-788.03 and 39-788.04, Revised Statutes Supplement, 1969, relating to use of public roads; to change provisions authorizing flashing lights as prescribed; to authorize flashing or rotating lights; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 39-788.03, Revised Statutes Supplement, 1969, be amended to read as follows:

39-788.03. A rotating or flashing amber light or lights shall be displayed on the roof of any motor vehicle being operated by any rural mail carrier outside the corporate limits of any municipality in this state when stopping on or near any road or highway in the process of delivering mail. A rotating or flashing amber light or lights may be displayed on any vehicle of the Military Department while on any state emergency mission, any motor vehicle being operated by any public utility, vehicle service, towing service, or any publicly or privately-owned construction or maintenance vehicle while performing its duties on or near any road, street, or highway, any motor vehicle being operated by any member of the Civil Air Patrol, or any vehicle while actually engaged in the moving of houses, buildings, or other objects of extraordinary bulk, including unbaled livestock forage as authorized by subdivision (5) of section 39-719.

Sec. 2. That section 39-788.04, Revised Statutes Supplement, 1969, be amended to read as follows:

39-788.04. (1) A rotating or flashing blue red light or lights may be displayed on any motor vehicle operated by any volunteer fireman or law enforcement officer anywhere in this state while actually en route to the scene of a fire or other emergency requiring his services as a volunteer fireman 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 the Nebraska State Patrol. The application shall be accompanied by a statement that the applicant is a volunteer fireman 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 fireman or law enforcement officer. Any person whose permit has been so revoked shall upon demand surrender it to the sheriff or his authorized agent.

~~(2) A flashing blue light may be displayed on any motor vehicle being used as a radio or television mobile unit vehicle actually en route to or while present at any news scene. A rotating or flashing red 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 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 firemen 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 blue red light or lights.

Sec. 3. That original sections 39-788.03 and 39-788.04, Revised Statutes Supplement, 1969, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.