

NEBRASKA STATUTES

“EMERGENCY VEHICLE”

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State of Nebraska Statutes

Section 60-6,151

Operation of vehicles upon the approach of emergency vehicles.

(1) Upon the immediate approach of an authorized emergency vehicle which makes use of proper audible or visual signals:

(a) The driver of any other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway or to either edge or curb of a one-way roadway, clear of any intersection, and shall stop and remain in such position until such emergency vehicle passes unless otherwise directed by any peace officer; and

(b) Any pedestrian using such roadway shall yield the right-of-way until such emergency vehicle passes unless otherwise directed by any peace officer.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Source:

Laws 1973, LB 45, § 40
R.S.1943, (1988), § 39-640
Laws 1993, LB 370, § 247

Annotations:

A police vehicle enjoys privileges as an emergency vehicle as long as the officer operates emergency equipment in good faith belief that he or she is responding to an emergency. *Maple v. City of Omaha*, 222 Neb. 293, 384 N.W.2d 254 (1986).

Police department standard operating procedures are merely evidence of "proper audible or visual signals." Police officer exercised due regard in operating an emergency vehicle. *Maple v. City of Omaha*, 222 Neb. 293, 384 N.W.2d 254 (1986).

The trial court did not err in refusing to direct a verdict in favor of the plaintiff, who was injured when he was struck by a police car responding to an emergency call.

Stephen v. City of Lincoln, 209 Neb. 792, 311 N.W.2d 889 (1981).

~ Reissue Revised Statutes of Nebraska

State of Nebraska Statutes

Section 60-6,114

Authorized emergency vehicles; privileges; conditions.

(1) Subject to the conditions stated in the Nebraska Rules of the Road, the driver of an authorized emergency vehicle, when responding to an emergency call, when pursuing an actual or suspected violator of the law, or when responding to but not when returning from a fire alarm, may:

(a) Stop, park, or stand, irrespective of the provisions of the rules, and disregard regulations governing direction of movement or turning in specified directions; and

(b) Except for wreckers towing disabled vehicles and highway maintenance vehicles and equipment:

(i) Proceed past a steady red indication, a flashing red indication, or a stop sign but only after slowing down as may be necessary for safe operation; and

(ii) Exceed the maximum speed limits so long as he or she does not endanger life, limb, or property.

(2) Except when operated as a police vehicle, the exemptions granted in subsection (1) of this section shall apply only when the driver of such vehicle, while in motion, sounds an audible signal by bell, siren, or exhaust whistle as may be reasonably necessary and when such vehicle is equipped with at least one lighted light displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

(3) The exemptions granted in subsection (1) of this section shall not relieve the driver from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect such driver from the consequences of his or her reckless disregard for the safety of others.

(4) Authorized emergency vehicles operated by police and

fire departments shall not be subject to the size and weight limitations of sections 60-6,288 to 60-6,290 and 60-6,294.

Source:

Laws 1973, LB 45, § 8
R.S.1943, (1988), § 39-608
Laws 1993, LB 370, § 210
Laws 2005, LB 82, § 2

Annotations:

The driver of an emergency vehicle has the right to proceed past a steady red light, but must exercise due care in doing so. Gatewood v. City of Bellevue, 232 Neb. 525, 441 N.W.2d 585 (1989).

Police vehicle enjoys privileges as an emergency vehicle as long as the officer operates emergency equipment in good faith belief that he or she is responding to an emergency. Police officer exercised due regard in operating an emergency vehicle. Maple v. City of Omaha, 222 Neb. 293, 384 N.W.2d 254 (1986).

The trial court did not err in refusing to direct a verdict in favor of the plaintiff, who was injured when he was struck by a police car responding to an emergency call. Stephen v. City of Lincoln, 209 Neb. 792, 311 N.W.2d 889 (1981).

~ Revised Statutes Supplement 2005

State of Nebraska Statutes

Section 60-610

Authorized emergency vehicle, defined.

Authorized emergency vehicle shall mean such fire department vehicles, police vehicles, and ambulances as are publicly owned and such other publicly or privately owned vehicles as are designated by the Director of Motor Vehicles.

Source:

Laws 1993, LB 370, § 106

~ Reissue Revised Statutes of Nebraska

State of Nebraska Statutes

Section 60-6,231

Flashing or rotating lights; emergency vehicles; colors permitted.

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 vehicles and publicly or privately owned ambulances and funeral escort vehicles shall be considered to be emergency vehicles.

Source:

Laws 1969, c. 327, § 3, p. 1171
C.S.Supp., 1972, § 39-788.02
Laws 1989, LB 416, § 1
R.S.Supp., 1992, § 39-6, 149
Laws 1993, LB 370, § 327

~ Reissue Revised Statutes of Nebraska

State of Nebraska Statutes

Section 60-6,119

Obedience to traffic control devices; exceptions.

(1) The driver of any vehicle shall obey the instructions of any traffic control device applicable thereto placed in accordance with the Nebraska Rules of the Road, unless otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle in the rules.

(2) No provision of the rules for which traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by a reasonably observant person. Whenever any provision of the rules does not state that traffic control devices are required, such provision shall be effective even though no devices are erected or in place.

(3) Whenever traffic control devices are placed in position approximately conforming to the requirements of the rules, such devices shall be presumed to have been so placed by the official act or direction of lawful authority unless the contrary is established by competent evidence.

(4) Any traffic control device placed pursuant to the rules and purporting to conform with the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of the rules unless the contrary is established by competent evidence.

Source:

Laws 1973, LB 45, § 9
R.S.1943, (1988), § 39-609
Laws 1993, LB 370, § 215

Annotations:

Subsection (5) of this section applies to the operation of an automobile while it is on that part of the road which is closed and requires extreme caution so as to avoid the additional hazards that may be incident to the reason why the road has been closed. *Birchem v. Eggers*, 236 Neb. 775, 463 N.W.2d 824 (1990) (pursuant to Laws 1993, LB 370, section 211, language from subsection (5) of section 39-609 was placed in section 60-6,115).

A city ordinance regulating funeral processions was a reasonable and valid exercise of the city's police power under section 39-697(1)(c) (transferred to section 60-680) and does not conflict with Nebraska's present right-of-way statutes, this section and section 39-614(1)(a) (transferred to section 60-6,123). *Herman v. Lee*, 210 Neb. 563, 316 N.W.2d 56 (1982).

This section does not apply to a highway partially barricaded but not closed to traffic. *Central Constr. Co. v. Republican City School Dist. No. 1*, 206 Neb. 615, 294 N.W.2d 347 (1980).

~ Reissue Revised Statutes of Nebraska