

ORDINANCE NO 10,081

An ordinance to amend Sections 22-1, 22-4, 22-7 and 22-31 and to repeal sections 22-2 and 22-3 of Grand Island City Code Chapter 22 Motor Vehicles and Traffic and to create or modify such sections as necessary; to clarify and/or make general corrections to various sections therein; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCILS OF THE CITY OF GRAND ISLAND, NEBRASKA:

Section 1. Sections 22-1, 22-2, 22-3, 22-4, 22-7 and 22-31 are amended to read as follows:

22-1 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Acceleration or Deceleration Lane shall mean a supplementary lane of a highway lane for traffic, which adjoins the traveled lanes of a highway and connects an approach or exit road with such highway.

Alley shall mean a street intended to provide access to the rear or side of lots or buildings and not intended for the purpose of through vehicular traffic.

Alley entrance shall mean the extension of the alley from the property line to the street curb line.

Arterial street shall mean any street designated by the city council as part of a major arterial system of streets or used primarily for through traffic.

Autocycle shall mean any motor vehicle:

- A. Having a seat that does not require the operator to straddle or sit astride it,
- B. Designed to travel on three wheels in contact with the ground,
- C. Having antilock brakes,
- D. Designed to be controlled with a steering wheel and pedals, and
- E. In which the operator and passenger ride either side by side or in tandem in a seating area that is equipped with a manufacturer-installed three-point safety belt system for each occupant and that has a seating area that either (a) is completely enclosed and is equipped with manufacturer-

installed airbags and a manufacturer-installed roll cage or (b) is not completely enclosed and is equipped with a manufacturer-installed rollover protection system.

Authorized emergency vehicle shall mean vehicles of the Fire Department, the Police Department, or ambulance owned by public or privately-owned ambulance services.

Automatic traffic signals shall mean any device electrically or mechanically controlled by which traffic is alternately directed to stop and proceed.

Bicycle shall mean:

A. every device propelled solely by human power, upon which any person may ride, and having two, three or four wheels, any one or of which being more than fourteen inches in diameter; and

B. An electric bicycle.

Bus shall mean every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

Class I Electric Bicycle means a device with the following components:

- A. Two, three, or four wheels;
- B. A saddle or seat for the rider;
- C. Fully operative pedals for propulsion by human power; and
- D. An electric motor:
 - a. Not exceeding seven hundred fifty watts of power;
 - b. That produces no more than one brake horsepower;
 - c. Capable of propelling the bicycle at a maximum design speed of no more than twenty miles per hour on level ground;
 - d. That only provides power when the rider is pedaling; and
 - e. That does not provide power if the electric bicycle is traveling at a speed of more than twenty miles per hour.

Class II Electric Bicycle means a device with the following components:

- A. Two. Three, or four wheels;
- B. A saddle or seat for the rider;
- C. Fully operative pedals for propulsion by human power; and
- D. An electric motor:

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- a. Not exceeding seven hundred fifty watts of power;
- b. That produces no more than one brake horsepower;
- c. Capable of propelling the bicycle at a maximum design speed of no more than twenty miles per hour on level ground;
- d. Capable of providing power whether or not the rider is pedaling; and
- e. That does not provide power if the electric bicycle is traveling at a speed of more than twenty miles per hour.

Class III Electric Bicycle means a device with the following components:

- A. Two, three, or four wheels;
- B. A saddle or seat for the rider;
- C. Fully operative pedals for propulsion by human power; and
- D. An electric motor:
 - a. Not exceeding seven hundred fifty watts of power;
 - b. That produces no more than one brake horsepower;
 - c. Capable of propelling the bicycle at a maximum design speed of no more than twenty-eight miles per hour on level ground;
 - d. That only provides power when the rider is pedaling; and
 - e. That does not provide power if the electric bicycle is traveling at a speed of more than twenty-eight miles per hour.

Congested District shall include that portion of the City within the following bounds: South Front Street from Oak Street to Walnut Street; Third Street from the Burlington Northern-Sante Fe Railroad Company right-of-way to Eddy Street; Second Street from the Burlington Northern-Sante Fe Railroad Company right-of-way to Elm Street; First Street from Sycamore Street to Cedar Street; Fourth Street from Eddy Street east to Sycamore Street; Oak Street from Second Street to Fourth Street; Kimball Avenue from Second Street to South Front Street; Sycamore Street from First Street to Fourth Street; Pine Street from Court Street to Sixth Street; Locust Street from South Front Street to Charles Street; Wheeler Avenue from South Front Street to Koenig Street; Walnut Street from First Street to Fifth Street; Cedar Street from First Street to South Front Street; Elm Street from Second Street to Fourth Street; Cleburn Street from Second Street to Fourth Street; and Eddy Street from Second Street to Fourth Street.

Crosswalk shall mean:

- A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway measured from the curbs, or in the absence of curbs from the edge of the roadway; or

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B. Any portion of a roadway at an intersection or elsewhere distinctly designated by competent authority and marked for pedestrian crossing by lines, signs, or other devices.

Curb shall mean the lateral boundaries of that portion of a street designed for the use of vehicles, whether marked by curb stones or not so marked.

Drive shall mean to operate or be in the actual physical control of a motor vehicle.

Driver or operator shall mean any person who drives or is in actual physical control of a vehicle.

Electric Personal Assistive Mobility Device shall mean a self-balancing, two-nontandem-wheeled device, designed to transport only one person and containing an electric propulsion system with an average power of seven hundred fifty watts or one horsepower, whose maximum speed on a paved level surface, when powered solely by such a propulsion system and while being ridden by an operator who weighs one hundred seventy pounds, is less than twenty miles per hour.

Electric Bicycle ("E-bike") shall mean a Class I Electric Bicycle, a Class II Electric Bicycle, and a Class III Electric Bicycle.

Golf Car Vehicle shall mean a vehicle that has at least four wheels, has a maximum level ground speed of less than twenty miles per hour, has a maximum payload capacity of one thousand two hundred pounds, has a maximum gross vehicle weight of two thousand five hundred pounds, has a maximum passenger capacity of not more than four persons, is designed and manufactured for operation on a golf course for sporting and recreational purposes, and is not being operated within the boundaries of a golf course.

Hoverboard shall mean a self-balancing single or double wheel electronic board scooter or electric skateboard.

Intersection or street intersection shall mean the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or more highways which join one another at, or approximately at, right angles, or the area which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection. The junction of any alley with a street shall not constitute an intersection.

Lightweight E-Scooter shall mean a device propelled by an electronic or gas motor, having a stand on deck, with handlebars, and two to three wheels that are 12" or smaller.

Low-Speed Vehicle shall mean:

A. A four-wheeled motor vehicle

a. Whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour on a paved, level surface;

- b. Whose gross vehicle weight rating is less than three thousand pounds; and
 - c. That complies with 49 C.F.R. part 571, as such part existed on January 1, 2023; or
- B. A three-wheeled motor vehicle
- a. Whose maximum speed attainable is not more than twenty-five miles per hour on a paved, level surface;
 - b. Whose gross vehicle weight rating is less than three thousand pounds; and
 - c. Which is equipped with a windshield and an occupant protection system. A motorcycle with a sidecar attached is not a low-speed vehicle.

Median shall mean that part of a divided street or highway, such as a physical barrier or clearly indicated dividing section or space, so constructed as to impede vehicular traffic across or within such barrier, section, or space, or to divide such highway or street into two roadways for vehicular travel in opposite directions.

Median Crossover shall mean a connection between roadways of a divided highway or street the use of which may permit a vehicle to reverse its direction by continuously moving forward.

Median Opening shall mean a gap in a median provided for crossing and turning traffic.

Minibike shall mean a two-wheel motor vehicle which has a total wheel and tire diameter of less than fourteen inches or an engine-rated capacity of less than forty-five cubic centimeters displacement, a seat height less than twenty-five inches from the ground or any other two-wheel motor vehicle primarily designed by the manufacturer for off-road use only. Minibike shall not include an electric personal assistive mobility device.

Minitruck shall mean a foreign-manufactured import vehicle or domestic-manufactured vehicle which:

- A. Is powered by an internal combustion engine with a piston or rotor displacement of one thousand five hundred cubic centimeters or less;
- B. Is sixty-seven inches or less in width;
- C. Has a dry weight of four thousand two hundred pounds or less;
- D. Travels on four or more tires;
- E. Has a top speed of approximately fifty-five miles per hour;
- F. Is equipped with a bed or compartment for hauling;
- G. Has an enclosed passenger cab;
- H. Is equipped with headlights, taillights, turn signals, windshield wipers, a rearview mirror, and an occupant protection system; and
- I. Has a four-speed, five-speed, or automatic transmission.

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Moped shall mean a device with fully operative pedals for propulsion by human power, an automatic transmission and a motor with a cylinder capacity not exceeding fifty cubic centimeters which produces no more than two brake horsepower and is capable of propelling the device at a maximum design speed of no more than thirty (30) miles per hour.

Motorcycle shall mean every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, excluding tractors and electric personal assistive mobility devices. Motorcycle includes an auticycle.

Motor-driven Cycle shall mean every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower as measured at the drive shaft, mopeds, and every bicycle with a motor attached except for an electric bicycle. Motor-driven cycle shall not include an electric personal assistive mobility device or an auticycle.

Motor Vehicle shall mean every self-propelled land vehicle, not operated on rails, except bicycles, mopeds or self-propelled chairs used by persons who are disabled, and electric personal assistive mobility devices.

Official Traffic Signals shall mean all signals not inconsistent with this chapter, placed or erected by authority of the city council or official having authority for the purpose of directing, warning, or regulating traffic.

One-Way Street shall mean a street designated as such by the city council upon which vehicle traffic shall move in one direction.

Operator or Driver shall mean any person who operates, drives, or is in actual physical control of a vehicle.

Operator's or Driver's License shall mean any license or permit to operate a motor vehicle issued under the laws of this State, including:

- A. Any replacement license or instruction permit;
- B. The privilege of any person to drive a motor vehicle whether such person holds a valid license;
- C. Any nonresident's operating privilege which shall mean the privilege conferred upon a nonresident by the laws of this state pertaining to the operation of a motor vehicle in this state by such person or the use in this state of a vehicle owned by such person;
- D. An employment driving permit issued as provided by Neb. Rev. Stat. §§60-4,129 and 60-4,130; and
- E. A medical hardship driving permit issued as provided in Neb. Rev. Stat. §§60-4,130.01 and 60-4,130.02.

Owner shall mean, with respect to a vehicle, a person, other than a person holding a security interest, having the property in or title to a vehicle, including a person entitled to the use and

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possession of a vehicle subject to a security interest in another person, but excluding a lessee under a lease not intended as security.

Park or Parking shall mean the standing of a vehicle, whether occupied or not, upon a street or alley, otherwise than in obedience to traffic regulations or a traffic control device or temporarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers.

Pedestrian shall mean any person afoot.

Person shall mean every natural person, firm, partnership, association, or corporation.

Police Officer or Traffic Officer shall mean every officer of the Grand Island Police Department, or any officer authorized to direct or regulate traffic or make arrests for the violation of traffic regulations.

Private Road or Driveway shall mean every way or place in private ownership and for vehicular travel by the owner or those having express or implied permission from the owner but not by other persons.

Railroad shall mean a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

Railroad Sign or Signal shall mean any sign, signal, or device erected by authority of a public body or official or by a railroad intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Registration shall mean the registration certificate or certificates and license plates issued under the Nebraska Motor Vehicle Registration Act.

Right-of-Way shall mean the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway shall mean that portion of a street or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term roadway shall refer to any such roadway separately but not to all such roadways collectively.

Safety Zone shall mean the area or space officially set apart within a street for the exclusive use of pedestrians, and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

School Crossing Zone shall mean the area of a roadway designated by the City as a school crossing zone through the use of a sign or traffic control device as specified by the City in conformity with the regulations of the Nebraska Department of Transportation but does not include any area of a freeway. A school crossing zone 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.

Security Interest shall mean an equitable title or property right in a vehicle reserved or created by agreement and which secures payment or performance of an obligation, including the interest of a lessor under a lease intended as security, and which is perfected when it is valid against third parties generally, subject only to specific statutory exceptions.

Semitrailer shall mean any vehicle, with or without motive power, designed to carry persons or property and to be drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Shoulder shall mean that part of the highway contiguous to the roadway and designed for the accommodation of stopped vehicles, for emergency use, and for lateral support of the base and surface courses of the roadway.

Sidewalk shall mean that portion of the sidewalk space intended for use by pedestrians or any pathway or route intended for use by pedestrians.

Sidewalk Space shall mean that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for use by pedestrians.

Snowmobile shall mean a self-propelled motor vehicle designed to travel on snow or ice or a natural terrain steered by wheels, skis, or runners and propelled by a belt-driven track with or without steel cleats.

Stand or Standing shall mean the halting of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Stop or Stopping shall mean:

A. When required, a complete cessation of movement.

B. Stop or stopping, when prohibited, shall mean any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device.

Street or Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Traffic shall mean pedestrians, ridden or herded animals, and vehicles and other conveyances, either singly or together, while using any street or highway for purposes of travel.

Traffic Control Device shall mean any sign, signal, marking or other device placed or erected by authority of the City of Grand Island, the County of Hall, the State of Nebraska, or the United States of America for the purpose of regulating, warning, or guiding traffic.

Traffic Control Signal shall mean any signal, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Traffic Lane shall mean that portion of a street designated by the city council as a path, track, or passageway within which vehicular traffic shall move.

Trailer shall mean any vehicle with or without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Truck shall mean any motor vehicle designed, used, or maintained primarily for the transportation of property.

Truck-tractor shall mean any motor vehicle designed and primarily used for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved solely by human power or used exclusively upon stationary rails or tracks.

Viaduct shall mean a bridge-like structure carrying highway or street over another highway or street or over railroad tracks.

All words and phrases not defined herein shall have ascribed to them the definition set forth in Chapter, 60 Article 6, Revised Statutes of Nebraska, as amended.

22-2 Reserved

22-3 Reserved

22-4 Chief Of Police; Powers And Duties

It shall be the duty of the Chief of Police to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the mayor and city council ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.

22-7 Traffic Records

The Grand Island Police Department shall maintain a record of all violations of traffic laws and all traffic accident reports. Such records and reports shall be held for a period of ten years, after which they may be destroyed at the direction of the chief of police.

22-31 Lightweight E-Scooter, Electric Bicycle ("E-Bike") and Hoverboard usage on public property.

- A. No person shall ride a lightweight e-scooter, e-bike, or hoverboard upon a roadway on which the posted speed limit is greater than 25 miles per hour. Any person riding a lightweight e-scooter, e-bike, or one-wheeled scooter may cross such roadways at a marked intersection.

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- B. No person shall ride a lightweight e-scooter, e-bike, or hoverboard upon 1st Street from Broadwell to Public Safety Drive and 2nd Street from Broadwell to Public Safety Drive. Any person riding a lightweight e-scooter, e-bike, or hoverboard may cross 1st or 2nd Streets at a marked intersection.
- C. Any person riding a lightweight e-scooter, e-bike, or hoverboard shall not ride upon a sidewalk within the Congested District. Any such person is permitted to carry or walk alongside such lightweight e-scooter, e-bike, or hoverboard on the sidewalks located in the Congested District.
- D. It shall be lawful for any person to operate an e-scooter, e-bike, or hoverboard on hike and bike trails as regulated in Grand Island City Code §24-3, unless such activity is expressly prohibited by posted signage. Any person riding on such hike and bike trail must travel at a speed deemed safe and reasonable.
- E. Every person riding a lightweight e-scooter, e-bike, or a hoverboard upon a roadway shall be granted all of the rights and shall be subject to all the duties applicable to vehicles or by this Code or other traffic ordinances of this City applicable to the driver of a vehicle, except as to special regulations in this section and as to those provisions of laws and ordinances which by their nature can have no application.
- F. Any person operating a lightweight e-scooter, e-bike, or a hoverboard shall obey the instruction of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a Police Officer.
- G. Any person operating an e-scooter, e-bike, or hoverboard upon a street shall clearly signal their intention for turning left and right by utilizing hand signals.
- H. Any lightweight e-scooter, e-bike, or hoverboard being ridden at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front on a clear night and with a red reflector on the rear which shall be visible on a clear night from all distances between one hundred (100) feet and six hundred (600) feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A light emitting a red light visible from a distance of five (500) feet to the rear may be used in addition to such red reflector.
- I. When riding a lightweight e-scooter, e-bike, or hoverboard on a sidewalk, hike and bike trail, or other pedestrian walkway, the user shall yield the right of way to all pedestrians and give an audible signal before overtaking and passing such pedestrian. When three or more lightweight e-scooters, e-bikes, and/or hoverboards ride in a group, such group must proceed in single file so as to not impede others.
- J. The operator of a lightweight e-scooter, e-bike, or hoverboard emerging from an alley, driveway, or building, shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway.
- K. Any person operating an Electric Personal Assistive Mobility Device is exempt from the provision of this section. This exemption applies to devices designed primarily for individuals with mobility impairments and operated in accordance with applicable state and federal accessibility laws and regulations.

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- L. Penalties for violation of this section shall be found on the City's Waiver Fine Schedule, duly adopted by the City Council.
- M. A Police Officer apprehending a person for violating this section may impound the lightweight e-scooter or hoverboard, and a Court may order it to be sold by the City of Grand Island or destroyed.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect after its passage and publication, in one issue of the Grand Island Independent as provided by law.

Enacted: June 23, 2026

Roger G. Steele, Mayor

Attest:

Jill Granere, City Clerk