

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 757**  
Final Reading

Introduced by Smith, 14.

Read first time January 09, 2014

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to roads; to amend sections 39-1010 and 81-710,  
2 Reissue Revised Statutes of Nebraska; to provide an  
3 exception for location of mailboxes; to change provisions  
4 for adopting and promulgating rules and regulations  
5 governing state wayside areas; to eliminate duties  
6 regarding road-numbering systems and placement of signs;  
7 to repeal the original sections; and to outright repeal  
8 section 39-2123, Reissue Revised Statutes of Nebraska.  
9 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 39-1010, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           39-1010 ~~All~~ (1) Except as otherwise provided in this  
4 subsection, all mailboxes shall be placed such that no part of the  
5 mailbox extends beyond the shoulder line of any highway and the  
6 mailbox support shall be placed a minimum of one foot outside the  
7 shoulder line of any gravel-surfaced highway, and of any hard-  
8 surfaced highway having a shoulder width of six feet or more as  
9 measured from the edge of the hard surfacing. Along hard-surfaced  
10 highways having a shoulder width of less than six feet, the  
11 Department of Roads shall, on new construction or reconstruction,  
12 where feasible, provide a shoulder width of not less than six feet,  
13 or provide for a minimum clear traffic lane of ten feet in width at  
14 ~~such~~ mailbox turnouts. On highways built before October 9, 1961,  
15 having a shoulder width of less than six feet, the Department of  
16 Roads may, where feasible and deemed advisable, provide a shoulder  
17 width of not less than six feet or provide for minimum clear traffic  
18 lane of ten feet in width at ~~such~~ mailbox turnouts. For a hard-  
19 surfaced highway having either a mailbox turnout or a hard-surfaced  
20 shoulder width of eight feet or more, the mailbox shall be placed  
21 such that no part of the mailbox extends beyond the outside edge of  
22 the mailbox turnout or hard-surfaced portion of the shoulder and the  
23 mailbox support shall be placed a minimum of one foot outside the  
24 outside edge of the mailbox turnout or hard-surfaced portion of the  
25 shoulder.

1           (2) It shall be the duty of the Department of Roads to  
2 notify the owner of all mailboxes in violation of the provisions of  
3 this section, and the department may remove such mailboxes if the  
4 owner fails or refuses to remove the same after a reasonable time  
5 after he or she is notified of such violations.

6           Sec. 2. Section 81-710, Reissue Revised Statutes of  
7 Nebraska, is amended to read:

8           81-710 The Department of Roads shall establish, operate,  
9 and maintain state wayside areas. Pursuant to the Administrative  
10 Procedure Act, the department ~~shall~~may adopt and promulgate rules  
11 and regulations necessary to govern the use of state wayside areas  
12 and may establish fees for services, including overnight camping.

13           The department may contract with public or private  
14 entities for the operation and maintenance of state wayside areas.

15           If the department determines that an area is no longer  
16 suited or needed as a state wayside area, the department may close  
17 such area or any part thereof and declare such area or facilities as  
18 surplus. The department shall offer to convey the surplus land or  
19 facilities to all local political subdivisions in the vicinity, and  
20 if such offers are rejected, the department may sell such lands and  
21 facilities.

22           Sec. 3. Original sections 39-1010 and 81-710, Reissue  
23 Revised Statutes of Nebraska, are repealed.

24           Sec. 4. The following section is outright repealed:  
25 Section 39-2123, Reissue Revised Statutes of Nebraska.