

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING)
THE ENGINE BRAKING) RESOLUTION NO. _____
RESOLUTION NO. 03-0106)

WHEREAS, the Lancaster Board of County Commissioners (“Board”) of Lancaster County, Nebraska adopted regulations regarding engine braking on October 7, 2003, under Resolution No. 03-0106, prohibiting engine braking on all public roads in Lancaster County (“County”) subject to the jurisdiction of the Board;

WHEREAS, pursuant to NEB. REV. STAT. § 60-680(x), any local authority with respect to highways under its jurisdiction and within the reasonable exercise of the police power may adopt other traffic regulations not prohibited by state law or contrary to state law;

WHEREAS, pursuant to NEB. REV. STAT. § 60-680(v), any local authority with respect to highways under its jurisdiction and within the reasonable exercise of the police power may adopt and enforce a resolution prohibiting the use of engine brakes on the National System of Interstate and Defense Highways that has a grade of less than five degrees within its jurisdiction;

WHEREAS, the Board is a local authority pursuant to NEB. REV. STAT. § 60-628;

WHEREAS, the Board believes that it is in the best interests of the citizens of the County to amend Resolution No. 03-0106 to prohibit engine braking as posted on public roads in the County that are subject to the jurisdiction of the Board, except that engine braking shall not be prohibited on any road within the National System of Interstate and Defense Highways that has a grade of five degrees or greater within the Board’s jurisdiction;

WHEREAS, pursuant to NEB. REV. STAT. § 60-678, any person who violates regulations adopted by a local authority shall be guilty of a Class III misdemeanor;

NOW, THEREFORE, BE IT RESOLVED by the Board that Resolution No. 03-0106 be amended as follows:

Engine braking should be and hereby is prohibited as posted on all public roads in Lancaster County subject to the jurisdiction of the County Board, except that engine braking shall not be prohibited on any road within the National System of Interstate and Defense Highways that has a grade of five degrees or greater within the Board's jurisdiction.

All other provisions of Resolution No. 03-0106 not in conflict with the terms of this Amendment shall remain in full force and effect.

DATED this ____ day of _____, 2018, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this ____ day of
_____, 2018.

Deputy County Attorney
for JOE KELLY
County Attorney

