

ORDINANCE NO. _____

1 AN ORDINANCE amending Lincoln Municipal Code Chapter 10.14, Rules of the
2 Road, by amending Section 10.14.290 relating to careless and reckless driving to add language to
3 harmonize the section with state statute language; adding a new section numbered 10.14.295 to
4 harmonize the penalty for violation of Section 10.14.290(b), reckless driving, with state statute; by
5 amending Section 10.14.300 relating to willful negligent, careless, and reckless driving to delete the
6 violations of willful negligent and willful careless driving and to add language to harmonize the
7 section and penalty with state statutes; and repealing Sections 10.14.290 and 10.14.300 of the
8 Lincoln Municipal Code as hitherto existing.

9 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

10 Section 1. That Section 10.14.290 of the Lincoln Municipal Code be amended to
11 read as follows:

12 **10.14.290 Operation of Vehicle in Careless, Reckless, or Negligent Manner.**

13 It shall be unlawful for any person to drive, use, operate, park, cause to be parked, or stop
14 any vehicle:

15 (a) in a careless manner or without due caution in a manner as to endanger any person or
16 property, or

17 (b) in a reckless manner so as to indicate an indifferent or wanton disregard for the safety
18 of persons or property, or

19 (c) in a negligent manner, or

20 ~~(d) in such manner as to endanger life, limb, person, or property, or~~

1 (ed) in such a manner as to endanger or interfere with the lawful traffic or use of the streets,

2 or

3 (fe) in such a condition as to endanger or interfere with the lawful traffic or use of the streets.

4 Section 2. That Chapter 10.14 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 10.14.295 to read as follows:

6 **10.14.295 Reckless Driving; Penalty.**

7 Any person convicted of reckless driving in violation of Section 10.14.290(b), shall upon a
8 first conviction be guilty of a misdemeanor and shall be punished by a fine not exceeding \$500.00
9 or by imprisonment in the county jail for a period not to exceed three months, or both.

10 Section 3. That Section 10.14.300 of the Lincoln Municipal Code be amended to
11 read as follows:

12 **10.14.300 ~~Careless, Willful Reckless, Negligent~~ Driving.**

13 It shall be unlawful for any person to willfully drive, use, or operate any vehicle ~~carelessly,~~
14 ~~negligently,~~ or recklessly in such a manner as to endanger life, limb, person, or property. Any
15 person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and
16 upon conviction thereof shall be punished by a fine not exceeding ~~\$100.00~~ \$500.00 or by
17 imprisonment in the county jail for a period not to exceed ~~six~~ three months, or both.

18 The court shall, as part of the judgment of conviction, order such person not to drive any
19 motor vehicle for any purpose for a period not less than 30 days nor more that one year from the date
20 ordered by the court and shall order the operator's license of such person be revoked for a like
21 period of time. The revocation shall be administrated upon sentencing, upon final judgment of any
22 appeal or review, or upon the date that any probation is revoked.

1 The penalty herein provided shall be cumulative with and in addition to the revocation,
2 cancellation, or forfeiture of any license, permit, or right elsewhere in this title provided for violation
3 thereof or as provided by law.

4 Section 4. That Sections 10.14.290 and 10.14.300 of the Lincoln Municipal Code
5 as hitherto existing be and the same are hereby repealed.

6 Section 5. That this ordinance shall take effect and be in force from and after passage
7 and publication in one issue of a daily or weekly newspaper of general circulation in the City,
8 according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2012: _____ Mayor
