

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Section 10.14.250 of the Lincoln Municipal Code,  
 2 relating to speed regulations, to bring said section into conformity with state statute by providing  
 3 provide a fine for traveling more than 35 mph over the authorized speed limit and establishing  
 4 ranges for fines of twenty-one miles per hour to thirty-five miles per hour over the authorized speed  
 5 limit, and thirty-six miles per hour or more over the authorized speed limit relating to the definition  
 6 and fines for speeding in a construction zone; and repealing Section 10.14.250 of the Lincoln  
 7 Municipal Code as hitherto existing.

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

9 Section 1. That Section 10.14.250 of the Lincoln Municipal Code be amended to  
 10 read as follows:

11 **10.14.250 Speed Regulated.**

12 (a) The maximum or minimum speed on any divided arterial highway which is a part of  
 13 the state highway system, designed primarily for through traffic, with control of access and with  
 14 grade separations at all intersecting road crossings, including all interchanges and approaches and  
 15 exit roads thereto, and including any portion of the national system of interstate and defense  
 16 highways meeting the requirements hereinbefore stated, shall be governed by state law, or as  
 17 determined and declared by the Department of Roads of the State of Nebraska.

18 (b) Except as provided in paragraph (a) of this section, it shall be unlawful for the driver  
 19 of any vehicle on any street within the city to drive such vehicle at a rate of speed greater than is  
 20 reasonable and prudent under the conditions then existing and except when a special hazard exists  
 21 that requires lower speed, the limits specified in this paragraph or established as hereinafter  
 22 authorized in paragraph (c) of this section shall be maximum lawful speeds, and it shall be unlawful  
 23 for the driver of any vehicle on any street within the city to drive such vehicle at a speed in excess  
 24 of such maximum limits:

- 1 (1) Twenty-five miles per hour in the congested district;
- 2 (2) Thirty-five miles per hour on arterial streets outside of the congested district;
- 3 (3) Twenty-five miles per hour on all other streets.

4 (c) Whenever the Director of Public Works and Utilities shall determine on the basis of  
5 an engineering and traffic investigation that the maximum speed permitted in paragraph (b) of this  
6 section is greater or less than is reasonable and safe under the conditions found to exist upon a street  
7 or part of a street, the Director of Public Works and Utilities shall determine and declare a maximum  
8 speed limit which shall be effective when appropriate signs giving notice thereof are erected upon  
9 such street or part of a street.

10 (d) Any person who violates any maximum speed limit established pursuant to this  
11 section for any street within the City shall be deemed guilty of a traffic infraction and upon  
12 conviction shall be punished by a fine as follows, recoverable with costs:

13 (1) Ten dollars for traveling one to five miles per hour over the authorized speed  
14 limit;

15 (2) Twenty-five dollars for traveling six to ten miles per hour over the authorized  
16 speed limit;

17 (3) Seventy-five dollars for traveling eleven to fifteen miles per hour over the  
18 authorized speed limit;

19 (4) One hundred twenty-five dollars for traveling sixteen to twenty miles per hour  
20 over the authorized speed limit; ~~and~~

21 (5) Two hundred dollars for traveling twenty-one miles per hour ~~or more to~~  
22 thirty-five miles per hour over the authorized speed limit; ~~and~~

23 (6) Three hundred dollars for traveling thirty-six miles per hour or more over the  
24 authorized speed limit.

25 (e) The fines prescribed in subsection (d) of this section shall be doubled if the violation  
26 occurs within a maintenance, repair, or construction zone. Signs shall be placed within or in advance  
27 of maintenance, repair, or construction zones which provide information that the fines for exceeding

1 the speed limit in such zones are doubled. For the purposes of this subsection, maintenance, repair,  
2 or construction zone shall mean (1) the portion of a street or highway identified by posted or moving  
3 maintenance, repair, or construction signs; and (2) within such portion of a street or highway where  
4 construction workers are present. The maintenance, repair, or construction zone starts at the location  
5 of the first posted or moving sign identifying the maintenance, repair, or construction zone and  
6 continues until a posted or moving sign indicates the maintenance, repair, or construction zone has  
7 ended.

8 (f) The fines prescribed in subsection (d) of this section shall be doubled if the violation  
9 occurs within a school crossing zone.

10 (g) The provisions of this section shall not apply to racing permitted by the city or  
11 sponsored by the City.

12 Section 2. That Section of the Lincoln Municipal Code as hitherto existing be and  
13 the same is hereby repealed.

14 Section 3. That this ordinance shall take effect and be in force from and after its  
15 passage and publication in one issue of a daily or weekly newspaper of general circulation in the  
16 City according to law.

Introduced by:  
  
\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2009:  _____ Mayor
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