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Citation: 1905 549 1905

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## CHAPTER 129.

(House Roll No. 146.)

[Introduced by Mr. Hand.]

## A Bill

FOR AN ACT requiring registration of motor vehicles and regulating their use or operation upon the highways or streets.

*Be it Enacted by the Legislature of the State of Nebraska:*

Section 1. [**Construction of act.**] The words and phrases used in this act shall, for the purpose of this act only, be construed as follows:

1. [**Motor vehicles defined.**] "Motor vehicles," shall include all vehicles propelled by any power other than muscular power, excepting such motor vehicles as run only upon rails or tracks, provided that nothing herein contained, shall apply to tracks and engines or road rollers; 2, "Closely built up portions," shall mean the territory of a city, town, or village, contiguous to a public highway devoted to business or where for not less than one fourth (1-4) of a mile the dwelling houses on such highways average not more than one hundred (100) feet apart.

Section 2. [**Register with Secretary of State. Fee.**] Every owner of a motor vehicle shall, for every such vehicle owned by him, file in the office of the Secretary of State a statement of his name and address, with a brief description of the vehicle to be registered, on a blank prepared and furnished by such Secretary for that purpose. The filing fees to be One Dollar (\$1.00.)

Section 3. [**Number.**] The Secretary of the State shall thereupon file such a statement in his office, register such motor vehicle in a book to be kept for that purpose and assign it a number beginning with number one (1) and so on in the order of filing.

Section 4. [**Transfers.**] Every person acquiring a motor vehicle shall file a like statement with the Secretary of State and such Secretary of State, shall in like manner, file such statement, register such vehicle and assign it a number. If the vehicle has

previously been registered, and such fact and number assigned it shall be set forth in the statement, and the previous registration shall be cancelled; but the number of such previous registration may be assigned under the new registration.

**Section 5. [Registration seal.]** The Secretary of State shall forthwith on such registration and without other fee, issue and deliver to the owner of such motor vehicle, a seal of aluminum or other suitable metal, which shall be circular in form, not over two inches (2) in diameter, and have stamped therein the words, "Registered in the office of the Secretary of State for the State of Nebraska," under the motor vehicle law, No. . . . .," with the registration number inserted therein; which seal shall thereafter at all times be conspicuously displayed on the motor vehicle to which such number has been assigned.

**Section 6. [Number displayed—Size.]** Every motor vehicle shall also at all times have the number assigned to it by the Secretary of State displayed on the back of such motor vehicle in such manner as to be plainly visible, the number to be Arabian numerals, each not less than three (3) inches in height, and each stroke to be of a width not less than one-half ( $\frac{1}{2}$ ) inch, and also as a part of such number the initial and terminal letters of the State's name, such letters to be not less than two (2) inches in height.

**Section 7. [Non-residents.]** The provision of section two (2) to five (5) inclusive shall not apply to motor vehicles owned and operated by non-residents of this state, provided the owners thereof have complied with any law requiring the registration of owners of motor vehicles in force in the state, territory or federal district of their residence, and the registration number showing the initials of such state, territory or federal district, shall be displayed on such vehicles substantially as provided by Section six (6) of this act.

**Section 8. [Speed limit.]** No person shall operate a motor vehicle on a public highway at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of

the highway, or so as to endanger the life or limb of any person, or in any event in the closer built up portion of a city, town or village, at a greater rate than one (1) mile in six (6) minutes, or elsewhere in a city, town or village at a greater rate than one (1) mile in four (4) minutes, or else where outside of the city, town or village at a greater average rate than twenty (20) miles per hour; subject, however, to the other provisions of this section. Upon approaching a crossing of intersecting public highways, or a bridge, or a sharp curve, or a steep descent, and also in traveling such crossings, bridges, curves or descent, a person operating a motor vehicle shall have it under control and operated at a rate of speed less than heretofore specified, and in no event greater than is reasonable and proper, having regard to the traffic then on such highways and the safety of the public.

Section 9. **[Operating.]** Any person operating a motor vehicle shall at request or on signal by putting up the hand, from a person riding or driving a restive horse or other draught or domestic animal, bring such motor vehicle immediately to a stop, and, if traveling in the opposite direction remain stationary so long as may be reasonable to allow such horse or animal to pass, and, if traveling in the same direction, use reasonable caution in passing such horse or animals, and the operator or occupant of any motor vehicle shall render necessary assistance to the party having in charge such a horse or other draught animal in so passing.

Section 10. **[Brakes—Signals.]** Every motor vehicle while in use on a public highway shall be provided with a good and sufficient brake, and also with suitable bell, horn or other signal, and be so constructed as to exhibit, during the period from one (1) hour after sunset to one hour before sunrise, one or more lamps showing white lights visible within a reasonable distance toward which such a vehicle is proceeding and also a red light visible in the reverse direction.

Section 11. **[Use of highways.]** Cities and towns shall have no power to pass, in force or maintain any ordinance, rule

or regulation requiring of any owner or operator of a motor vehicle any license or permit to use the public highway or exclude or prohibit any motor vehicle whose owner has complied with section two (2) or section four (4) of this act from the free use of such highways, and all such ordinances, rules or regulations now in force, are hereby declared to be of no validity or effect: Provided that nothing in this act shall be construed as limiting the power of local authorities to make and force and maintain an ordinance, rules or regulation, in addition to the provisions of this act, affecting motor vehicles which are offered to the public for hire.

Section 12. **[Violations—Penalties.]** The violation of any of the provisions of this act, shall be deemed a misdemeanor, punishable by fine not exceeding twenty-five dollars (\$25.00) for first offense, and punishable by a fine not less than twenty-five dollars (\$25.00) nor more than Fifty Dollars (\$50.00), or imprisonment not exceeding thirty days (30) in the county jail for a second or subsequent offense.

Approved April 3rd., 1905.

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CHAPTER 130.

(House Roll No. 312.)

[Introduced by Mr. Cropsey.]

A Bill

FOR AN ACT to amend Section 3 of subdivision 2, Chapter 79, Wheeler's Compiled Statutes of Nebraska for 1903, and to repeal said original section.

*Be it Enacted by the Legislature of the State of Nebraska:*

Section 1. **[Section amended.]** That Section 3 of subdivision 2, Chapter 79, Wheeler's Compiled Statutes of Nebraska for 1903, be amended to read as follows:

Section 3. **[Notice of meetings—Contents.]** All notices of annual or special meetings, after the first meeting has been held

as hercinbefore provided, shall state the day, hour and place of meeting, which place shall be within the district, and shall be given at least fifteen days previous to such meeting by posting up copies thereof in three public places within the district; but no annual meeting shall be deemed illegal for want of such notice. No school house site shall be changed nor taxes voted for building, purchase or lease of a school house at any district meeting unless notices shall have been given of such meetings as above provided, including therein the fact that such subjects will then be considered.

Section 2. **[Repeal.]** That Section 3 of Subdivision 2, Chapter 79, Wheeler's Compiled Statutes of Nebraska for 1903, be and the same is hereby repealed.

Approved April 3rd., 1905.

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CHAPTER 131.

(House Roll No. 180.)

[Introduced by Mr. Kyd.]

A Bill

FOR AN ACT to amend section 5437 of the Compiled Statutes of 1903 and to repeal said original section.

*Be it Enacted by the Legislature of the State of Nebraska:*

Section 1. **[Annual school levy—Limit.]** That trustees of each school district within the state of Nebraska shall, prior to the annual school district meeting in each year, provided for by section 5427 of this act, prepare an estimate showing the amount of money required for the maintenance of schools during the coming school year, and the legal voters at the annual school meeting each year, shall determine the amount of money required for school maintenance during the coming school year, which shall be an amount sufficient to maintain a school in the manner and for the time provided in section 5440 of the act and the amount of money so required shall be levied as a tax upon

all of the taxable property of the school district; Provided, that in districts having four children or less of school age, the amount levied shall not exceed the sum of four hundred (\$400) dollars in any year; and in districts having more than four and less than sixteen children of school age, the levy shall not exceed the sum of fifty (\$50) dollars per child in addition to the above. The amount of money so voted as being necessary for the maintenance of the school for the coming year, shall be certified by the district school board to the county clerk of the county in which said school district is located and said amount shall be levied by the county board on the assessed value of the school district, and be collected as other taxes; provided, that the amount so levied shall not exceed in any one year, two and one half (\$2.50) dollars on the one hundred dollars valuation as assessed and equalized.

Section 2. **[Repeal.]** That section 5437 of the Compiled Statutes be and the same is hereby repealed.

Section 3. **[Emergency.]** Whereas an emergency exists, this act shall be in force and effect on and after its passage and approval.

Approved March 29, 1905.

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CHAPTER 132.

(Senate File No. 149.)

[Introduced by Mr. Thomas.]

A BILL

FOR AN ACT to Distribute Funds heretofore paid into county treasury for Free High Schools.

*Be it Enacted by the Legislature of the State of Nebraska:*

Section 1. **Distribution of Funds.]** That all funds which have heretofore been paid into the treasury of any county for the maintenance of free high schools for non-resident pupils, shall be paid to the school districts of such county which have