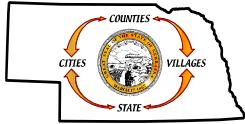


Key Statutes

Highway Law and Highway-related Law

Chapter 39 Highways and Bridges

Chapter 39, Article 21 Integrated System of Public Roads, Functional Classification, NBCS



Title 428
Chapter 1 - Procedures for Classifications



Title 428
Chapter 2 - Procedures for Standards



Statute	What It Does
39-2101	Legislature's intent, create functional classes (FC) and NBCS
39-2102	defines two state FC categories: rural, municipal
39-2103	defines (generally) rural functional classes
39-2104	defines (generally) municipal functional classes
39-2105	assigns jurisdictional responsibility based on functional classes
39-2106	establishes the NBCS
39-2109	requires the NBCS to develop/adopt specific criteria for each FC (428 NAC 1)
39-2110	requires the NDOT to assign FC for each segment
39-2111	designates the NBCS to hear any FC appeals
39-2112	allows reclassification of public road segments
39-2113	requires the NBCS to establish standards based on functional classifications (Title 428 NAC 2)
39-2115 and 39-2119	requires annual OneAndSix planning and public hearing,
39-2120	requires counties and cities to submit an annual <i>Certification of Program Compliance</i> with resolution to the NBCS
39-2121	defines penalties for not filing <i>Certification of Program Compliance</i> , false reporting, or building below standards
39-2122	allows the NBCS to randomly check construction projects for conformance

Chapter 39, Article 23 County Highway and City Street Superintendents Act



Title 425 - BOARD OF EXAMINERS

Statute	What It Does
39-2301	states the purpose of the Superintendents Act
39-2301.01	defines superintending (duties, assisting in) and other terms to receive incentive payments, the government body must appoint
39-2302	(via a process developed by NDOT) a superintendent licensed under this act
39-2304	establishes the BEX
39-2306 thru 2308	sets Class B license requirements including application fee and examination, sets license period and renewal fee
39-2308.01 thru 2308.03	sets Class A license requirements including application fee, sets license period, renewal fee and professional development hours, and there is no distinction between a county and a city license
39-2309	allows the BEX to suspend or revoke licenses and describes circumstances under which such action can be taken
39-2311	provides that the BEX may establish rules and regulations

Key Statutes

Highway Law and Highway-related Law

Chapter 39, Article 25 Distribution to Political Subdivisions

	Statute	What It Does
Counties	39-2501	incentive Payments to counties come off the top of the Highway Allocation Fund (HAF) in February (once per year) before regular monthly distributions begin for the year
	39-2502	defines minimum required duties that a County Highway Superintendent assists in for the purpose of incentive payments
	39-2503	defines the basis for, and the amounts of, incentive payments to counties
	39-2504	defines potential incentive payment reductions for portions of a year, using a consultant, and/or contracting the services of a superintendent
	39-2505	requires NDOT to determine the amount of each incentive payment and to certify those amounts to the State Treasurer, annual payment is made by Feb 15
	39-2507	defines allocation factors and weights for HAF distributions to counties
	39-2509	requirements for counties to provide funds to match HAF distributions
	39-2510	defines restrictions on the use of funds
Municipalities	39-2511	incentive Payments to counties come off the top of the Highway Allocation Fund (HAF) in February (once per year) before regular monthly distributions begin for the year
	39-2512	defines minimum required duties of a City Street Superintendent for the purpose of incentive payments
	39-2513	defines the basis for, and the amounts of, incentive payments
	39-2514	defines potential incentive payment reductions for portions of a year, using a consultant, and/or contracting the services of a superintendent
	39-2515	requires NDOT to determine the amount of each incentive payment and to certify those amounts to the State Treasurer, annual payment is made by Feb 15
	39-2517	defines allocation factors and weights for HAF distributions to municipalities
	39-2519	requirements for municipalities to provide funds to match HAF distributions
	39-2520	defines restrictions on the use of funds

Key Statutes

Highway Law and Highway-related Law

[Chapter 39, Article 8 Bridges](#)

[Chapter 39, Article 14, General Provisions for County Roads](#)

[Chapter 39, Article 15 County Roads, Organization and Administration](#)

[39-1506](#) specifies who can serve as county highway superintendent: County Surveyor for population 60,000 to 149,999, County Engineer for population 150,000 and greater, and no member of the county board can serve as superintendent

[Chapter 39, Article 16 County Roads, Road Improvement Districts](#)

[Chapter 39, Article 17 County Roads, Land Acquisition, Establishment, Alteration,](#)

Survey, Relocation, Vacation, Abandonment

[Chapter 39, Article 18 County Roads, Maintenance](#)

[Chapter 39, Article 19 County Roads, Road Finances](#)

Some sections and paragraphs of the articles immediately above may be superseded by other legislation or are no longer in effect.

Chapter 60 Motor Vehicles



Statute	What It Does
60-624	defines "Highway" as any street, road, avenue or boulevard . . . open to the use of the public for vehicular travel
60-680	defines local authority with respect to highways, such as establishing speed limits
60-6,118	adopts the Manual on Uniform Traffic Control Devices (MUTCD) statewide, also see Title 411 Nebraska Administrative Code (NAC)
60-6,120	establishes jurisdictional responsibility for traffic control devices (traffic signals, signs and markings)
60-6,186	defines maximum lawful vehicle speeds
60-6,190(3)	altering speed limits on county roads must be based on an engineering and traffic investigation, but cannot be decreased to lower than 35 mph outside of a business or residential district
60-6,190(4)	altering speed limits on municipal streets and roads (inside corporate limits) is required to be based on an engineering and traffic investigation
60-6,190(6)	limits the number of speed limits to six within one mile, and the reduction between adjacent speed limits to 20 mph
60-3,190	motor vehicle fee, how it is set, considered local revenue, and must be used for road, bridge and street purposes

Key Statutes

Highway Law and Highway-related Law

Chapter 81 Engineers and Architects Regulation Act



Statute	What It Does
<u>81-3401 thru 81-3455</u>	the entirety of the Act
<u>81-3421</u>	defines the practice of engineering
<u>81-3422.01</u>	defines a project
<u>81-3423</u>	defines a public service provider
<u>81-3425</u>	defines responsible charge
<u>81-3437.02</u>	defines coordinating professional for political subdivisions, specifies dollar threshold (updated every 5 years, most recently in 2019 to \$118,000) requiring the services of a professional engineer, and other requirements
<u>81-3445</u>	