

GENERAL
FACT SHEET

BRIEF TITLE

REASON

Amending LMC§10.06.160--
Penalty for Violations of Title 10
(Vehicles and Traffic)

DETAILS

Reason for Legislation

To amend Section 10.06.160 of the Lincoln Municipal Code to make the general classification of violations of the provisions of Title 10 (Vehicles & Traffic) consistent with the general classification of violations of the Nebraska Rules of the Road

Discussion (Including Relationship to other Council Actions)

LMC §10.06.160 currently classifies violations under Title 10 as misdemeanor violations, while the Nebraska Rules of the Road classify most of the same violations of traffic infractions. Nebraska law suggests municipal ordinances should not conflict or be inconsistent with state law. Because there is no overriding public policy reason to generally classify traffic violations as misdemeanors, amending §10.06.160 to bring the general classification of violations under Title 10 into harmony with Neb. Rev. Stat. § 60-682 (Reissue 1998) is a needed editorial change.

This change will not impact serious driving offenses, which have separate penalties set out in the individual ordinances.

POSITIONS/RECOMMENDATIONS

Sponsor	Law Department
Programs, Departments, or Groups Affected	
Applicants/Proponents	Applicant City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions or conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (FOR COUNCIL USE ONLY)	<input type="checkbox"/> PASS <input type="checkbox"/> PASS (AS AMENDED) <input type="checkbox"/> COUNCIL SUB. <input type="checkbox"/> WITHOUT RECOMMENDATION <input type="checkbox"/> HOLD <input type="checkbox"/> DO NOT PASS