

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB845

Hearing Date: February 05, 2008

Committee On: Transportation and Telecommunications

Introducer(s): (Fischer)

Title: Create a penalty for motor carrier out-of-order violations and authorize administrative fines

Roll Call Vote - Final Committee Action:

Placed on General File

Vote Results:

7 Yes	Senators Aguilar, Fischer, Hudkins, Lautenbaugh, Louden, Pedersen, Schimek
0 No	
0 Absent	
1 Present, not voting	Senators Stuthman

Proponents:

Dusty Vaughan, Introducer
Gerald Krolikowski

Representing:

Senator Deb Fischer District 43
Nebraska State Patrol

Opponents:

Representing:

Neutral:
Larry Johnson

Representing:
Nebraska Trucking Association

Summary of purpose and/or change:

LB 845 authorizes a civil penalty against a commercial driver who violates an out-of-service order or a motor carrier who knowingly allows a driver to violate the order.

The bill requires the Superintendent of Law Enforcement and Public Safety to issue an order imposing a civil penalty against a commercial motor vehicle driver who violates an out-of-service order. A first violation incurs a fine of \$2500 - \$5000, and any subsequent violation risks a fine of \$5000 - \$7500.

The superintendent shall also impose a civil penalty against any motor carrier who knowingly allows, requires, permits, or authorizes the operation of a commercial motor vehicle in violation of an out-of-service order. The penalty shall be \$2750 - \$25,000.

Explanation of amendments, if any:

Senator Deb Fischer, Chairperson