

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 148**

FINAL READING

Introduced by Heidemann, 1

Read first time January 8, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section 60-6,301,  
2 Reissue Revised Statutes of Nebraska; to provide an  
3 exception to load and weight limits for trucks; and to  
4 repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-6,301, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           60-6,301 When any motor vehicle, semitrailer, or trailer  
4 is operated upon the highways of this state carrying a load in  
5 excess of the maximum weight permitted by section 60-6,294, the  
6 load shall be reduced or shifted to within such maximum tolerance  
7 before being permitted to operate on any public highway of this  
8 state, except that:

9           (1) If any motor vehicle, semitrailer, or trailer exceeds  
10 the maximum load on only one axle, only one tandem axle, or only  
11 one group of axles when (a) the distance between the first and last  
12 axle of such group of axles is twelve feet or less, (b) the excess  
13 axle load is no more than five percent in excess of the maximum  
14 load for such axle, tandem axle, or group of axles permitted by  
15 such section, while the vehicle or combination of vehicles is  
16 within the maximum gross load, and (c) the load on such vehicle is  
17 such that it can be shifted or the configuration of the vehicle can  
18 be changed so that all axles, tandem axle, or groups of axles are  
19 within the maximum permissible limit for such axle, tandem axle, or  
20 group of axles, such shift or change of configuration may be made  
21 without penalty;

22           (2) Any motor vehicle, semitrailer, or trailer carrying  
23 only a load of livestock may exceed the maximum load as permitted  
24 by such section on only one axle, only one tandem axle, or only one  
25 group of axles when the distance between the first and last axle

1 of the group of axles is six feet or less if the excess load on  
2 the axle, tandem axle, or group of axles is caused by a shifting  
3 of the weight of the livestock by the livestock and if the vehicle  
4 or combination of vehicles is within the maximum gross load as  
5 permitted by such section;

6 (3) With a permit issued by the Department of Roads  
7 or the Nebraska State Patrol, a truck with an enclosed body and  
8 a compacting mechanism, designed and used exclusively for the  
9 collection and transportation of garbage or refuse, may exceed the  
10 maximum load as permitted by such section by no more than twenty  
11 percent on only one axle, only one tandem axle, or only one group  
12 of axles when the vehicle is laden with garbage or refuse if the  
13 vehicle is within the maximum gross load as permitted by such  
14 section. There shall be a permit fee of ten dollars per month or  
15 one hundred dollars per year. The permit may be issued for one or  
16 more months up to one year, and the term of applicability shall be  
17 stated on the permit;

18 (4) Any motor vehicle, semitrailer, or trailer carrying  
19 any kind of a load, including livestock, which exceeds the legal  
20 maximum gross load by five percent or less may proceed on its  
21 itinerary and unload the cargo carried thereon to the maximum legal  
22 gross weight at the first unloading facility on the itinerary where  
23 the cargo can be properly protected. All material so unloaded shall  
24 be cared for by the owner or operator of such vehicle at the risk  
25 of such owner or operator; and

1           (5) Any motor vehicle, semitrailer, or trailer carrying  
2 grain or other seasonally harvested products may operate from  
3 the field where such grain or products are harvested to storage,  
4 market, or stockpile in the field or from stockpile to market or  
5 factory up to seventy miles with a load that exceeds the maximum  
6 load permitted by section 60-6,294 by fifteen percent on any tandem  
7 axle, group of axles, and gross weight. Any truck with no more than  
8 a single rear axle carrying grain or other seasonally harvested  
9 products may operate from the field where such grain or products  
10 are harvested to storage, market, or stockpile in the field or  
11 from stockpile to market or factory up to seventy miles with a  
12 load that exceeds the maximum load permitted by section 60-6,294  
13 by fifteen percent on any single axle and gross weight. The owner  
14 or a representative of the owner of the agricultural product shall  
15 furnish the driver of the loaded vehicle a signed statement of  
16 origin and destination.

17           Nothing in this section shall be construed to permit  
18 to be operated on the National System of Interstate and Defense  
19 Highways any vehicle or combination of vehicles which exceeds any  
20 of the weight limitations applicable to such system as contained in  
21 section 60-6,294.

22           If the maximum legal gross weight or axle weight of any  
23 vehicle is exceeded by five percent or less and the arresting peace  
24 officer or carrier enforcement officer has reason to believe that  
25 such excessive weight is caused by snow, ice, or rain, the officer

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1 may issue a warning citation to the operator.

2                   Sec. 2. Original section 60-6,301, Reissue Revised

3 Statutes of Nebraska, is repealed.