

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 756

FINAL READING

Introduced by Transportation and Telecommunications Committee:  
Fischer, 43, Chairperson; Aguilar, 35; Hudkins, 21;  
Lautenbaugh, 18; Louden, 49; Pedersen, 39; Schimek,  
27; Stuthman, 22.

Read first time January 09, 2008

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to transportation; to amend sections  
2 37-1282, 60-6,288, 60-6,289, and 60-6,310, Reissue  
3 Revised Statutes of Nebraska, sections 60-141, 60-365,  
4 60-376, 60-3,161, 60-3,198, 60-601, 60-605, 60-6,290,  
5 and 60-6,294, Revised Statutes Cumulative Supplement,  
6 2006, and sections 60-164, 60-168.02, 60-301, 60-302,  
7 60-311, 60-342, 60-3,196, 60-462.01, 60-4,147.02,  
8 60-6,265, 60-6,267, 75-363, and 75-364, Revised Statutes  
9 Supplement, 2007; to change and eliminate provisions  
10 relating to certificates of title; to change provisions  
11 of the Motor Vehicle Registration Act; to change

1 provisions relating to registration of apportionable  
2 vehicles; to adopt the most recent International  
3 Registration Plan; to define and redefine terms;  
4 to adopt certain federal requirements relating to  
5 operators' licenses, occupant protection systems, and  
6 motor carriers; to provide an exception to vehicle  
7 weight limits for idle reduction technology; to allow  
8 certain self-propelled specialized mobile equipment to  
9 be transported on highways; to change moped operation  
10 requirements; to eliminate the prohibition on the use  
11 of parking lights; to harmonize provisions; to provide  
12 operative dates; to repeal the original sections;  
13 to outright repeal section 60-6,227, Reissue Revised  
14 Statutes of Nebraska; and to declare an emergency.

15 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 37-1282, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           37-1282 (1) The provisions of article 9, Uniform  
4 Commercial Code, shall not be construed to apply to or to permit  
5 or require the deposit, filing, or other record whatsoever of a  
6 security agreement, conveyance intended to operate as a mortgage,  
7 trust receipt, conditional sales contract, or similar instrument or  
8 any copy of the same covering a motorboat. Any mortgage, conveyance  
9 intended to operate as a security agreement as provided by article  
10 9, Uniform Commercial Code, trust receipt, conditional sales  
11 contract, or other similar instrument covering a motorboat, if  
12 such instrument is accompanied by delivery of such manufacturer's  
13 or importer's certificate and followed by actual and continued  
14 possession of same by the holder of the instrument or, in the case  
15 of a certificate of title, if a notation of same has been made by  
16 the county clerk, the designated county official, or the Department  
17 of Motor Vehicles on the face of the certificate of title, shall be  
18 valid as against the creditors of the debtor, whether armed with  
19 process or not, and subsequent purchasers, secured parties, and  
20 other lienholders or claimants, but otherwise shall not be valid  
21 against them, except that during any period in which a motorboat is  
22 inventory, as defined in section 9-102, Uniform Commercial Code,  
23 held for sale by a person or corporation that is in the business  
24 of selling motorboats, the filing provisions of article 9, Uniform  
25 Commercial Code, as applied to inventory, shall apply to a security

1 interest in the motorboat created by such person or corporation as  
2 debtor without the notation of lien on the instrument of title.  
3 A buyer at retail from a dealer of any motorboat in the ordinary  
4 course of business shall take the motorboat free of any security  
5 interest.

6 (2) All liens, security agreements, and encumbrances  
7 noted upon a certificate of title shall take priority according to  
8 the order of time in which the same are noted on the certificate  
9 of title by the county clerk, the designated county official, or  
10 the department. Exposure for sale of any motorboat by the owner  
11 thereof with the knowledge or with the knowledge and consent of  
12 the holder of any lien, security agreement, or encumbrance on the  
13 motorboat shall not render the same void or ineffective as against  
14 the creditors of the owner or holder of subsequent liens, security  
15 agreements, or encumbrances upon the motorboat.

16 (3) Upon presentation of a security agreement, trust  
17 receipt, conditional sales contract, or similar instrument to the  
18 county clerk or designated county official of the county where the  
19 certificate of title was issued or, if issued by the department, to  
20 the department together with the certificate of title and the fee  
21 prescribed by section 37-1287, the holder of such instrument may  
22 have a notation of the lien made on the face of the certificate of  
23 title. The owner of a motorboat may present a valid out-of-state  
24 certificate of title issued to such owner for such motorboat  
25 with a notation of lien on such certificate of title and the

1 prescribed fee to the county clerk, designated county official,  
2 or department and have the notation of lien made on the face of  
3 the new certificate of title issued pursuant to section 37-1278  
4 without presenting a copy of the lien instrument. The county clerk,  
5 the designated county official, or the department shall enter the  
6 notation and the date thereof over the signature of the person  
7 making the notation and the seal of office and shall also note the  
8 lien and the date thereof on the duplicate of the certificate of  
9 title on file. The county clerk, the designated county official, or  
10 the department shall also indicate by appropriate notation and on  
11 such instrument itself the fact that the lien has been noted on the  
12 certificate of title.

13           (4) The county clerk, the designated county official,  
14 or the department, upon receipt of a lien instrument duly signed  
15 by the owner in the manner prescribed by law governing such lien  
16 instruments together with the fee prescribed for notation of lien,  
17 shall notify the first lienholder to deliver to the county clerk,  
18 the designated county official, or the department, within fifteen  
19 days from the date of notice, the certificate of title to permit  
20 notation of the junior lien and, after notation of the lien, the  
21 county clerk, the designated county official, or the department  
22 shall deliver the certificate of title to the first lienholder.  
23 The holder of a certificate of title who refuses to deliver a  
24 certificate of title to the county clerk, the designated county  
25 official, or the department for the purpose of showing a junior

1 lien on the certificate of title within fifteen days from the date  
2 when notified to do so shall be liable for damages to the junior  
3 lienholder for the amount of damages the junior lienholder suffered  
4 by reason of the holder of the certificate of title refusing to  
5 permit the showing of the lien on the certificate of title.

6 (5) When the lien is discharged, the holder shall, within  
7 fifteen days after payment is received, note a cancellation of the  
8 lien on the face of the certificate of title over his, her, or its  
9 signature and deliver the certificate of title to the county clerk,  
10 the designated county official, or the department which shall note  
11 the cancellation of the lien on the face of the certificate of  
12 title and on the records of the office. If delivered to a county  
13 clerk or designated county official, he or she shall on that day  
14 notify the department which shall note the cancellation on its  
15 records. The county clerk, the designated county official, or the  
16 department shall then return the certificate of title to the owner  
17 or as otherwise directed by the owner. The cancellation of the lien  
18 shall be noted on the certificate of title without charge.

19 (6) Any exchange of information may be accomplished by  
20 the computerized exchange of information or by any other exchange  
21 of electrically, electronically, telephonically, or mechanically  
22 processed information.

23 Sec. 2. Section 60-141, Revised Statutes Cumulative  
24 Supplement, 2006, is amended to read:

25 60-141 A dealer need not apply for certificates of title

1 for any vehicles in stock or acquired for stock purposes, but  
2 upon transfer of such vehicle in stock or acquired for stock  
3 purposes, the dealer shall give the transferee a reassignment of  
4 the certificate of title on such vehicle or an assignment of  
5 a manufacturer's or importer's certificate. If all reassignments  
6 on the manufacturer's or importer's certificate have been used,  
7 the dealer may attach a dealer assignment form prescribed by the  
8 department prior to any subsequent transfer. If all reassignments  
9 on the dealer assignment form or the certificate of title have  
10 been used, the dealer shall obtain title in the dealer's name prior  
11 to any subsequent transfer. No dealer shall execute a reassignment  
12 on or transfer ownership by way of a manufacturer's statement of  
13 origin unless the dealer is franchised by the manufacturer of the  
14 vehicle.

15           Sec. 3. Section 60-164, Revised Statutes Supplement,  
16 2007, is amended to read:

17           60-164 (1) Except as provided in section 60-165, the  
18 provisions of article 9, Uniform Commercial Code, shall never be  
19 construed to apply to or to permit or require the deposit, filing,  
20 or other record whatsoever of a security agreement, conveyance  
21 intended to operate as a mortgage, trust receipt, conditional sales  
22 contract, or similar instrument or any copy of the same covering a  
23 vehicle. Any mortgage, conveyance intended to operate as a security  
24 agreement as provided by article 9, Uniform Commercial Code, trust  
25 receipt, conditional sales contract, or other similar instrument

1 covering a vehicle, if such instrument is accompanied by delivery  
2 of such manufacturer's or importer's certificate and followed by  
3 actual and continued possession of the same by the holder of  
4 such instrument or, in the case of a certificate of title, if a  
5 notation of the same has been made by the county clerk, designated  
6 county official, or department on the face thereof, shall be  
7 valid as against the creditors of the debtor, whether armed with  
8 process or not, and subsequent purchasers, secured parties, and  
9 other lienholders or claimants but otherwise shall not be valid  
10 against them, except that during any period in which a vehicle is  
11 inventory, as defined in section 9-102, Uniform Commercial Code,  
12 held for sale by a person or corporation that is required to be  
13 licensed as provided in Chapter 60, article 14, and is in the  
14 business of selling such vehicles, the filing provisions of article  
15 9, Uniform Commercial Code, as applied to inventory, shall apply  
16 to a security interest in such vehicle created by such person  
17 or corporation as debtor without the notation of lien on the  
18 instrument of title. A buyer of a vehicle at retail from a dealer  
19 required to be licensed as provided in Chapter 60, article 14,  
20 shall take such vehicle free of any security interest.

21 (2) Subject to subsection (1) of this section, all liens,  
22 security agreements, and encumbrances noted upon a certificate of  
23 title shall take priority according to the order of time in which  
24 the same are noted thereon by the county clerk, designated county  
25 official, or department. Exposure for sale of any vehicle by the



1 owner thereof with the knowledge or with the knowledge and consent  
2 of the holder of any lien, security agreement, or encumbrance on  
3 such vehicle shall not render the same void or ineffective as  
4 against the creditors of such owner or holder of subsequent liens,  
5 security agreements, or encumbrances upon such vehicle.

6 (3) The holder of a security agreement, trust  
7 receipt, conditional sales contract, or similar instrument,  
8 upon presentation of such instrument to the department, if the  
9 certificate of title was issued by the department, or to any  
10 county clerk or designated county official, together with the  
11 certificate of title and the fee prescribed for notation of  
12 lien, may have a notation of such lien made on the face of such  
13 certificate of title. The owner of a vehicle may present a valid  
14 out-of-state certificate of title issued to such owner for such  
15 vehicle with a notation of lien on such certificate of title and  
16 the prescribed fee to the county clerk, designated county official,  
17 or department and have the notation of lien made on the face of  
18 the new certificate of title issued pursuant to section 60-144  
19 without presenting a copy of the lien instrument. The county clerk  
20 or designated county official or the department shall enter the  
21 notation and the date thereof over the signature of such officer  
22 and the official seal. If noted by a county clerk or designated  
23 county official, he or she shall on that day notify the department  
24 which shall note the lien on its records. The county clerk or  
25 designated county official or the department shall also indicate by

1 appropriate notation and on such instrument itself the fact that  
2 such lien has been noted on the certificate of title.

3 (4) A transaction does not create a sale or a security  
4 interest in a vehicle, other than an all-terrain vehicle or a  
5 minibike, merely because it provides that the rental price is  
6 permitted or required to be adjusted under the agreement either  
7 upward or downward by reference to the amount realized upon sale or  
8 other disposition of the vehicle.

9 (5) The county clerk or designated county official or  
10 the department, upon receipt of a lien instrument duly signed by  
11 the owner in the manner prescribed by law governing such lien  
12 instruments together with the fee prescribed for notation of lien,  
13 shall notify the first lienholder to deliver to the county clerk  
14 or designated county official or the department, within fifteen  
15 days after the date of notice, the certificate of title to permit  
16 notation of such other lien and, after notation of such other lien,  
17 the county clerk or designated county official or the department  
18 shall deliver the certificate of title to the first lienholder.  
19 The holder of a certificate of title who refuses to deliver a  
20 certificate of title to the county clerk or designated county  
21 official or the department for the purpose of showing such other  
22 lien on such certificate of title within fifteen days after the  
23 date of notice shall be liable for damages to such other lienholder  
24 for the amount of damages such other lienholder suffered by reason  
25 of the holder of the certificate of title refusing to permit the

1 showing of such lien on the certificate of title.

2 (6) When a lien is discharged, the holder shall, within  
3 fifteen days after payment is received, note a cancellation of the  
4 lien on the certificate of title over his, her, or its signature  
5 and deliver the certificate of title to the county clerk or  
6 designated county official or the department, which shall note the  
7 cancellation of the lien on the face of the certificate of title  
8 and on the records of such office. If delivered to a county clerk  
9 or designated county official, he or she shall on that day notify  
10 the department which shall note the cancellation on its records.  
11 The county clerk or designated county official or the department  
12 shall then return the certificate of title to the owner or as  
13 otherwise directed by the owner. The cancellation of lien shall be  
14 noted on the certificate of title without charge. If the holder  
15 of the title cannot locate a lienholder, a lien may be discharged  
16 ten years after the date of filing by presenting proof that thirty  
17 days have passed since the mailing of a written notice by certified  
18 mail, return receipt requested, to the last-known address of the  
19 lienholder.

20 Sec. 4. Section 60-168.02, Revised Statutes Supplement,  
21 2007, is amended to read:

22 60-168.02 (1) When a motor vehicle, commercial trailer,  
23 semitrailer, or cabin trailer is purchased by a motor vehicle  
24 dealer or trailer dealer and the original assigned certificate of  
25 title has been lost or mutilated, the dealer selling such motor

1 vehicle or trailer may apply for an original certificate of title  
2 in the dealer's name. The following documentation and fees shall be  
3 submitted by the dealer:

4 (a) An application for a certificate of title in the name  
5 of such dealer;

6 (b) A photocopy from the dealer's records of the front  
7 and back of the lost or mutilated original certificate of title  
8 assigned to a dealer; ~~with a reassignment to a purchaser;~~

9 (c) A notarized affidavit from the purchaser of  
10 such motor vehicle or trailer for which the original assigned  
11 certificate of title was lost or mutilated stating that the  
12 original assigned certificate of title was lost or mutilated; and

13 (d) The appropriate certificate of title fee.

14 (2) The application and affidavit shall be on forms  
15 prescribed by the department. When the motor vehicle dealer or  
16 trailer dealer receives the new certificate of title in such  
17 dealer's name and assigns it to the purchaser, the dealer shall  
18 record the original sale date and provide the purchaser with a  
19 copy of the front and back of the original lost or mutilated  
20 certificate of title as evidence as to why the purchase date of  
21 the motor vehicle or trailer is prior to the issue date of the new  
22 certificate of title.

23 Sec. 5. Section 60-301, Revised Statutes Supplement,  
24 2007, is amended to read:

25 60-301 Sections 60-301 to 60-3,221 and sections 8 and 10

1 of this act shall be known and may be cited as the Motor Vehicle  
2 Registration Act.

3           Sec. 6. Section 60-302, Revised Statutes Supplement,  
4 2007, is amended to read:

5           60-302 For purposes of the Motor Vehicle Registration  
6 Act, unless the context otherwise requires, the definitions found  
7 in sections 60-303 to 60-360 and section 8 of this act shall be  
8 used.

9           Sec. 7. Section 60-311, Revised Statutes Supplement,  
10 2007, is amended to read:

11           60-311 Base jurisdiction means, for purposes of fleet  
12 registration, the jurisdiction where the registrant has an  
13 established place of business, where miles or kilometers are  
14 accrued by the fleet, and where operational records of such  
15 fleet are maintained or can be made available. ~~For such purpose,~~  
16 ~~there is hereby adopted and incorporated by reference section~~  
17 ~~1602 of Article XVI, International Registration Plan, adopted by~~  
18 ~~the American Association of Motor Vehicle Administrators, as such~~  
19 ~~section existed on October 1, 2006.~~

20           Sec. 8. International Registration Plan means the  
21 International Registration Plan adopted by International  
22 Registration Plan, Inc.

23           Sec. 9. Section 60-342, Revised Statutes Supplement,  
24 2007, is amended to read:

25           60-342 Owner means a person, firm, or corporation which

1 holds a legal title of a motor vehicle or trailer. If (1) a  
2 motor vehicle or trailer is the subject of an agreement for  
3 the conditional sale thereof with the right of purchase upon  
4 performance of the conditions stated in the agreement and with an  
5 immediate right of possession vested in the conditional vendee,  
6 (2) a motor vehicle or trailer is subject to a lease of thirty  
7 days or more with an immediate right of possession vested in  
8 the lessee, or (3) a mortgagor of a motor vehicle or trailer is  
9 entitled to possession, then such conditional vendee, lessee, or  
10 mortgagor shall be deemed the owner for purposes of the Motor  
11 Vehicle Registration Act. ~~For such purpose, there are hereby~~  
12 ~~adopted and incorporated by reference the provisions of Article~~  
13 ~~XI, International Registration Plan, adopted by the American~~  
14 ~~Association of Motor Vehicle Administrators, as such provisions~~  
15 ~~existed on October 1, 2006.~~

16           Sec. 10. For purposes of the Motor Vehicle Registration  
17 Act, the International Registration Plan is adopted and  
18 incorporated by reference as the plan existed on July 1, 2008.

19           Sec. 11. Section 60-365, Revised Statutes Cumulative  
20 Supplement, 2006, is amended to read:

21           60-365 Any person purchasing a motor vehicle or trailer  
22 in this state other than from a licensed dealer in motor vehicles  
23 or trailers shall not operate or tow such motor vehicle or trailer  
24 in this state without registration except as provided in this  
25 section. Such purchaser may operate or tow such motor vehicle or

1 trailer without registration for a period not to exceed thirty  
2 days. Upon demand of proper authorities, there shall be presented  
3 by the person in charge of such motor vehicle or trailer, for  
4 examination, a certificate showing the date of transfer ~~and~~ or the  
5 certificate of title, ~~if required,~~ to such motor vehicle or trailer  
6 with assignment thereof duly executed. When such motor vehicle or  
7 trailer is purchased from a nonresident, the person in charge of  
8 such motor vehicle or trailer shall present upon demand proper  
9 evidence of ownership from the state where such motor vehicle or  
10 trailer was purchased.

11           Sec. 12. Section 60-376, Revised Statutes Cumulative  
12 Supplement, 2006, is amended to read:

13           60-376 Subject to all the provisions of law relating to  
14 motor vehicles and trailers not inconsistent with this section, any  
15 motor vehicle dealer or trailer dealer who is regularly engaged  
16 within this state in the business of buying and selling motor  
17 vehicles and trailers, who regularly maintains within this state an  
18 established place of business, and who desires to effect delivery  
19 of any motor vehicle or trailer bought or sold by him or her from  
20 the point where purchased or sold to points within or outside this  
21 state may, solely for the purpose of such delivery by himself or  
22 herself, his or her agent, or a bona fide purchaser, operate such  
23 motor vehicle or tow such trailer on the highways of this state  
24 without charge or registration of such motor vehicle or trailer.  
25 A sticker shall be displayed on the front and rear windows or

1 the rear side windows of such motor vehicle, except a motorcycle,  
2 and displayed on the front and rear of each such trailer. On the  
3 sticker shall be plainly printed in black letters the words In  
4 Transit. One In Transit sticker shall be displayed on a motorcycle,  
5 which sticker may be one-half the size required for other motor  
6 vehicles. Such stickers shall include a registration number, which  
7 registration number shall be different for each sticker or pair of  
8 stickers issued, and the contents of such sticker and the numbering  
9 system shall be as prescribed by the department. Each dealer  
10 issuing such stickers shall keep a record of the registration  
11 number of each sticker or pair of stickers on the invoice of  
12 such sale. Such sticker shall allow such owner to operate the  
13 motor vehicle or tow such trailer for a period of thirty days  
14 in order to effect proper registration of the new or used motor  
15 vehicle or trailer. When any person, firm, or corporation has  
16 had a motor vehicle or trailer previously registered and license  
17 plates assigned to such person, firm, or corporation, such owner  
18 may operate the motor vehicle or tow such trailer for a period of  
19 thirty days in order to effect transfer of plates to the new or  
20 used motor vehicle or trailer. Upon demand of proper authorities,  
21 there shall be presented by the person in charge of such motor  
22 vehicle or trailer, for examination, a duly executed bill of sale  
23 therefor, ~~a certificate of title,~~ or other satisfactory evidence of  
24 the right of possession by such person of such motor vehicle or  
25 trailer.



1           Sec. 13. Section 60-3,161, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           60-3,161 (1) The department shall keep a record of each  
4 motor vehicle and trailer registered, alphabetically by name of the  
5 owner, with cross reference in each instance to the registration  
6 number assigned to such motor vehicle and trailer. The record may  
7 be destroyed by any public officer having custody of it after ~~six~~  
8 three years from the date of its issuance.

9           (2) The department shall issue a copy of the record of  
10 a registered or titled motor vehicle or trailer to any person  
11 after receiving from the person the name on the registration, the  
12 license plate number, the vehicle identification number, or the  
13 title number of a motor vehicle or trailer, if the person provides  
14 to the department verification of identity and purpose pursuant to  
15 section 60-2906 or 60-2907. A fee of one dollar shall be charged  
16 for the copy. An extract of the entire file of motor vehicles and  
17 trailers registered or titled in the state or updates to the entire  
18 file may be provided to a person upon payment of a fee of eighteen  
19 dollars per thousand records. Any fee received by the department  
20 pursuant to this subsection shall be deposited into the Department  
21 of Motor Vehicles Cash Fund.

22           (3) The record of each motor vehicle or trailer  
23 registration or title maintained by the department pursuant to this  
24 section may be made available electronically through the gateway  
25 or electronic network established under section 84-1204 so long as

1 the Uniform Motor Vehicle Records Disclosure Act is not violated.  
2 There shall be a fee of one dollar per record for individual  
3 records. For batch requests for multiple motor vehicle or trailer  
4 title and registration records selected on the basis of criteria of  
5 the individual making the request, there shall be a fee of fifty  
6 dollars for every request under two thousand records and a fee of  
7 eighteen dollars per one thousand records for any number of records  
8 over two thousand, plus a reasonable programming fee not to exceed  
9 five hundred twenty dollars. All fees collected pursuant to this  
10 subsection for electronic access to records through the gateway  
11 shall be deposited in the Records Management Cash Fund and shall be  
12 distributed as provided in any agreements between the State Records  
13 Board and the department.

14 Sec. 14. Section 60-3,196, Revised Statutes Supplement,  
15 2007, is amended to read:

16 60-3,196 Apportionable vehicles registered as provided in  
17 section 60-3,198 and apportionable vehicles covered under ~~section~~  
18 ~~404 of Article IV, the~~ International Registration Plan, ~~adopted~~  
19 ~~by the American Association of Motor Vehicle Administrators, as~~  
20 ~~such section existed on October 1, 2006, which is hereby adopted~~  
21 ~~and incorporated by reference,~~ shall be deemed fully registered  
22 in all jurisdictions where apportioned or granted reciprocity  
23 for any type of movement or operation. The registrant must have  
24 proper interjurisdiction or intrajurisdiction authority from the  
25 appropriate regulatory agency of each jurisdiction of this state if

1 not exempt from regulation by the regulatory agency.

2           Sec. 15. Section 60-3,198, Revised Statutes Cumulative  
3 Supplement, 2006, is amended to read:

4           60-3,198 (1) Any owner engaged in operating a fleet of  
5 apportionable vehicles in this state in interjurisdiction commerce  
6 may, in lieu of registration of such apportionable vehicles under  
7 the general provisions of the Motor Vehicle Registration Act,  
8 register and license such fleet for operation in this state  
9 by filing a statement and the application required by section  
10 60-3,203 with the Division of Motor Carrier Services of the  
11 department. The statement shall be in such form and contain such  
12 information as the division requires, declaring the total mileage  
13 operated by such vehicles in all jurisdictions and in this state  
14 during the preceding year and describing and identifying each  
15 such apportionable vehicle to be operated in this state during  
16 the ensuing license year. Upon receipt of such statement and  
17 application, the division shall determine the total fee payment,  
18 which shall be equal to the amount of fees due pursuant to  
19 section 60-3,203 and the amount obtained by applying the formula  
20 provided in section 60-3,204 to a fee of thirty-two dollars per  
21 ton based upon gross vehicle weight of the empty weights of a  
22 truck or truck-tractor and the empty weights of any trailer or  
23 combination thereof with which it is to be operated in combination  
24 at any one time plus the weight of the maximum load to be  
25 carried thereon at any one time, and shall notify the applicant

1 of the amount of payment required to be made. Mileage operated in  
2 noncontracting reciprocity jurisdictions by apportionable vehicles  
3 based in Nebraska shall be applied to the portion of the formula  
4 for determining the Nebraska injurisdiction fleet distance.

5 Temporary authority which permits the operation of a  
6 fleet or an addition to a fleet in this state while the application  
7 is being processed may be issued upon application to the division  
8 if necessary to complete processing of the application.

9 Upon completion of such processing and receipt of the  
10 appropriate fees, the division shall issue to the applicant a  
11 sufficient number of distinctive registration certificates which  
12 provide a list of the jurisdictions in which the apportionable  
13 vehicle has been apportioned, the weight for which registered,  
14 and such other evidence of registration for display on the  
15 apportionable vehicle as the division determines appropriate for  
16 each of the apportionable vehicles of his or her fleet, identifying  
17 it as a part of an interjurisdiction fleet proportionately  
18 registered. All fees received as provided in this section shall be  
19 remitted to the State Treasurer for credit to the Motor Carrier  
20 Services Division Distributive Fund.

21 The apportionable vehicles so registered shall be exempt  
22 from all further registration and license fees under the Motor  
23 Vehicle Registration Act for movement or operation in the State of  
24 Nebraska except as provided in section 60-3,203. The proportional  
25 registration and licensing provision of this section shall apply

1 to apportionable vehicles added to such fleets and operated in  
2 this state during the license year except with regard to permanent  
3 license plates issued under section 60-3,203.

4 The right of applicants to proportional registration  
5 under this section shall be subject to the terms and conditions  
6 of any reciprocity agreement, contract, or consent made by the  
7 division.

8 When a nonresident fleet owner has registered his or her  
9 apportionable vehicles, his or her apportionable vehicles shall  
10 be considered as fully registered for both interjurisdiction  
11 and intrajurisdiction commerce when the jurisdiction of base  
12 registration for such fleet accords the same consideration for  
13 fleets with a base registration in Nebraska. Each apportionable  
14 vehicle of a fleet registered by a resident of Nebraska basis shall  
15 be considered as fully registered for both interjurisdiction and  
16 intrajurisdiction commerce.

17 (2) Mileage proportions for interjurisdiction fleets  
18 not operated in this state during the preceding year shall  
19 be determined by the division upon the application of the  
20 applicant on forms to be supplied by the division which shall  
21 show the operations of the preceding year in other jurisdictions  
22 and estimated operations in Nebraska or, if no operations were  
23 conducted the previous year, a full statement of the proposed  
24 method of operation.

25 (3) Any owner complying with and being granted

1 proportional registration shall preserve the records on which the  
2 application is made for a period of three years following the  
3 current registration year. Upon request of the division, the owner  
4 shall make such records available to the division at its office for  
5 audit as to accuracy of computation and payments or pay the costs  
6 of an audit at the home office of the owner by a duly appointed  
7 representative of the division if the office where the records  
8 are maintained is not within the State of Nebraska. The division  
9 may enter into agreements with agencies of other jurisdictions  
10 administering motor vehicle registration laws for joint audits of  
11 any such owner. All payments received to cover the costs of an  
12 audit shall be remitted by the division to the State Treasurer  
13 for credit to the Motor Carrier Division Cash Fund. No deficiency  
14 shall be assessed and no claim for credit shall be allowed for  
15 any license registration year for which records on which the  
16 application was made are no longer required to be maintained.

17 (4) If the division claims that a greater amount of fee  
18 is due under this section than was paid, the division shall notify  
19 the owner of the additional amount claimed to be due. The owner may  
20 accept such claim and pay the amount due, or he or she may dispute  
21 the claim and submit to the division any information which he or  
22 she may have in support of his or her position. If the dispute  
23 cannot otherwise be resolved within the division, the owner may  
24 petition for an appeal of the matter. The director shall appoint  
25 a hearing officer who shall hear the dispute and issue a written

1 decision. Any appeal shall be in accordance with the Administrative  
2 Procedure Act. Upon expiration of the time for perfecting an appeal  
3 if no appeal is taken or upon final judicial determination if an  
4 appeal is taken, the division shall deny the owner the right to  
5 further registration for a fleet license until the amount finally  
6 determined to be due, together with any costs assessed against the  
7 owner, has been paid.

8 (5) Every applicant who licenses any apportionable  
9 vehicles under this section and section 60-3,203 shall have his  
10 or her registration certificates issued only after all fees under  
11 such sections are paid and, if applicable, proof has been furnished  
12 of payment, in the form prescribed by the director as directed by  
13 the United States Secretary of the Treasury, of the federal heavy  
14 vehicle use tax imposed by 26 U.S.C. 4481 of the Internal Revenue  
15 Code as defined in section 49-801.01.

16 (6) In the event of the transfer of ownership of  
17 any registered apportionable vehicle or in the case of loss of  
18 possession because of fire or theft or because the apportionable  
19 vehicle was wrecked, junked, or dismantled, its registration shall  
20 expire, except that if the registered owner applies to the division  
21 after such transfer or loss of possession and accompanies the  
22 application with the fee of one dollar and fifty cents, he or  
23 she may have assigned to another motor vehicle the registration  
24 identification of the motor vehicle so transferred or lost. If the  
25 assigned apportionable vehicle has a greater gross vehicle weight

1 than the transferred or lost apportionable vehicle, the owner of  
2 the assigned apportionable vehicle shall additionally pay only the  
3 registration fee for the increased gross vehicle weight for the  
4 remaining months of the registration year based on the factors  
5 determined by the division in the original fleet application.

6 (7) Whenever a Nebraska-based fleet owner files an  
7 application with the division to delete a registered apportionable  
8 vehicle from a fleet of registered apportionable vehicles because  
9 of (a) the transfer of ownership or (b) the loss of possession due  
10 to fire or theft or because the apportionable vehicle was wrecked,  
11 junked, or dismantled, the registered owner may, by returning the  
12 registration certificate or certificates and such other evidence  
13 of registration used by the division or, if such certificate or  
14 certificates or such other evidence of registration is unavailable,  
15 then by making an affidavit to the division of such transfer or  
16 loss, receive a refund of that portion of the unused registration  
17 fee based upon the number of unexpired months remaining in the  
18 registration year from the date of transfer or loss. No refund  
19 shall be allowed for any fees paid under section 60-3,203. When  
20 such apportionable vehicle is transferred or lost within the same  
21 month as acquired, no refund shall be allowed for such month. Such  
22 refund may be in the form of a credit against any registration  
23 fees that have been incurred or are, at the time of the refund,  
24 being incurred by the registered apportionable vehicle owner. The  
25 Nebraska-based fleet owner shall make a claim for a refund under



1 this subsection within the registration period or shall be deemed  
2 to have forfeited his or her right to the refund.

3           (8) Whenever a Nebraska-based fleet owner files an  
4 application with the division to delete a registered apportionable  
5 vehicle from a fleet of registered apportionable vehicles because  
6 the apportionable vehicle is disabled and has been removed from  
7 service, the registered owner may, by returning the registration  
8 certificate or certificates and such other evidence of registration  
9 used by the division or, in the case of the unavailability of such  
10 certificate or certificates or such other evidence of registration,  
11 then by making an affidavit to the division of such disablement  
12 and removal from service, receive a credit for that portion  
13 of the unused registration fee deposited in the Highway Trust  
14 Fund based upon the number of unexpired months remaining in the  
15 registration year. No credit shall be allowed for any fees paid  
16 under section 60-3,203. When such apportionable vehicle is removed  
17 from service within the same month in which it was registered,  
18 no credit shall be allowed for such month. Such credit may be  
19 applied against registration fees for new or replacement vehicles  
20 incurred within one year after cancellation of registration of  
21 the apportionable vehicle for which the credit was allowed. When  
22 any such apportionable vehicle is reregistered within the same  
23 registration year in which its registration has been canceled,  
24 the fee shall be that portion of the registration fee provided  
25 to be deposited in the Highway Trust Fund for the remainder of

1 the registration year. The Nebraska-based fleet owner shall make a  
2 claim for a credit under this subsection within the registration  
3 period or shall be deemed to have forfeited his or her right to the  
4 credit.

5 (9) In case of addition to the registered fleet during  
6 the registration year, the owner engaged in operating the fleet  
7 shall pay the proportionate registration fee from the date of  
8 the application the vehicle was placed into service or, if the  
9 vehicle was previously registered outside of Nebraska, the date the  
10 prior registration expired or the date Nebraska became the base  
11 jurisdiction for the fleet, whichever is first, for the remaining  
12 balance of the registration year. The fee for any permanent license  
13 plate issued for such addition pursuant to section 60-3,203 shall  
14 be the full fee required by such section, regardless of the number  
15 of months remaining in the license year.

16 (10) In lieu of registration under subsections (1)  
17 through (9) of this section, the title holder of record may  
18 apply to the division for special registration, to be known as an  
19 unladen-weight registration, for any commercial motor vehicle or  
20 combination of vehicles. Such registration shall be valid only for  
21 a period of thirty days and shall give no authority to operate the  
22 vehicle except when empty. The fee for such registration shall be  
23 twenty dollars for each vehicle, which fee shall be remitted to the  
24 State Treasurer for credit to the Highway Trust Fund. The issuance  
25 of such permits shall be governed by section 60-3,179.

1           (11) Any person may, in lieu of registration under  
2 subsections (1) through (9) of this section or for other  
3 jurisdictions as approved by the director, purchase a trip  
4 permit for any nonresident truck, truck-tractor, bus, or truck  
5 or truck-tractor combination. Such permit shall be valid for a  
6 period of seventy-two hours. The fee for such permit shall be  
7 twenty-five dollars for each truck, truck-tractor, bus, or truck  
8 or truck-tractor combination. Such permit shall be available at  
9 weighing stations operated by the carrier enforcement division and  
10 at various vendor stations as determined appropriate by the carrier  
11 enforcement division. The carrier enforcement division shall act as  
12 an agent for the Division of Motor Carrier Services in collecting  
13 such fees and shall remit all such fees collected to the State  
14 Treasurer for credit to the Highway Cash Fund. Trip permits shall  
15 be obtained at the first available location whether that is a  
16 weighing station or a vendor station. The vendor stations shall be  
17 entitled to collect and retain an additional fee of ten percent of  
18 the fee collected pursuant to this subsection as reimbursement for  
19 the clerical work of issuing the permits.

20           Sec. 16. Section 60-462.01, Revised Statutes Supplement,  
21 2007, is amended to read:

22           60-462.01 For purposes of the Motor Vehicle Operator's  
23 License Act, the following federal regulations are adopted as  
24 Nebraska law as they existed on January 1, ~~2007~~ 2008:

25           (1) Beginning on an implementation date designated by

1 the director, the federal requirements for interstate shipment of  
2 etiologic agents, 42 C.F.R. part 72; and

3 (2) The parts, subparts, and sections of Title 49 of the  
4 Code of Federal Regulations, as referenced in the Motor Vehicle  
5 Operator's License Act.

6 Sec. 17. Section 60-4,147.02, Revised Statutes  
7 Supplement, 2007, is amended to read:

8 60-4,147.02 No endorsement authorizing the driver to  
9 operate a commercial motor vehicle transporting hazardous materials  
10 shall be issued, renewed, or transferred by the Department of Motor  
11 Vehicles unless the endorsement is issued, renewed, or transferred  
12 in conformance with the requirements of section 1012 of the federal  
13 Uniting and Strengthening America by Providing Appropriate Tools  
14 Required to Intercept and Obstruct Terrorism Act of 2001, USA  
15 PATRIOT Act, 49 U.S.C. 5103a, including all amendments and federal  
16 rules and regulations adopted and promulgated pursuant thereto as  
17 of January 1, 2007, 2008, for the issuance of licenses to operate  
18 commercial motor vehicles transporting hazardous materials.

19 Sec. 18. Section 60-601, Revised Statutes Cumulative  
20 Supplement, 2006, is amended to read:

21 60-601 Sections 60-601 to 60-6,377 and section 20 of this  
22 act shall be known and may be cited as the Nebraska Rules of the  
23 Road.

24 Sec. 19. Section 60-605, Revised Statutes Cumulative  
25 Supplement, 2006, is amended to read:

1           60-605 For purposes of the Nebraska Rules of the Road,  
2 the definitions found in sections 60-606 to 60-676 and section 20  
3 of this act shall be used.

4           Sec. 20. Idle reduction technology means any device or  
5 system of devices that is installed on a heavy-duty diesel-powered  
6 on-highway truck or truck-tractor and is designed to provide to  
7 such truck or truck-tractor those services, such as heat, air  
8 conditioning, or electricity, that would otherwise require the  
9 operation of the main drive engine while the truck or truck-tractor  
10 is temporarily parked or remains stationary.

11           Sec. 21. Section 60-6,265, Revised Statutes Supplement,  
12 2007, is amended to read:

13           60-6,265 For purposes of sections 60-6,266 to 60-6,273,  
14 occupant protection system means a system utilizing a lap belt, a  
15 shoulder belt, or any combination of belts installed in a motor  
16 vehicle which (1) restrains drivers and passengers and (2) conforms  
17 to Federal Motor Vehicle Safety Standards, 49 C.F.R. 571.207,  
18 571.208, 571.209, and 571.210, as such standards existed on January  
19 1, ~~2007,~~ 2008, or to the federal motor vehicle safety standards  
20 for passenger restraint systems applicable for the motor vehicle's  
21 model year.

22           Sec. 22. Section 60-6,267, Revised Statutes Supplement,  
23 2007, is amended to read:

24           60-6,267 (1) Any person in Nebraska who drives any motor  
25 vehicle which has or is required to have an occupant protection

1 system shall ensure that:

2 (a) All children up to six years of age being transported  
3 by such vehicle use a child passenger restraint system of a type  
4 which meets Federal Motor Vehicle Safety Standard 213 as developed  
5 by the National Highway Traffic Safety Administration, as such  
6 standard existed on January 1, ~~2007~~, 2008, and which is correctly  
7 installed in such vehicle; and

8 (b) All children six years of age and less than eighteen  
9 years of age being transported by such vehicle use an occupant  
10 protection system.

11 This subsection shall apply to every motor vehicle which  
12 is equipped with an occupant protection system or is required to be  
13 equipped with restraint systems pursuant to Federal Motor Vehicle  
14 Safety Standard 208, as such standard existed on January 1, ~~2007~~,  
15 2008, except taxicabs, mopeds, motorcycles, and any motor vehicle  
16 designated by the manufacturer as a 1963 year model or earlier  
17 which is not equipped with an occupant protection system.

18 (2) Whenever any licensed physician determines, through  
19 accepted medical procedures, that use of a child passenger  
20 restraint system by a particular child would be harmful by reason  
21 of the child's weight, physical condition, or other medical reason,  
22 the provisions of subsection (1) of this section shall be waived.  
23 The driver of any vehicle transporting such a child shall carry  
24 on his or her person or in the vehicle a signed written statement  
25 of the physician identifying the child and stating the grounds for

1 such waiver.

2 (3) The drivers of authorized emergency vehicles shall  
3 not be subject to the requirements of subsection (1) of this  
4 section when operating such authorized emergency vehicles pursuant  
5 to their employment.

6 (4) A driver of a motor vehicle shall not be subject to  
7 the requirements of subsection (1) of this section if the motor  
8 vehicle is being operated in a parade or exhibition and the parade  
9 or exhibition is being conducted in accordance with applicable  
10 state law and local ordinances and resolutions.

11 (5) The Department of Motor Vehicles shall develop and  
12 implement an ongoing statewide public information and education  
13 program regarding the use of child passenger restraint systems and  
14 occupant protection systems and the availability of distribution  
15 and discount programs for child passenger restraint systems.

16 (6) All persons being transported by a motor vehicle  
17 operated by a holder of a provisional operator's permit or a school  
18 permit shall use such motor vehicle's occupant protection system.

19 Sec. 23. Section 60-6,288, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 60-6,288 (1) No vehicle which exceeds a total outside  
22 width of one hundred two inches, including any load but excluding  
23 designated safety devices, shall be permitted on any portion  
24 of the National System of Interstate and Defense Highways. The  
25 Director-State Engineer shall adopt and promulgate rules and

1 regulations, consistent with federal requirements, designating  
2 safety devices which shall be excluded in determining vehicle  
3 width.

4 (2) No vehicle which exceeds a total outside width of  
5 one hundred two inches, including any load but excluding designated  
6 safety devices, shall be permitted on any highway which is not a  
7 portion of the National System of Interstate and Defense Highways,  
8 except that such prohibition shall not apply to:

9 (a) Farm equipment in temporary movement, during daylight  
10 hours or during hours of darkness when the clearance light  
11 requirements of section 60-6,235 are fully complied with, in  
12 the normal course of farm operations;

13 (b) Combines eighteen feet or less in width, while in  
14 the normal course of farm operations and while being driven during  
15 daylight hours or during hours of darkness when the clearance light  
16 requirements of section 60-6,235 are fully complied with;

17 (c) Combines in excess of eighteen feet in width, while  
18 in the normal course of farm operations, while being driven during  
19 daylight hours for distances of twenty-five miles or less on  
20 highways and while preceded by a well-lighted pilot vehicle or  
21 flagperson, except that such combines may be driven on highways  
22 while in the normal course of farm operations for distances of  
23 twenty-five miles or less and while preceded by a well-lighted  
24 pilot vehicle or flagperson during hours of darkness when the  
25 clearance light requirements of section 60-6,235 are fully complied



1 with;

2 (d) Combines and vehicles used in transporting combines  
3 or other implements of husbandry, and only when transporting  
4 combines or other implements of husbandry, to be engaged in  
5 harvesting or other agricultural work, while being transported  
6 into or through the state during daylight hours, when the total  
7 width including the width of the combine or other implement of  
8 husbandry being transported does not exceed fifteen feet, except  
9 that vehicles used in transporting combines or other implements  
10 of husbandry may, when necessary to the harvesting operation or  
11 other agricultural work, travel unloaded for distances not to  
12 exceed twenty-five miles, while the combine or other implement of  
13 husbandry to be transported is engaged in a harvesting operation or  
14 other agricultural work;

15 (e) Farm equipment dealers hauling, driving, delivering,  
16 or picking up farm equipment, including portable livestock  
17 buildings not exceeding fourteen feet in width, or implements of  
18 husbandry during daylight hours;

19 (f) Livestock forage vehicles loaded or unloaded that  
20 comply with subsection (2) of section 60-6,305;

21 (g) During daylight hours only, vehicles en route to  
22 pick up, delivering, or returning unloaded from delivery of baled  
23 livestock forage which, including the load if any, may be twelve  
24 feet in width;

25 (h) Mobile homes or prefabricated livestock buildings not

1 exceeding sixteen feet in width and with an outside tire width  
2 dimension not exceeding one hundred twenty inches moving during  
3 daylight hours;

4 (i) A ~~rubber-tired crane~~ Self-propelled specialized  
5 mobile equipment with a fixed load when:

6 (i) The ~~crane~~ self-propelled specialized mobile equipment  
7 will be transported on a state highway, excluding any portion of  
8 the National System of Interstate and Defense Highways, on a city  
9 street, or on a road within the corporate limits of a city;

10 (ii) The city in which the ~~crane~~ self-propelled  
11 specialized mobile equipment is intended to be transported  
12 has authorized a permit pursuant to section 60-6,298 for the  
13 transportation of the ~~crane,~~ self-propelled specialized mobile  
14 equipment, specifying the route to be used and the hours during  
15 which the ~~crane~~ self-propelled specialized mobile equipment can  
16 be transported, except that no permit shall be issued by a city  
17 for travel on a state highway containing a bridge or structure  
18 which is structurally inadequate to carry the ~~crane~~ self-propelled  
19 specialized mobile equipment as determined by the Department of  
20 Roads;

21 (iii) The ~~crane's~~ self-propelled specialized mobile  
22 equipment's gross weight does not exceed ninety-four thousand  
23 pounds, if a ~~four-axle crane,~~ the self-propelled specialized mobile  
24 equipment has four axles or seventy-two thousand pounds, if a  
25 ~~three-axle crane,~~ the self-propelled specialized mobile equipment

1 has three axles; and

2 (iv) If a ~~four-axle crane,~~ the self-propelled specialized  
3 mobile equipment has four axles, the maximum weight on each set of  
4 tandem axles does not exceed forty-seven thousand pounds, or if a  
5 ~~three-axle crane,~~ the self-propelled specialized mobile equipment  
6 has three axles, the maximum weight on the front axle does not  
7 exceed twenty-five thousand pounds and the total maximum weight on  
8 the rear tandem axles does not exceed forty-seven thousand pounds;

9 (j) Vehicles which have been issued a permit pursuant to  
10 section 60-6,299; or

11 (k) A motor home or travel trailer, as those terms are  
12 defined in section 71-4603, which may exceed one hundred and two  
13 inches if such excess width is attributable to an appurtenance that  
14 extends no more than six inches beyond the body of the vehicle. For  
15 purposes of this subdivision, the term appurtenance includes (i)  
16 an awning and its support hardware and (ii) any appendage that is  
17 intended to be an integral part of a motor home or travel trailer  
18 and that is installed by the manufacturer or dealer. The term  
19 appurtenance does not include any item that is temporarily affixed  
20 or attached to the exterior of the motor home or travel trailer for  
21 purposes of transporting the vehicular unit from one location to  
22 another. Appurtenances shall not be considered in calculating the  
23 gross trailer area as defined in section 71-4603.

24 (3) The Director-State Engineer, with respect to highways  
25 under his or her jurisdiction, may designate certain highways upon

1 which vehicles of no more than ninety-six inches in width may be  
2 permitted to travel. Highways so designated shall be limited to one  
3 or more of the following:

- 4 (a) Highways with traffic lanes of ten feet or less;  
5 (b) Highways upon which are located narrow bridges; and  
6 (c) Highways which because of sight distance, surfacing,  
7 unusual curves, topographic conditions, or other unusual  
8 circumstances would not in the opinion of the Director-State  
9 Engineer safely accommodate vehicles of more than ninety-six inches  
10 in width.

11 Sec. 24. Section 60-6,289, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13 60-6,289 (1) No vehicle unladen or with load shall exceed  
14 a height of fourteen feet, six inches, except:

15 (a) Combines or vehicles used in transporting combines,  
16 to be engaged in harvesting within or without the state, moving  
17 into or through the state during daylight hours when the overall  
18 height does not exceed fifteen feet, six inches;

19 (b) Livestock forage vehicles with or without load that  
20 comply with subsection (2) of section 60-6,305;

21 (c) Farm equipment or implements of husbandry being  
22 driven, picked up, or delivered during daylight hours by farm  
23 equipment dealers shall not exceed fifteen feet, six inches;

24 (d) A ~~rubber-tired crane~~ Self-propelled specialized  
25 mobile equipment with a fixed load when the requirements of

1 subdivision (2)(i) of section 60-6,288 are met; or

2 (e) Vehicles which have been issued a permit pursuant to  
3 section 60-6,299.

4 (2) No person shall be required to raise, alter,  
5 construct, or reconstruct any underpass, bridge, wire, or other  
6 structure to permit the passage of any vehicle having a height,  
7 unladen or with load, in excess of twelve feet, six inches. The  
8 owners, lessees, and operators, jointly and severally, of vehicles  
9 exceeding twelve feet, six inches, in height shall assume the risk  
10 of loss to the vehicle or its load and shall be liable for any  
11 damages that result to overhead obstructions from operation of a  
12 vehicle exceeding twelve feet, six inches, in height.

13 Sec. 25. Section 60-6,290, Revised Statutes Cumulative  
14 Supplement, 2006, is amended to read:

15 60-6,290 (1)(a) No vehicle shall exceed a length of  
16 forty feet, extreme overall dimensions, inclusive of front and rear  
17 bumpers including load, except that:

18 (i) A bus or a motor home, as defined in section 71-4603,  
19 may exceed the forty-foot limitation but shall not exceed a length  
20 of forty-five feet;

21 (ii) A truck-tractor may exceed the forty-foot  
22 limitation;

23 (iii) A semitrailer operating in a truck-tractor single  
24 semitrailer combination, which semitrailer was actually and  
25 lawfully operating in the State of Nebraska on December 1, 1982,

1 may exceed the forty-foot limitation; and

2 (iv) A semitrailer operating in a truck-tractor single  
3 semitrailer combination, which semitrailer was not actually and  
4 lawfully operating in the State of Nebraska on December 1, 1982,  
5 may exceed the forty-foot limitation but shall not exceed a length  
6 of fifty-three feet including load.

7 (b) No combination of vehicles shall exceed a length of  
8 sixty-five feet, extreme overall dimensions, inclusive of front and  
9 rear bumpers and including load, except:

10 (i) One truck and one trailer, loaded or unloaded,  
11 used in transporting implements of husbandry to be engaged in  
12 harvesting, while being transported into or through the state  
13 during daylight hours if the total length does not exceed  
14 seventy-five feet including load;

15 (ii) A truck-tractor single semitrailer combination;

16 (iii) A truck-tractor semitrailer trailer combination,  
17 but the semitrailer trailer portion of such combination shall not  
18 exceed sixty-five feet inclusive of connective devices; and

19 (iv) A driveaway saddlemount vehicle transporter  
20 combination and driveaway saddlemount with fullmount vehicle  
21 transporter combination, but the total overall length shall not  
22 exceed ninety-seven feet.

23 (c) A truck shall be construed to be one vehicle for the  
24 purpose of determining length.

25 (d) A trailer shall be construed to be one vehicle for

1 the purpose of determining length.

2 (2) Subsection (1) of this section shall not apply to:

3 (a) Extra-long vehicles which have been issued a permit  
4 pursuant to section 60-6,292;

5 (b) Vehicles which have been issued a permit pursuant to  
6 section 60-6,299;

7 (c) The temporary moving of farm machinery during  
8 daylight hours in the normal course of farm operations;

9 (d) The movement of unbaled livestock forage vehicles,  
10 loaded or unloaded;

11 (e) The movement of public utility or other construction  
12 and maintenance material and equipment at any time;

13 (f) Farm equipment dealers hauling, driving, delivering,  
14 or picking up farm equipment or implements of husbandry within the  
15 county in which the dealer maintains his or her place of business,  
16 or in any adjoining county or counties, and return;

17 (g) The overhang of any motor vehicle being hauled upon  
18 any lawful combination of vehicles, but such overhang shall not  
19 exceed the distance from the rear axle of the hauled motor vehicle  
20 to the closest bumper thereof;

21 (h) The overhang of a combine to be engaged in  
22 harvesting, while being transported into or through the state  
23 driven during daylight hours by a truck-tractor semitrailer  
24 combination, but the length of the semitrailer, including overhang,  
25 shall not exceed sixty-three feet and the maximum semitrailer

1 length shall not exceed fifty-three feet;

2 (i) Any ~~rubber-tired crane~~ self-propelled specialized  
3 mobile equipment with a fixed load when the requirements of  
4 subdivision (2)(i) of section 60-6,288 are met; or

5 (j) One truck-tractor two trailer combination or one  
6 truck-tractor semitrailer trailer combination used in transporting  
7 equipment utilized by custom harvesters under contract to  
8 agricultural producers to harvest wheat, soybeans, or milo  
9 during the months of April through November but the length of  
10 the property-carrying units, excluding load, shall not exceed  
11 eighty-one feet six inches.

12 (3) The length limitations of this section shall be  
13 exclusive of safety and energy conservation devices such as  
14 rearview mirrors, turnsignal lights, marker lights, steps and  
15 handholds for entry and egress, flexible fender extensions,  
16 mudflaps and splash and spray suppressant devices, load-induced  
17 tire bulge, refrigeration units or air compressors, and other  
18 devices necessary for safe and efficient operation of commercial  
19 motor vehicles, except that no device excluded from the limitations  
20 of this section shall have by its design or use the capability to  
21 carry cargo.

22 Sec. 26. Section 60-6,294, Revised Statutes Cumulative  
23 Supplement, 2006, is amended to read:

24 60-6,294 (1) Every vehicle, whether operated singly or in  
25 a combination of vehicles, and every combination of vehicles



1 shall comply with subsections (2) and (3) of this section  
 2 except as provided in sections 60-6,294.01 and 60-6,297. The  
 3 limitations imposed by this section shall be supplemental to all  
 4 other provisions imposing limitations upon the size and weight of  
 5 vehicles.

6 (2) No wheel of a vehicle or trailer equipped with  
 7 pneumatic or solid rubber tires shall carry a gross load in excess  
 8 of ten thousand pounds on any highway nor shall any axle carry  
 9 a gross load in excess of twenty thousand pounds on any highway.  
 10 An axle load shall be defined as the total load transmitted to  
 11 the highway by all wheels the centers of which may be included  
 12 between two parallel transverse vertical planes forty inches apart  
 13 extending across the full width of the vehicle.

14 (3) No group of two or more consecutive axles shall carry  
 15 a load in pounds in excess of the value given in the following  
 16 table corresponding to the distance in feet between the extreme  
 17 axles of the group, measured longitudinally to the nearest foot,  
 18 except that the maximum load carried on any group of two or more  
 19 axles shall not exceed eighty thousand pounds on the National  
 20 System of Interstate and Defense Highways unless the Director-State  
 21 Engineer pursuant to section 60-6,295 authorizes a greater weight.

22	Distance in feet	Maximum load in pounds carried
23	between the	on any group of two or more
24	extremes of	consecutive axles
25	any group of	

1	two or more						
2	consecutive Two		Three	Four	Five	Six	Seven
3	axles	Axles	Axles	Axles	Axles	Axles	Axles
4	4	34,000					
5	5	34,000					
6	6	34,000					
7	7	34,000					
8	8	34,000	42,000				
9	9	39,000	42,500				
10	10	40,000	43,500				
11	11		44,000				
12	12		45,000	50,000			
13	13		45,500	50,500			
14	14		46,500	51,500			
15	15		47,000	52,000			
16	16		48,000	52,500	58,000		
17	17		48,500	53,500	58,500		
18	18		49,500	54,000	59,000		
19	19		50,000	54,500	60,000		
20	20		51,000	55,500	60,500		
21	21		51,500	56,000	61,000		
22	22		52,500	56,500	61,500		
23	23		53,000	57,500	62,500		
24	24		54,000	58,000	63,000		
25	25		54,500	58,500	63,500	69,000	

## LB 756

## LB 756

1	26	55,500	59,500	64,000	69,500	
2	27	56,000	60,000	65,000	70,000	
3	28	57,000	60,500	65,500	71,000	
4	29	57,500	61,500	66,000	71,500	
5	30	58,500	62,000	66,500	72,000	
6	31	59,000	62,500	67,500	72,500	
7	32	60,000	63,500	68,000	73,000	
8	33		64,000	68,500	74,000	
9	34		64,500	69,000	74,500	
10	35		65,500	70,000	75,000	
11	36		66,000	70,500	75,500	
12	37		66,500	71,000	76,000	81,500
13	38		67,500	72,000	77,000	82,000
14	39		68,000	72,500	77,500	82,500
15	40		68,500	73,000	78,000	83,500
16	41		69,500	73,500	78,500	84,000
17	42		70,000	74,000	79,000	84,500
18	43		70,500	75,000	80,000	85,000
19	44		71,500	75,500	80,500	85,500
20	45		72,000	76,000	81,000	86,000
21	46		72,500	76,500	81,500	87,000
22	47		73,500	77,500	82,000	87,500
23	48		74,000	78,000	83,000	88,000
24	49		74,500	78,500	83,500	88,500
25	50		75,500	79,000	84,000	89,000

LB 756

LB 756

1	51	76,000	80,000	84,500	89,500
2	52	76,500	80,500	85,000	90,500
3	53	77,500	81,000	86,000	91,000
4	54	78,000	81,500	86,500	91,500
5	55	78,500	82,500	87,000	92,000
6	56	79,500	83,000	87,500	92,500
7	57	80,000	83,500	88,000	93,000
8	58		84,000	89,000	94,000
9	59		85,000	89,500	94,500
10	60		85,500	90,000	95,000

11 (4) The distance between axles shall be measured to the  
12 nearest foot. When a fraction is exactly one-half foot, the next  
13 larger whole number shall be used, except that:

14 (a) Any group of three axles shall be restricted to a  
15 maximum load of thirty-four thousand pounds unless the distance  
16 between the extremes of the first and third axles is at least  
17 ninety-six inches in fact; and

18 (b) The maximum gross load on any group of two axles,  
19 the distance between the extremes of which is more than eight feet  
20 but less than eight feet six inches, shall be thirty-eight thousand  
21 pounds.

22 (5) The limitations of subsections (2) through (4) of  
23 this section shall apply as stated to all main, rural, and  
24 intercity highways but shall not be construed as inhibiting heavier  
25 axle loads in metropolitan areas, except on the National System of

1 Interstate and Defense Highways, if such loads are not prohibited  
2 by city ordinance.

3 (6) The weight limitations of wheel and axle loads as  
4 defined in subsections (2) through (4) of this section shall be  
5 restricted to the extent deemed necessary by the Department of  
6 Roads for a reasonable period when road subgrades or pavements are  
7 weak or are materially weakened by climatic conditions.

8 (7) Two consecutive sets of tandem axles may carry a  
9 gross load of thirty-four thousand pounds each when the overall  
10 distance between the first and last axles of such consecutive sets  
11 of tandem axles is thirty-six, thirty-seven, or thirty-eight feet  
12 except as provided in section 60-6,297. Such vehicles shall be  
13 subject to section 60-6,301.

14 (8) If any vehicle crosses a bridge with a total gross  
15 load in excess of the posted capacity of such bridge and as a  
16 result of such crossing any damage results to the bridge, the owner  
17 of such vehicle shall be responsible for all of such damage.

18 (9) Vehicles equipped with a greater number of axles than  
19 provided in the tables in subsection (3) of this section shall be  
20 legal if they do not exceed the maximum load upon any wheel or  
21 axle, the maximum load upon any group of two or more consecutive  
22 axles, and the total gross weight, or any of such weights as  
23 provided in subsections (2) and (3) of this section.

24 (10) Subsections (1) through (9) of this section shall  
25 not apply to a vehicle which has been issued a permit pursuant to

1 section 60-6,299, a ~~rubber-tired crane~~ self-propelled specialized  
2 mobile equipment with a fixed load when the requirements of  
3 subdivision (2)(i) of section 60-6,288 are met, or an emergency  
4 vehicle when the requirements of subdivision (1)(a)(v) of section  
5 60-6,298 are met.

6 (11) Any two consecutive axles the centers of which are  
7 more than forty inches and not more than ninety-six inches apart,  
8 measured to the nearest inch between any two adjacent axles in  
9 the series, shall be defined as tandem axles, and the gross weight  
10 transmitted to the road surface through such series shall not  
11 exceed thirty-four thousand pounds. No axle of the series shall  
12 exceed the maximum weight permitted under this section for a single  
13 axle.

14 (12) Dummy axles shall be disregarded in determining the  
15 lawful weight of a vehicle or vehicle combination for operation on  
16 the highway. Dummy axle shall mean an axle attached to a vehicle  
17 or vehicle combination in a manner so that it does not articulate  
18 or substantially equalize the load and does not carry at least  
19 the lesser of eight thousand pounds or eight percent of the gross  
20 weight of the vehicle or vehicle combination.

21 (13) The maximum gross weight limit and the axle weight  
22 limit for any vehicle or combination of vehicles equipped with  
23 idle reduction technology may be increased by an amount necessary  
24 to compensate for the additional weight of the idle reduction  
25 technology as provided in 23 U.S.C. 127(a)(12), as such section

1 existed on the operative date of this section. The additional  
 2 amount of weight allowed by this subsection shall not exceed four  
 3 hundred pounds and shall not be construed to be in addition to the  
 4 five-percent-in-excess-of-maximum-load provision of subdivision (1)  
 5 of section 60-6,301.

6           Sec. 27. Section 60-6,310, Reissue Revised Statutes of  
 7 Nebraska, is amended to read:

8           60-6,310 No person shall operate a moped upon a highway  
 9 unless such person has ~~(1)~~ a valid Class 0 operator's license, ~~or~~  
 10 ~~(2) a valid school or learner's permit.~~

11           Sec. 28. Section 75-363, Revised Statutes Supplement,  
 12 2007, is amended to read:

13           75-363 (1) The parts, subparts, and sections of Title  
 14 49 of the Code of Federal Regulations listed below, as modified  
 15 in this section, or any other parts, subparts, and sections  
 16 referred to by such parts, subparts, and sections, in existence and  
 17 effective as of January 1, ~~2007,~~ 2008, are adopted as Nebraska law.

18           (2) Except as otherwise provided in this section, the  
 19 regulations shall be applicable to:

20           (a) All motor carriers, drivers, and vehicles to which  
 21 the federal regulations apply; and

22           (b) All motor carriers transporting persons or property  
 23 in intrastate commerce to include:

24           (i) All vehicles of such motor carriers with a gross  
 25 vehicle weight rating, gross combination weight rating, gross

1 vehicle weight, or gross combination weight over ten thousand  
2 pounds;

3 (ii) All vehicles of such motor carriers designed or  
4 used to transport more than eight passengers, including the driver,  
5 for compensation, or designed or used to transport more than  
6 fifteen passengers, including the driver, and not used to transport  
7 passengers for compensation;

8 (iii) All vehicles of such motor carriers transporting  
9 hazardous materials required to be placarded pursuant to section  
10 75-364; and

11 (iv) All drivers of such motor carriers if the drivers  
12 are operating a commercial motor vehicle as defined in section  
13 60-465 which requires a commercial driver's license.

14 (3) The Legislature hereby adopts, as modified in this  
15 section, the following parts of Title 49 of the Code of Federal  
16 Regulations:

17 (a) Part 382 - Controlled Substances And Alcohol Use And  
18 Testing;

19 (b) Part 385 - Safety Fitness Procedures;

20 (c) Part 387 - Minimum Levels of Financial Responsibility  
21 for Motor Carriers;

22 (d) Part 390 - Federal Motor Carrier Safety Regulations;  
23 General;

24 (e) Part 391 - Qualifications Of Drivers And Longer  
25 Combination Vehicle (LCV) Driver Instructors;



- 1 (f) Part 392 - Driving Of Commercial Motor Vehicles;  
2 (g) Part 393 - Parts And Accessories Necessary For Safe  
3 Operation;  
4 (h) Part 395 - Hours Of Service Of Drivers;  
5 (i) Part 396 - Inspection, Repair, And Maintenance;  
6 (j) Part 397 - Transportation Of Hazardous Materials;  
7 Driving And Parking Rules; and  
8 (k) Part 398 - Transportation Of Migrant Workers.

9 (4) The provisions of subpart E - Physical Qualifications  
10 And Examinations of 49 C.F.R. part 391 - Qualifications Of Drivers  
11 And Longer Combination Vehicle (LCV) Driver Instructors shall not  
12 apply to any driver subject to this section who: (a) Operates a  
13 commercial motor vehicle exclusively in intrastate commerce; and  
14 (b) holds, or has held, a commercial driver's license issued by  
15 this state prior to July 30, 1996.

16 (5) The regulations adopted in subsection (3) of this  
17 section shall not apply to farm trucks registered pursuant to  
18 section 60-3,146 with a gross weight of sixteen tons or less or to  
19 fertilizer and agricultural chemical application and distribution  
20 equipment transported in units with a capacity of three thousand  
21 five hundred gallons or less if the equipment is not required to  
22 be placarded pursuant to section 75-364. The following parts and  
23 sections of 49 C.F.R. chapter III shall not apply to drivers of  
24 farm trucks registered pursuant to section 60-3,146 and operated  
25 solely in intrastate commerce:

1 (a) All of part 391;

2 (b) Section 395.8 of part 395; and

3 (c) Section 396.11 of part 396.

4 (6) For purposes of this section, intrastate motor  
5 carriers shall not include any motor carrier or driver excepted  
6 from 49 C.F.R. chapter III by section 390.3(f) of part 390 or  
7 any nonprofit entity, operating solely in intrastate commerce,  
8 organized for the purpose of furnishing electric service.

9 (7) Part 395 - Hours Of Service Of Drivers shall apply  
10 to motor carriers and drivers who engage in intrastate commerce as  
11 defined in section 75-362, except that no motor carrier who engages  
12 in intrastate commerce shall permit or require any driver used by  
13 it to drive nor shall any driver drive:

14 (a) More than twelve hours following eight consecutive  
15 hours off duty; or

16 (b) For any period after having been on duty sixteen  
17 hours following eight consecutive hours off duty.

18 No motor carrier who engages in intrastate commerce  
19 shall permit or require a driver of a commercial motor vehicle,  
20 regardless of the number of motor carriers using the driver's  
21 services, to drive, nor shall any driver of a commercial motor  
22 vehicle drive, for any period after:

23 (i) Having been on duty seventy hours in any seven  
24 consecutive days if the employing motor carrier does not operate  
25 every day of the week; or

1           (ii) Having been on duty eighty hours in any period of  
2 eight consecutive days if the employing motor carrier operates  
3 motor vehicles every day of the week.

4           (8) Part 395 - Hours Of Service Of Drivers, as adopted  
5 in subsections (3) and (7) of this section, shall not apply to  
6 drivers transporting agricultural commodities or farm supplies for  
7 agricultural purposes when the transportation of such commodities  
8 or supplies occurs within a one-hundred-air-mile radius of  
9 the source of the commodities or the distribution point for  
10 the supplies when such transportation occurs during the period  
11 beginning on February 15 up to and including December 15 of each  
12 calendar year.

13           (9) 49 C.F.R. 390.21 - Marking Of Commercial Motor  
14 Vehicles shall not apply to farm trucks and farm truck-tractors  
15 registered pursuant to section 60-3,146 and operated solely in  
16 intrastate commerce.

17           (10) 49 C.F.R. 392.9a - Operating Authority shall  
18 not apply to Nebraska motor carriers operating commercial motor  
19 vehicles solely in intrastate commerce.

20           Sec. 29. Section 75-364, Revised Statutes Supplement,  
21 2007, is amended to read:

22           75-364 (1) The parts, subparts, and sections of Title  
23 49 of the Code of Federal Regulations listed below, or any other  
24 parts, subparts, and sections referred to by such parts, subparts,  
25 and sections, in existence and effective as of January 1, 2007,

1 2008, are adopted as part of Nebraska law and, except as provided  
2 in subsections (2) and (3) of this section, shall be applicable  
3 to all motor carriers whether engaged in interstate or intrastate  
4 commerce, drivers of such motor carriers, and vehicles of such  
5 motor carriers:

6 (a) Part 107 - Hazardous Materials Program Procedures,  
7 subpart F - Registration Of Cargo Tank And Cargo Tank Motor  
8 Vehicle Manufacturers, Assemblers, Repairers, Inspectors, Testers,  
9 and Design Certifying Engineers;

10 (b) Part 107 - Hazardous Materials Program Procedures,  
11 subpart G - Registration Of Persons Who Offer Or Transport  
12 Hazardous Materials;

13 (c) Part 171 - General Information, Regulations, And  
14 Definitions;

15 (d) Part 172 - Hazardous Materials Table, Special  
16 Provisions, Hazardous Materials Communications, Emergency Response  
17 Information, and Training Requirements;

18 (e) Part 173 - Shippers-General Requirements For  
19 Shipments And Packagings;

20 (f) Part 177 - Carriage By Public Highway;

21 (g) Part 178 - Specifications For Packagings; and

22 (h) Part 180 - Continuing Qualification And Maintenance  
23 Of Packagings.

24 (2) Agricultural operations exceptions:

25 (a) The transportation of an agricultural product other

1 than a Class 2 material (Compressed Gases) as defined in 49 C.F.R.  
2 171.8, over roads, other than the National System of Interstate and  
3 Defense Highways, between fields of the same farm, is excepted from  
4 subsection (1) of this section when:

5 (i) The agricultural product is transported by a farmer  
6 who is an intrastate private motor carrier; and

7 (ii) The movement of the agricultural product conforms to  
8 all other laws in effect on or before July 1, 1998, and 49 C.F.R.  
9 173.24, 173.24a, and 173.24b;

10 (b) The transportation of an agricultural product to or  
11 from a farm, within one hundred fifty miles of the farm, is  
12 excepted from the requirements in 49 C.F.R. part 172, subparts G  
13 (emergency response information) and H (training), and from the  
14 specific packaging requirements of subsection (1) of this section  
15 when:

16 (i) The agricultural product is transported by a farmer  
17 who is an intrastate private motor carrier;

18 (ii) The total amount of agricultural product being  
19 transported on a single vehicle does not exceed:

20 (A) Sixteen thousand ninety-four pounds of ammonium  
21 nitrate fertilizer properly classed as Division 5.1, PGIII, in  
22 a bulk packaging; or

23 (B) Five hundred two gallons for liquids or gases, or  
24 five thousand seventy pounds for solids, of any other agricultural  
25 product;

1           (iii) The packaging conforms to the requirements of  
2 state law and is specifically authorized for transportation of the  
3 agricultural product by state law and such state law has been in  
4 effect on or before July 1, 1998; and

5           (iv) Each person having any responsibility for  
6 transporting the agricultural product or preparing the agricultural  
7 product for shipment has been instructed in the applicable  
8 requirements of the parts, subparts, and sections of Title 49 of  
9 the Code of Federal Regulations adopted in this section; and

10           (c) Formulated liquid agricultural products in  
11 specification packagings of fifty-eight-gallon capacity or less,  
12 with closures manifolded to a closed mixing system and equipped  
13 with positive dry disconnect devices, may be transported by a  
14 private motor carrier between a final distribution point and an  
15 ultimate point of application or for loading aboard an airplane for  
16 aerial application.

17           (3) Exceptions for nonspecification packagings used in  
18 intrastate transportation:

19           (a) Nonspecification cargo tanks for petroleum products:  
20 Notwithstanding requirements for specification packagings in 49  
21 C.F.R. part 173, subpart F, and 49 C.F.R. parts 178 and 180,  
22 a nonspecification metal tank permanently secured to a transport  
23 vehicle and protected against leakage or damage in the event  
24 of a turnover, having a capacity of less than three thousand  
25 five hundred gallons, may be used by an intrastate motor carrier

1 for transportation of a flammable liquid petroleum product in  
2 accordance with subdivision (c) of this subsection;

3 (b) Permanently secured nonbulk tanks for petroleum  
4 products: Notwithstanding requirements for specification packagings  
5 in 49 C.F.R. part 173, subpart F, and 49 C.F.R. parts 178  
6 and 180, a nonspecification metal tank permanently secured to a  
7 transport vehicle and protected against leakage or damage in the  
8 event of a turnover, having a capacity of less than one hundred  
9 nineteen gallons, may be used by an intrastate motor carrier  
10 for transportation of a flammable liquid petroleum product in  
11 accordance with subdivision (c) of this subsection; and

12 (c) Additional requirements: A packaging used pursuant to  
13 subdivision (a) or (b) of this subsection must:

14 (i) Be operated by an intrastate motor carrier and in use  
15 as a packaging for hazardous material before July 1, 1998;

16 (ii) Be operated in conformance with the requirements of  
17 the State of Nebraska;

18 (iii) Be specifically authorized by state law in effect  
19 before July 1, 1998, for use as a packaging for the hazardous  
20 material being transported and by 49 C.F.R. 173.24, 173.24a, and  
21 173.24b;

22 (iv) Be offered for transportation and transported in  
23 conformance with all other applicable requirements of the hazardous  
24 material regulations;

25 (v) Not be used to transport a flammable cryogenic

1 liquid, hazardous substance, hazardous waste, or marine pollutant  
2 as defined in 49 C.F.R. 171.8; and

3 (vi) On and after July 1, 2000, for a tank authorized  
4 under subdivision (a) or (b) of this subsection, conform to  
5 all requirements in 49 C.F.R. part 180, except for 49 C.F.R.  
6 180.405(g), in the same manner as required for a United States  
7 Department of Transportation specification MC306 cargo tank motor  
8 vehicle.

9 (4) For purposes of this section:

10 (a) Agricultural product means a hazardous material,  
11 other than a hazardous waste, whose end use directly supports  
12 the production of an agricultural commodity, including, but not  
13 limited to, a fertilizer, pesticide, soil amendment, or fuel. An  
14 agricultural product is limited to a material in Class 3 (Flammable  
15 Liquids), Class 8 (Corrosives), or Class 9 (Miscellaneous),  
16 Division 2.1 (Flammable Gas), Division 2.2 (Nonflammable Gas),  
17 Division 5.1 (Oxidizers), or Division 6.1 (Poisons), or an ORM-D  
18 material (Consumer Commodity), as defined in 49 C.F.R. 171.8;

19 (b) Bulk package means a packaging, including a transport  
20 vehicle or freight container, in which hazardous materials are  
21 loaded with no other intermediate form of containment and which  
22 has:

23 (i) A maximum capacity greater than one hundred nineteen  
24 gallons as a receptacle for a liquid;

25 (ii) A maximum net mass greater than eight hundred



1 eighty-two pounds and a maximum capacity greater than one hundred  
2 nineteen gallons as a receptacle for a solid; or

3 (iii) A water capacity greater than one thousand pounds  
4 as a receptacle for a gas, pursuant to standards set forth in 49  
5 C.F.R. 173.115;

6 (c) Farmer means a person engaged in the production or  
7 raising of crops, poultry, or livestock; and

8 (d) Private motor carrier means a person or persons  
9 engaged in the transportation of persons or product while in  
10 commerce, but not for hire.

11 Sec. 30. Sections 1, 3, 11, 12, 13, 15, 18, 19, 20, 23,  
12 24, 25, 26, 31, and 34 of this act become operative three calendar  
13 months after the adjournment of this legislative session. Sections  
14 5, 6, 7, 8, 9, 10, 14, 16, 17, 21, 22, and 32 of this act become  
15 operative on July 1, 2008. The other sections of this act become  
16 operative on their effective date.

17 Sec. 31. Original sections 37-1282, 60-6,288, and  
18 60-6,289, Reissue Revised Statutes of Nebraska, sections 60-365,  
19 60-376, 60-3,161, 60-3,198, 60-601, 60-605, 60-6,290, and 60-6,294,  
20 Revised Statutes Cumulative Supplement, 2006, and section 60-164,  
21 Revised Statutes Supplement, 2007, are repealed.

22 Sec. 32. Original sections 60-301, 60-302, 60-311,  
23 60-342, 60-3,196, 60-462.01, 60-4,147.02, 60-6,265, and 60-6,267,  
24 Revised Statutes Supplement, 2007, are repealed.

25 Sec. 33. Original section 60-6,310, Reissue Revised

1 Statutes of Nebraska, section 60-141, Revised Statutes Cumulative  
2 Supplement, 2006, and sections 60-168.02, 75-363, and 75-364,  
3 Revised Statutes Supplement, 2007, are repealed.

4           Sec. 34. The following section is outright repealed:  
5 Section 60-6,227, Reissue Revised Statutes of Nebraska.

6           Sec. 35. Since an emergency exists, this act takes effect  
7 when passed and approved according to law.