

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 148

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

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

20 (2) Any motor vehicle, semitrailer, or trailer carrying only
21 a load of livestock may exceed the maximum load as permitted by such
22 section on only one axle, only one tandem axle, or only one group of
23 axles when the distance between the first and last axle of the group
24 of axles is six feet or less if the excess load on the axle, tandem
25 axle, or group of axles is caused by a shifting of the weight of the
26 livestock by the livestock and if the vehicle or combination of
27 vehicles is within the maximum gross load as permitted by such

1 section;

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

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

21 (5) Any motor vehicle, semitrailer, or trailer carrying
22 grain or other seasonally harvested products may operate from the
23 field where such grain or products are harvested to storage, market,
24 or stockpile in the field or from stockpile to market or factory up to
25 seventy miles with a load that exceeds the maximum load permitted by
26 section 60-6,294 by fifteen percent on any tandem axle, group of
27 axles, and gross weight. Any truck with no more than two axles

1 carrying grain or other seasonally harvested products may operate from
2 the field where such grain or products are harvested to storage,
3 market, or stockpile in the field or from stockpile to market or
4 factory up to seventy miles with a load that exceeds the maximum load
5 permitted by section 60-6,294 by fifteen percent on any single axle
6 and gross weight. The owner or a representative of the owner of the
7 agricultural product shall furnish the driver of the loaded vehicle a
8 signed statement of origin and destination.

9 Nothing in this section shall be construed to permit to be
10 operated on the National System of Interstate and Defense Highways any
11 vehicle or combination of vehicles which exceeds any of the weight
12 limitations applicable to such system as contained in section
13 60-6,294.

14 If the maximum legal gross weight or axle weight of any
15 vehicle is exceeded by five percent or less and the arresting peace
16 officer or carrier enforcement officer has reason to believe that such
17 excessive weight is caused by snow, ice, or rain, the officer may
18 issue a warning citation to the operator.

19 Sec. 2. Original section 60-6,301, Reissue Revised Statutes
20 of Nebraska, is repealed.