



One Hundred First Legislature - First Session - 2009  
**Introducer's Statement of Intent**  
**LB 204**

---

**Chairperson:** Deb Fischer  
**Committee:** Transportation and Telecommunications  
**Date of Hearing:** January 26, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 204 was introduced in response to an audit by the Federal Motor Carrier Safety Administration. During the audit, some discrepancies were found between the Nebraska Motor Vehicle Operator's License Act and federal rules and regulations. This bill is an attempt to remedy those discrepancies.

The bill places restrictions on a person from operating a commercial motor vehicle when there is an out-of-service order in effect for his or her commercial motor vehicle or motor carrier operation. This pertains to transporting hazardous materials as well as transporting sixteen or more passengers.

The penalty for violation of this provision is a Class II misdemeanor for the first offense, including a suspension of the person's CDL for one year. Any subsequent offense is a Class II misdemeanor with a suspension of the person's CDL for two years.

In addition, the length of minimum suspension for a person who violates an out-of-service order while transporting nonhazardous materials is also increased from 90 to 180 days for the first conviction and from one year to two years for a second conviction.

**Principal Introducer:** \_\_\_\_\_  
**Deb Fischer, Chairperson**  
**Committee on Transportation and Telecommunications**