

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB112

Hearing Date: Monday January 24, 2011
Committee On: Transportation and Telecommunications
Introducer: Coash
One Liner: Provide an exemption from motor carrier regulations for comprehensive services transport

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Campbell, Dubas, Fischer, Hadley, Janssen, Lautenbaugh, Louden, Price
Nay:
Absent:
Present Not Voting:

Proponents:

Senator Colby Coash
Kerry Winterer
Sandra Gasca-Gonzalez
David Newell
Tom McBride
Roger Stortenbecker
Sarah Forrest
Bob Matthews
Alan Zavodny

Representing:

Introducer
Department of Health and Human Services
KVC Behavioral Healthcare
Nebraska Families Cooperative
Children & Family Coalition of Nebraska
Developmental Services of Nebraska
Voices for Children in Nebraska
BHWS
Northstar Services and Mosaic

Opponents:

John Davis
Stephen Mason

Representing:

Happy Cab Companies
self

Neutral:

Tim Schram

Representing:

Public Service Commission

Summary of purpose and/or changes:

LB 112 creates an exemption for HHS private providers from Public Service Commission intrastate carrier regulations.

The bill creates a new definition of Department of Health and Human Services comprehensive services transport under the Intrastate Motor Carrier provisions.

The bill then amends Sec. 75-303 to create a new exception from PSC regulation of transportation of passengers for a motor carrier engaged in HHS comprehensive services transport.

Explanation of amendments:

The committee amendment, AM 361, strikes the original sections and becomes the bill.

First, the amendment inserts a definition of "attended services". This definition is the same as the current definition of "escort services", but is meant to give a better understanding of what is intended.

The amendment creates two new exemptions from Public Service Commission regulation for "Residential Care Transportation Services" and "Supported Transportation Services".

Residential care transportation services are meant to cover the transportation of a minor or disabled individual who resides in a residential home or facility under HHS regulation. Examples include a foster home, treatment facility, group home, or shelter. The transportation is incident to a services contract or a subcontract with HHS.

Supported transportation services are meant to cover the transportation of a minor, disabled individual, or family member of a minor when it is necessary for the person providing the transportation to assist and supervise the passenger.

Supported transportation services must be incident to the contract or a subcontract with HHS, and the driver must meet certain requirements outlined in the section.

The amendment also requires a motor carrier fitting under one of these two exemptions to comply with the requirements of HHS regulations to protect the safety and well-being of the passengers, including insurance, training, and age requirements.

Deb Fischer, Chairperson