

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB212

Hearing Date: Tuesday January 25, 2011
Committee On: Transportation and Telecommunications
Introducer: Transportation and Telecommunications
One Liner: Adopt revisions of federal laws and regulations relating to motor vehicles

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: Dusty Vaughan Gerald Krolikowski Beverly Neth	Representing: Introducing for Senator Fischer Nebraska State Patrol Department of Motor Vehicles
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Opponents:	Representing:
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Neutral:	Representing:
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Summary of purpose and/or changes:

LB 212 updates the adoption of federal rules and regulations found in the MV statutes and authorizes minitrucks to tow trailers.

The bill is an annual updating of dates that reference federal law in the motor vehicle statutes. These updates are necessary for Nebraska to remain in compliance with federal law.

Section 1 amends Sec. 18-1739 to adopt the 23 CFR part 1235 pertaining to handicapped permit specifications as such regulation existed on January 1, 2011.

Section 2 amends Sec. 60-3,193.01 to adopt the International Registration Plan for apportioned vehicles in interstate commerce as it existed on January 1, 2011.

Section 3 amends Sec. 60-3,221 to authorize the towing of cabin trailers, utility trailers, farm trailers, and dealer-plated trailers by properly registered minitrucks.

Sections 4 and 5 amends Sec. 60-462.01 and 60-4,147.02 to adopt federal rules and regulations pertaining to commercial motor vehicles and commercial driver licenses as they existed on January 1, 2011.

Section 6 amends Sec. 75-363 by adopting the parts, subparts, and sections of Title 49 of the Code of Federal Regulations in existence and effective as of January 1, 2011. The regulations are applicable to all motor carriers,

drivers and vehicles to which federal regulations apply and all motor carriers transporting persons or property in intrastate commerce.

Section 7 amends Sec. 75-364 by adopting parts, subparts, and sections of Title 49 of the Code of Federal Regulations in existence and effective as of January 1, 2011, pertaining to hazardous materials, agricultural operations, and exceptions for nonspecification packagings used in intrastate transportation.

Section 8 amends Sec. 75-393 authorize the director of DMV to participate in the Unified Carrier Registration Act (UCR) as the act existed on January 1, 2011.

Explanation of amendments:

The committee amendment, AM 2, corrects an oversight from LB 202 (2009). Through that bill, the DMV implemented an Electronic Lien and Titling (ELT) process. The ELT system allows the DMV to communicate electronically with lending institutions regarding noting and releasing motor vehicle liens.

The changes in 2009 omitted a statute that requires the mailing of titles for apportionable vehicles, a process no longer used within the ELT system. The amendment changes Sec. 60-144 to eliminate the mailing requirement for titles for apportionable vehicles and that apportioned vehicle titles will instead be issued according to the ELT process.

Deb Fischer, Chairperson