

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 104**

Introduced by Schilz, 47.

Read first time January 06, 2011

Committee: Transportation and Telecommunications

A BILL

- 1 FOR AN ACT relating to motor vehicles; to amend sections 60-3,144 and
- 2 60-6,294, Reissue Revised Statutes of Nebraska; to change
- 3 certain weight provisions; and to repeal the original
- 4 sections.
- 5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 60-3,144, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   60-3,144 (1) For buses used exclusively to carry children  
4 to and from school, and other school activities, the registration fee  
5 shall be ten dollars.

6                   (2) For buses equipped to carry more than ten persons for  
7 hire, the fee shall be based on the weight of such bus. To ascertain  
8 the weight, the unladen weight in pounds shall be used. There shall  
9 be added to such weight in pounds the number of persons such bus is  
10 equipped to carry times two hundred, the sum thereof being the weight  
11 of such bus for license purposes. The unladen weight shall be  
12 ascertained by scale weighing of the bus fully equipped and as used  
13 upon the highways under the supervision of a member of the Nebraska  
14 State Patrol or a carrier enforcement officer and certified by such  
15 patrol member or carrier enforcement officer to the department or  
16 county treasurer or designated county official. The fee therefor  
17 shall be as follows:

18                   (a) If such bus weighs thirty-two thousand pounds and  
19 less than ~~thirty-four~~ thirty-six thousand pounds, it shall be  
20 licensed as a twelve-ton truck as provided in section 60-3,147 and  
21 pay the same fee as therein provided;

22                   (b) If such bus weighs thirty thousand pounds and less  
23 than thirty-two thousand pounds, it shall be licensed as an eleven-  
24 ton truck as provided in section 60-3,147 and pay the same fee as  
25 therein provided;

1           (c) If such bus weighs twenty-eight thousand pounds and  
2 less than thirty thousand pounds, it shall be licensed as a ten-ton  
3 truck as provided in section 60-3,147 and pay the same fee as therein  
4 provided;

5           (d) If such bus weighs twenty-two thousand pounds and  
6 less than twenty-eight thousand pounds, it shall be licensed as a  
7 nine-ton truck as provided in section 60-3,147 and pay the same fee  
8 as therein provided;

9           (e) If such bus weighs sixteen thousand pounds and less  
10 than twenty-two thousand pounds, it shall be licensed as an eight-ton  
11 truck as provided in section 60-3,147 and pay the same fee as therein  
12 provided; and

13           (f) If such bus weighs less than sixteen thousand pounds,  
14 it shall be licensed as a five-ton truck as provided in section  
15 60-3,147 and pay the same fee as therein provided, except that upon  
16 registration of buses equipped to carry ten passengers or more and  
17 engaged entirely in the transportation of passengers for hire within  
18 municipalities or in and within a radius of five miles thereof the  
19 fee shall be seventy-five dollars, and for buses equipped to carry  
20 more than ten passengers and not for hire the registration fee shall  
21 be thirty dollars.

22           (3) License plates issued under this section shall be the  
23 same size and of the same basic design as regular license plates  
24 issued under section 60-3,100.

25           Sec. 2. Section 60-6,294, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           60-6,294 (1) Every vehicle, whether operated singly or in  
3 a combination of vehicles, and every combination of vehicles shall  
4 comply with subsections (2) and (3) of this section except as  
5 provided in sections 60-6,294.01 and 60-6,297. The limitations  
6 imposed by this section shall be supplemental to all other provisions  
7 imposing limitations upon the size and weight of vehicles.

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

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

24	Distance in feet	Maximum load in pounds carried
25	between the	on any group of two or more

1	extremes of	consecutive axles					
2	any group of						
3	two or more						
4	consecutive	Two	Three	Four	Five	Six	Seven
5	axles	Axles	Axles	Axles	Axles	Axles	Axles
6	4	<del>34,000</del>					
7	5	<del>34,000</del>					
8	6	<del>34,000</del>					
9	7	<del>34,000</del>					
10	8	<del>34,000</del>	<del>42,000</del>				
11	<u>4</u>	<u>36,000</u>					
12	<u>5</u>	<u>36,000</u>					
13	<u>6</u>	<u>36,000</u>					
14	<u>7</u>	<u>36,000</u>					
15	<u>8</u>	<u>36,000</u>	<u>42,000</u>				
16	9	39,000	42,500				
17	10	40,000	43,500				
18	11		44,000				
19	12		45,000	50,000			
20	13		45,500	50,500			
21	14		46,500	51,500			

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1	15	47,000	52,000		
2	16	48,000	52,500	58,000	
3	17	48,500	53,500	58,500	
4	18	49,500	54,000	59,000	
5	19	50,000	54,500	60,000	
6	20	51,000	55,500	60,500	
7	21	51,500	56,000	61,000	
8	22	52,500	56,500	61,500	
9	23	53,000	57,500	62,500	
10	24	54,000	58,000	63,000	
11	25	54,500	58,500	63,500	69,000
12	26	55,500	59,500	64,000	69,500
13	27	56,000	60,000	65,000	70,000
14	28	57,000	60,500	65,500	71,000
15	29	57,500	61,500	66,000	71,500
16	30	58,500	62,000	66,500	72,000
17	31	59,000	62,500	67,500	72,500
18	32	60,000	63,500	68,000	73,000
19	33		64,000	68,500	74,000
20	34		64,500	69,000	74,500
21	35		65,500	70,000	75,000

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1	36	66,000	70,500	75,500	
2	37	66,500	71,000	76,000	81,500
3	38	67,500	72,000	77,000	82,000
4	39	68,000	72,500	77,500	82,500
5	40	68,500	73,000	78,000	83,500
6	41	69,500	73,500	78,500	84,000
7	42	70,000	74,000	79,000	84,500
8	43	70,500	75,000	80,000	85,000
9	44	71,500	75,500	80,500	85,500
10	45	72,000	76,000	81,000	86,000
11	46	72,500	76,500	81,500	87,000
12	47	73,500	77,500	82,000	87,500
13	48	74,000	78,000	83,000	88,000
14	49	74,500	78,500	83,500	88,500
15	50	75,500	79,000	84,000	89,000
16	51	76,000	80,000	84,500	89,500
17	52	76,500	80,500	85,000	90,500
18	53	77,500	81,000	86,000	91,000
19	54	78,000	81,500	86,500	91,500
20	55	78,500	82,500	87,000	92,000
21	56	79,500	83,000	87,500	92,500

1	57	80,000	83,500	88,000	93,000
2	58		84,000	89,000	94,000
3	59		85,000	89,500	94,500
4	60		85,500	90,000	95,000

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

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

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

16 (5) The limitations of subsections (2) through (4) of  
17 this section shall apply as stated to all main, rural, and intercity  
18 highways but shall not be construed as inhibiting heavier axle loads  
19 in metropolitan areas, except on the National System of Interstate  
20 and Defense Highways, if such loads are not prohibited by city  
21 ordinance.

22 (6) The weight limitations of wheel and axle loads as  
23 defined in subsections (2) through (4) of this section shall be  
24 restricted to the extent deemed necessary by the Department of Roads  
25 for a reasonable period when road subgrades or pavements are weak or



1 are materially weakened by climatic conditions.

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

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

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

18 (10) Subsections (1) through (9) of this section shall  
19 not apply to a vehicle which has been issued a permit pursuant to  
20 section 60-6,299, self-propelled specialized mobile equipment with a  
21 fixed load when the requirements of subdivision (2)(i) of section  
22 60-6,288 are met, or an emergency vehicle when the requirements of  
23 subdivision (1)(a)(v) of section 60-6,298 are met.

24 (11) Any two consecutive axles the centers of which are  
25 more than forty inches and not more than ninety-six inches apart,

1 measured to the nearest inch between any two adjacent axles in the  
2 series, shall be defined as tandem axles, and the gross weight  
3 transmitted to the road surface through such series shall not exceed  
4 ~~thirty-four~~thirty-six thousand pounds. No axle of the series shall  
5 exceed the maximum weight permitted under this section for a single  
6 axle.

7 (12) Dummy axles shall be disregarded in determining the  
8 lawful weight of a vehicle or vehicle combination for operation on  
9 the highway. Dummy axle shall mean an axle attached to a vehicle or  
10 vehicle combination in a manner so that it does not articulate or  
11 substantially equalize the load and does not carry at least the  
12 lesser of eight thousand pounds or eight percent of the gross weight  
13 of the vehicle or vehicle combination.

14 (13) The maximum gross weight limit and the axle weight  
15 limit for any vehicle or combination of vehicles equipped with idle  
16 reduction technology may be increased by an amount necessary to  
17 compensate for the additional weight of the idle reduction technology  
18 as provided in 23 U.S.C. 127(a)(12), as such section existed on July  
19 18, 2008. The additional amount of weight allowed by this subsection  
20 shall not exceed four hundred pounds and shall not be construed to be  
21 in addition to the five-percent-in-excess-of-maximum-load provision  
22 of subdivision (1) of section 60-6,301.

23 Sec. 3. Original sections 60-3,144 and 60-6,294, Reissue  
24 Revised Statutes of Nebraska, are repealed.