

**ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016**  
**COMMITTEE STATEMENT**  
**LB639**

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**Hearing Date:** Tuesday March 03, 2015  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Garrett  
**One Liner:** Provide authority for the Department of Roads to issue permits to control roadside vegetation as prescribed

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

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**Vote Results:**  
**Aye:** 7 Senators Brasch, Davis, Friesen, Garrett, Seiler, Smith, McCoy  
**Nay:**  
**Absent:**  
**Present Not Voting:** 1 Senator Murante

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**Verbal Testimony:**

**Proponents:**  
Tommy Garrett  
Jim Deitering  
Joe Klaus  
John Lindsay

**Representing:**  
Introducer  
Lamar Outdoor Advertising  
Lamar Outdoor Advertising  
First National of Nebraska

**Opponents:**

**Representing:**

**Neutral:**  
Randy Peters

**Representing:**  
Nebraska Department of Roads

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**Summary of purpose and/or changes:**

Amends section 39-220; authority of the Department of Roads to issue permits for advertising signs and displays placed along or upon any interstate or primary highway.

The bill adds a new subsection that provides the Department of Roads may require permits for the control of vegetation that is in the vicinity of advertising signs. Such permit shall authorize the cutting, trimming, or spraying of vegetation under controlled conditions when the advertising sign is obstructed.

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**Explanation of amendments:**

The Committee considered and adopted an amendment that substitutes for the bill. The amendment directs the Department of Roads to create a vegetation control program and to establish a procedure that will allow for the issuance of permits to third parties that authorize the cutting or trimming of vegetation that obstructs or obscures lawfully placed advertising signs or devices.

The permit, when issued is valid for thirty days, is applicable to only one sign, device, or display location, and shall be issued upon payment of a fee to be determined by the Department, not to exceed \$50.

Any applicant for a permit shall provide to the Department, in an amount to be determined by the Department, a deposit,

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check, or bond that shall be forfeited if the permittee violates the permit or any requirement established by the Department. Additionally the permittee shall provide proof of a liability policy of insurance of at least \$1 million along with a signed release agreeing that the permittee assumes all risk and liability for any accident or or damage that may result from the work to be performed.

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Jim Smith, Chairperson