

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018

COMMITTEE STATEMENT

LB900

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**Hearing Date:** Tuesday January 23, 2018  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Bostelman  
**One Liner:** Adopt and update references to federal law relating to transportation and increase fines for violations of certain motor carrier statutes and regulations

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

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**Vote Results:**

**Aye:** 8 Senators Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Bruce Bostelman  
Rhonda Lahm  
Gerald Krolikowski  
Jill Becker

**Representing:**

District 23  
Nebraska Department of Motor Vehicles  
Nebraska State Patrol  
Black Hills Energy

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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

This bill would adopt and update references to federal laws utilized by the Department of Transportation in its enforcement of state laws. The updates are incorporated as the federal law exists on January 1, 2018. It updates references in areas relating to low-speed vehicles, motor vehicle and trailer registration, handicapped and disabled parking permits, operator's licenses, hazardous materials, motor carrier and hazardous material regulations, the International Registration Plan, people handling source documents, and several parts of Title 49 of the Code of Federal Regulations.

The bill also amends the commercial driver's license provisions to allow an exception for drivers transporting diesel fuel. No hazardous materials endorsement for the CDL will be required if the driver (a) is operating within the state and is acting within the scope of his or her employment as an employee of a custom harvester operation, an agrichemical business, a farm retail outlet and supplier, or a livestock feeder; and (2) operating a service vehicle that is (a) transporting diesel in a quantity of one thousand gallons or less and (b) clearly marked with a flammable or combustible placard, as appropriate.

LB 900 also provides a special weight allowance for vehicles fueled primarily by natural gas. The weight can be (a) equal to the difference, up to a maximum of two thousand pounds, between the weight of a natural gas tank and fueling system carried by the vehicle, and the weight of a comparable diesel tank and fueling system; and (b) does not exceed

82,000 pounds on the Interstate Highway system.

The bill would also increase fines for motor carriers violating the law relating to railroad-highway grade crossings, and against CDL operators and the companies that employ the operators for violations of out-of-service orders. The bill also has an emergency clause.

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**Explanation of amendments:**

The committee amendment to LB 900 strikes the word "vehicle" in a new provision relating to natural gas powered vehicle and is meant to clarify the provision.

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Curt Friesen, Chairperson