

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 310

FINAL READING

Introduced by Friesen, 34.

Read first time January 12, 2017

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to highways and bridges; to amend sections
- 2 39-1411 and 39-1412, Reissue Revised Statutes of Nebraska, and
- 3 section 60-6,383, Revised Statutes Cumulative Supplement, 2016; to
- 4 change provisions relating to carrying capacity and weight limits of
- 5 bridges and operation restrictions for implements of husbandry; and
- 6 to repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-1411, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 39-1411 The county highway superintendent or some other qualified
4 person designated by the county board shall keep in his or her office a
5 road record which shall include a record of the proceedings in regard to
6 the laying out, establishing, changing, or discontinuing of all roads in
7 the county hereafter established, changed, or discontinued, and a record
8 of the cost and maintenance of all such roads. Such person shall record
9 in the bridge record, a record of all county bridges and culverts showing
10 number, location, and description of each, and a record of the cost of
11 construction and maintenance of all such bridges and culverts. If the
12 carrying capacity or weight limit of any bridge is less than the limits
13 set forth in subsections (2), (3), and (4) of section 60-6,294, the
14 county ~~Such person~~ shall cause to be firmly posted or attached upon such
15 ~~each~~ bridge in a conspicuous place at each end thereof a board or metal
16 sign showing the carrying capacity or weight which the bridge will safely
17 carry or bear.

18 Sec. 2. Section 39-1412, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 39-1412 (1) No ~~Any~~ person shall drive ~~driving~~ across or go ~~going~~
21 upon any county bridge with a greater weight than the limits set forth in
22 subsections (2), (3), and (4) of section 60-6,294 or the carrying
23 capacity or weight posted or attached pursuant to thereupon as provided
24 ~~in~~ section 39-1411.

25 (2) A person who violates this section ~~,~~ shall recover no damages
26 from the county for ~~because of~~ any accident or injury which may happen to
27 him or her upon such bridge because of damage to or the failure of such
28 bridge caused by such violation.

29 (3) A ~~Such~~ person who violates this section shall, ~~for entering upon~~
30 ~~any such bridge with a greater weight than the carrying capacity or~~
31 ~~weight posted thereupon as provided in section 39-1411,~~ be guilty of a

1 Class III misdemeanor.

2 Sec. 3. Section 60-6,383, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 60-6,383 (1) An implement of husbandry being operated on any highway
5 of this state, except the National System of Interstate and Defense
6 Highways, shall be exempt from the weight and load limitations of
7 subsections (2), (3), and (4) of section 60-6,294 but shall be subject to
8 any ordinances or resolutions enacted by local authorities pursuant to
9 section 60-681.

10 (2) An implement of husbandry being operated on any highway of this
11 state shall not cross any ~~bridge or culvert~~ with a span of more than
12 sixty inches or any bridge if the vehicle axle, axle groupings, or gross
13 weight exceeds the limits established in subsections (2), (3), and (4) of
14 section 60-6,294 or weight limits established by bridge postings.

15 (3) For purposes of this section, an implement of husbandry includes
16 (a) a farm tractor with or without a towed farm implement, (b) a self-
17 propelled farm implement, (c) self-propelled equipment designed and used
18 exclusively to carry and apply fertilizer, chemicals, or related products
19 to agricultural soil or crops, (d) an agricultural floater-spreader
20 implement as defined in section 60-303, (e) a fertilizer spreader, nurse
21 tank, or truck permanently mounted with a spreader used for spreading or
22 injecting water, dust, or liquid fertilizers or agricultural chemicals,
23 (f) a truck mounted with a spreader used or manufactured to spread or
24 inject animal manure, and (g) a mixer-feed truck owned and used by a
25 livestock-raising operation designed for and used for the feeding of
26 livestock.

27 Sec. 4. Original sections 39-1411 and 39-1412, Reissue Revised
28 Statutes of Nebraska, and section 60-6,383, Revised Statutes Cumulative
29 Supplement, 2016, are repealed.