

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 785

Introduced by Friesen, 34.

Read first time January 08, 2020

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 sections 60-6,294 and 60-6,297, Revised Statutes Cumulative
3 Supplement, 2018, and section 60-6,290, Revised Statutes Supplement,
4 2019; to change provisions relating to vehicle size, weight, and
5 load; to provide for stinger-steered automobile transporters,
6 towaway trailer transporter combinations, and emergency vehicles; to
7 provide duties for the Department of Transportation; to define a
8 term; and to repeal the original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,290, Revised Statutes Supplement, 2019, is
2 amended to read:

3 60-6,290 (1)(a) No vehicle shall exceed a length of forty feet,
4 extreme overall dimensions, inclusive of front and rear bumpers including
5 load, except that:

6 (i) A bus or a motor home, as defined in section 71-4603, may exceed
7 the forty-foot limitation but shall not exceed a length of forty-five
8 feet;

9 (ii) A truck-tractor may exceed the forty-foot limitation;

10 (iii) A semitrailer operating in a truck-tractor single semitrailer
11 combination, which semitrailer was actually and lawfully operating in the
12 State of Nebraska on December 1, 1982, may exceed the forty-foot
13 limitation;

14 (iv) A semitrailer operating in a truck-tractor single semitrailer
15 combination, which semitrailer was not actually and lawfully operating in
16 the State of Nebraska on December 1, 1982, may exceed the forty-foot
17 limitation but shall not exceed a length of fifty-three feet including
18 load;

19 (v) A semitrailer operating in a truck-tractor single semitrailer
20 combination, while transporting baled livestock forage, may exceed the
21 forty-foot limitation but shall not exceed a length of fifty-nine feet
22 six inches including load; and

23 (vi) An articulated bus vehicle operated by a transit authority
24 established under the Transit Authority Law or regional metropolitan
25 transit authority established pursuant to section 18-804 may exceed the
26 forty-foot limitation. For purposes of this subdivision (vi), an
27 articulated bus vehicle shall not exceed sixty-five feet in length.

28 (b) No combination of vehicles shall exceed a length of sixty-five
29 feet, extreme overall dimensions, inclusive of front and rear bumpers and
30 including load, except:

31 (i) One truck and one trailer, loaded or unloaded, used in

1 transporting implements of husbandry to be engaged in harvesting, while
2 being transported into or through the state during daylight hours if the
3 total length does not exceed seventy-five feet including load;

4 (ii) A truck-tractor single semitrailer combination;

5 (iii) A truck-tractor semitrailer trailer combination, but the
6 semitrailer trailer portion of such combination shall not exceed sixty-
7 five feet inclusive of connective devices; ~~and~~

8 (iv) A driveaway saddlemount vehicle transporter combination and
9 driveaway saddlemount with fullmount vehicle transporter combination, but
10 the total overall length shall not exceed ninety-seven feet; ~~and~~

11 (v) A stinger-steered automobile transporter, but the total overall
12 length shall not exceed eighty feet, inclusive of a front overhang of
13 less than four feet and a rear overhang of less than six feet. For
14 purposes of this subdivision, automobile transporter means any vehicle
15 combination designed and used for the transport of assembled highway
16 vehicles, including truck camper units. An automobile transporter shall
17 not be prohibited from the transport of cargo or general freight on a
18 backhaul, so long as it is in compliance with weight limitations for a
19 truck-tractor and semitrailer combination; and

20 (vi) A towaway trailer transporter combination, but the total
21 overall length shall not exceed eighty-two feet. For purposes of this
22 subdivision, towaway trailer transporter combination means a combination
23 of vehicles consisting of a trailer transporter towing unit and two
24 trailers or semitrailers with a total weight that does not exceed twenty-
25 six thousand pounds, and in which the trailers or semitrailers carry no
26 property and constitute inventory property of a manufacturer,
27 distributor, or dealer of such trailers or semitrailers.

28 (c) A truck shall be construed to be one vehicle for the purpose of
29 determining length.

30 (d) A trailer shall be construed to be one vehicle for the purpose
31 of determining length.

1 (2) Subsection (1) of this section shall not apply to:

2 (a) Extra-long vehicles which have been issued a permit pursuant to
3 section 60-6,292;

4 (b) Vehicles which have been issued a permit pursuant to section
5 60-6,299;

6 (c) The temporary moving of farm machinery during daylight hours in
7 the normal course of farm operations;

8 (d) The movement of unbaled livestock forage vehicles, loaded or
9 unloaded;

10 (e) The movement of public utility or other construction and
11 maintenance material and equipment at any time;

12 (f) Farm equipment dealers or their representatives as authorized
13 under section 60-6,382 driving, delivering, or picking up farm equipment
14 or implements of husbandry within the county in which the dealer
15 maintains his or her place of business, or in any adjoining county or
16 counties, and return;

17 (g) The overhang of any motor vehicle being hauled upon any lawful
18 combination of vehicles, but such overhang shall not exceed the distance
19 from the rear axle of the hauled motor vehicle to the closest bumper
20 thereof;

21 (h) The overhang of a combine to be engaged in harvesting, while
22 being transported into or through the state driven during daylight hours
23 by a truck-tractor semitrailer combination, but the length of the
24 semitrailer, including overhang, shall not exceed sixty-three feet and
25 the maximum semitrailer length shall not exceed fifty-three feet;

26 (i) Any self-propelled specialized mobile equipment with a fixed
27 load when the requirements of subdivision (2)(i) of section 60-6,288 are
28 met; or

29 (j) One truck-tractor two trailer combination or one truck-tractor
30 semitrailer trailer combination used in transporting equipment utilized
31 by custom harvesters under contract to agricultural producers to harvest

1 wheat, soybeans, or milo during the months of April through November but
2 the length of the property-carrying units, excluding load, shall not
3 exceed eighty-one feet six inches.

4 (3) The length limitations of this section shall be exclusive of
5 safety and energy conservation devices such as rearview mirrors,
6 turnsignal lights, marker lights, steps and handholds for entry and
7 egress, flexible fender extensions, mudflaps and splash and spray
8 suppressant devices, load-induced tire bulge, refrigeration units or air
9 compressors, and other devices necessary for safe and efficient operation
10 of commercial motor vehicles, except that no device excluded from the
11 limitations of this section shall have by its design or use the
12 capability to carry cargo.

13 Sec. 2. Section 60-6,294, Revised Statutes Cumulative Supplement,
14 2018, is amended to read:

15 60-6,294 (1) Every vehicle, whether operated singly or in a
16 combination of vehicles, and every combination of vehicles shall comply
17 with subsections (2) and (3) of this section except as provided in
18 sections 60-6,294.01, 60-6,297, and 60-6,383. The limitations imposed by
19 this section shall be supplemental to all other provisions imposing
20 limitations upon the size and weight of vehicles.

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

28 (3) No group of two or more consecutive axles shall carry a load in
29 pounds in excess of the value given in the following table corresponding
30 to the distance in feet between the extreme axles of the group, measured
31 longitudinally to the nearest foot, except that the maximum load carried

1 on any group of two or more axles shall not exceed eighty thousand pounds
 2 on the National System of Interstate and Defense Highways unless the
 3 Director-State Engineer pursuant to section 60-6,295 authorizes a greater
 4 weight.

5 Distance in feet	Maximum load in pounds carried						
6 between the	on any group of two or more						
7 extremes of	consecutive axles						
8 any group of							
9 two or more							
10 consecutive	Two	Three	Four	Five	Six	Seven	
11 axles	Axles	Axles	Axles	Axles	Axles	Axles	Axles
12 4	34,000						
13 5	34,000						
14 6	34,000						
15 7	34,000						
16 8	34,000	42,000					
17 9	39,000	42,500					
18 10	40,000	43,500					
19 11		44,000					
20 12		45,000	50,000				
21 13		45,500	50,500				
22 14		46,500	51,500				
23 15		47,000	52,000				
24 16		48,000	52,500	58,000			
25 17		48,500	53,500	58,500			
26 18		49,500	54,000	59,000			
27 19		50,000	54,500	60,000			
28 20		51,000	55,500	60,500			
29 21		51,500	56,000	61,000			
30 22		52,500	56,500	61,500			

1	23	53,000	57,500	62,500		
2	24	54,000	58,000	63,000		
3	25	54,500	58,500	63,500	69,000	
4	26	55,500	59,500	64,000	69,500	
5	27	56,000	60,000	65,000	70,000	
6	28	57,000	60,500	65,500	71,000	
7	29	57,500	61,500	66,000	71,500	
8	30	58,500	62,000	66,500	72,000	
9	31	59,000	62,500	67,500	72,500	
10	32	60,000	63,500	68,000	73,000	
11	33		64,000	68,500	74,000	
12	34		64,500	69,000	74,500	
13	35		65,500	70,000	75,000	
14	36		66,000	70,500	75,500	
15	37		66,500	71,000	76,000	81,500
16	38		67,500	72,000	77,000	82,000
17	39		68,000	72,500	77,500	82,500
18	40		68,500	73,000	78,000	83,500
19	41		69,500	73,500	78,500	84,000
20	42		70,000	74,000	79,000	84,500
21	43		70,500	75,000	80,000	85,000
22	44		71,500	75,500	80,500	85,500
23	45		72,000	76,000	81,000	86,000
24	46		72,500	76,500	81,500	87,000
25	47		73,500	77,500	82,000	87,500
26	48		74,000	78,000	83,000	88,000
27	49		74,500	78,500	83,500	88,500
28	50		75,500	79,000	84,000	89,000
29	51		76,000	80,000	84,500	89,500
30	52		76,500	80,500	85,000	90,500

1	53	77,500	81,000	86,000	91,000
2	54	78,000	81,500	86,500	91,500
3	55	78,500	82,500	87,000	92,000
4	56	79,500	83,000	87,500	92,500
5	57	80,000	83,500	88,000	93,000
6	58		84,000	89,000	94,000
7	59		85,000	89,500	94,500
8	60		85,500	90,000	95,000

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

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

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

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

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

28 (7) Two consecutive sets of tandem axles may carry a gross load of
29 thirty-four thousand pounds each when the overall distance between the
30 first and last axles of such consecutive sets of tandem axles is thirty-
31 six, thirty-seven, or thirty-eight feet except as provided in section

1 60-6,297. Such vehicles shall be subject to section 60-6,301.

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

6 (9) Vehicles equipped with a greater number of axles than provided
7 in the table in subsection (3) of this section shall be legal if they do
8 not exceed the maximum load upon any wheel or axle, the maximum load upon
9 any group of two or more consecutive axles, and the total gross weight,
10 or any of such weights as provided in subsections (2) and (3) of this
11 section.

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

18 (11) Any two consecutive axles the centers of which are more than
19 forty inches and not more than ninety-six inches apart, measured to the
20 nearest inch between any two adjacent axles in the series, shall be
21 defined as tandem axles, and the gross weight transmitted to the road
22 surface through such series shall not exceed thirty-four thousand pounds.
23 No axle of the series shall exceed the maximum weight permitted under
24 this section for a single axle.

25 (12) Dummy axles shall be disregarded in determining the lawful
26 weight of a vehicle or vehicle combination for operation on the highway.
27 Dummy axle shall mean an axle attached to a vehicle or vehicle
28 combination in a manner so that it does not articulate or substantially
29 equalize the load and does not carry at least the lesser of eight
30 thousand pounds or eight percent of the gross weight of the vehicle or
31 vehicle combination.

1 (13) The maximum gross weight limit and the axle weight limit for
2 any vehicle or combination of vehicles equipped with idle reduction
3 technology may be increased by an amount necessary to compensate for the
4 additional weight of the idle reduction technology as provided in 23
5 U.S.C. 127(a)(12), as such section existed on October 1, 2012. The
6 additional amount of weight allowed by this subsection shall not exceed
7 five hundred fifty pounds and shall not be construed to be in addition to
8 the five-percent-in-excess-of-maximum-load provision of subdivision (1)
9 of section 60-6,301.

10 ~~(14)(a) (14)~~ The maximum gross weight for any vehicle or combination
11 of vehicles (i) operated on the National System of Interstate and Defense
12 Highways, including adjoining portions of the state highway system for
13 reasonable access to terminals and facilities for food, fuel, repairs,
14 and rest, as designated by the Department of Transportation, and (ii)
15 powered (A) by an engine fueled primarily by natural gas or (B) primarily
16 by means of electric battery power, may exceed the gross weight
17 limitations provided in subsections (2), subsection (3), (4), (7), (9),
18 and (11) of this section, and ~~as provided in 23 U.S.C. 127(s), as such~~
19 ~~section existed on January 1, 2018,~~ in an amount that:

20 ~~(b)(i) (a)~~ Is equal to the difference, up to a maximum of two
21 thousand pounds, ~~between the weight of the natural gas tank and fueling~~
22 ~~system carried by such vehicle, and the weight of a comparable diesel~~
23 ~~tank and fueling system; and~~

24 ~~(ii) (b)~~ Does not exceed eighty-two thousand pounds ~~on the National~~
25 ~~System of Interstate and Defense Highways.~~

26 (15) For purposes of this subsection, emergency vehicle means a
27 vehicle designed to be used under emergency conditions to transport
28 personnel and equipment and to support the suppression of fires and
29 mitigation of other hazardous situations. An emergency vehicle may exceed
30 the gross load limitations provided in subsections (2), (3), (4), (7),
31 (9), and (11) of this section on the National System of Interstate and

1 Defense Highways, including adjoining portions of the state highway
2 system for reasonable access to terminals and facilities for food, fuel,
3 repairs, and rest, as designated by the Department of Transportation, up
4 to a gross vehicle weight of eighty-six thousand pounds, and that does
5 not exceed:

6 (a) Twenty-four thousand pounds on a single steering axle;

7 (b) Thirty-three thousand five hundred pounds on a single drive
8 axle;

9 (c) Sixty-two thousand pounds on a tandem axle; or

10 (d) Fifty-two thousand pounds on a tandem rear drive steer axle.

11 Sec. 3. Section 60-6,297, Revised Statutes Cumulative Supplement,
12 2018, is amended to read:

13 60-6,297 (1) Subdivision (1)(b) of section 60-6,290 and subsections
14 (2) and (3) of section 60-6,294 shall not apply to a vehicle or
15 combination of vehicles disabled or wrecked on a highway or right-of-way
16 when the vehicle or combination of vehicles is towed to a place of secure
17 safekeeping by any wrecker or tow truck performing a wrecker or towing
18 service.

19 (2) Subdivision (1)(b) of section 60-6,290 and subsections (2) and
20 (3) of section 60-6,294 shall not apply to a single vehicle that is
21 disabled or wrecked when the single vehicle is towed by any wrecker or
22 tow truck to a place for repair or to a point of storage or is being
23 transported by a covered heavy-duty tow and recovery vehicle.

24 (3)(a) Section 60-6,288, subsection (1) of section 60-6,289,
25 subdivision (1)(b) of section 60-6,290, and subsections (2) and (3) of
26 section 60-6,294 shall not apply to a vehicle or combination of vehicles
27 permitted by the Department of Transportation for overwidth, overheight,
28 overlength, or overweight operation that is disabled or wrecked on a
29 highway or right-of-way when the vehicle or combination of vehicles is
30 towed if the vehicle or combination of vehicles is towed by any wrecker
31 or tow truck performing a wrecker or towing service to the first or

1 nearest place of secure safekeeping off the traveled portion of the
2 highway that can accommodate the parking of such disabled vehicle or
3 combination of vehicles.

4 (b) After the vehicle or combination of vehicles has been towed to a
5 place of secure safekeeping, such vehicle or combination of vehicles
6 shall then be operated in compliance with section 60-6,288, subsection
7 (1) of section 60-6,289, subdivision (1)(b) of section 60-6,290, and
8 subsections (2) and (3) of section 60-6,294, or the vehicle or
9 combination of vehicles shall acquire a special single trip permit from
10 the department for the movement of the overwidth, overheight, overlength,
11 or overweight vehicle or combination of vehicles beyond the first or
12 nearest place of secure safekeeping to its intended destination.

13 (4) The owners, lessees, and operators of any wrecker or tow truck
14 exceeding the width, height, length, or weight restrictions while towing
15 a disabled or wrecked vehicle or combination of vehicles shall be jointly
16 and severally liable for any injury or damages that result from the
17 operation of the wrecker or tow truck while exceeding such restrictions.

18 (5) If a disabled or wrecked vehicle or combination of vehicles is
19 towed, the wrecker or tow truck shall be connected with the air brakes
20 and brake lights of the towed vehicle or combination of vehicles.

21 (6) For purposes of this section:

22 (a) Covered heavy-duty tow and recovery vehicle means a vehicle that
23 (i) is transporting a disabled vehicle on the National System of
24 Interstate and Defense Highways from the place where the vehicle became
25 disabled to the nearest appropriate repair facility, including such
26 segments of highways off the National System of Interstate and Defense
27 Highways that connect the nearest appropriate repair facility to the
28 National System of Interstate and Defense Highways and adjoining portions
29 of the state highway system for reasonable access to terminals and
30 facilities for food, fuel, repairs, and rest, as designated by the
31 Department of Transportation, and (ii) has a gross vehicle weight that is

1 equal to or exceeds the gross vehicle weight of the disabled vehicle
2 being transported;

3 **(b)** ~~(a)~~ Place of secure safekeeping means a location off the
4 traveled portion of the highway that can accommodate the parking of the
5 disabled or wrecked vehicle or combination of vehicles in order for the
6 vehicle or combination of vehicles to be repaired or moved to a point of
7 storage; and

8 **(c)** ~~(b)~~ Wrecker or tow truck means an emergency commercial vehicle
9 equipped, designed, and used to assist or render aid and transport or tow
10 a disabled vehicle or combination of vehicles from a highway or right-of-
11 way to a place of secure safekeeping.

12 Sec. 4. Original sections 60-6,294 and 60-6,297, Revised Statutes
13 Cumulative Supplement, 2018, and section 60-6,290, Revised Statutes
14 Supplement, 2019, are repealed.