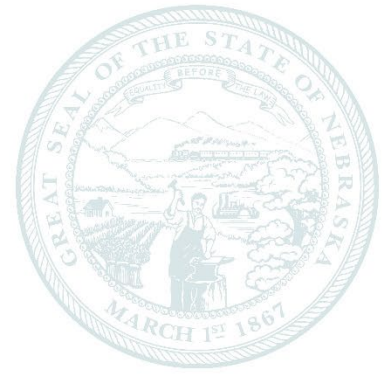


NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION



Pete Ricketts, Governor

2023 Nebraska Department of Transportation

Index of Rules and Regulations and Guidance Documents

Rules & Regulations

All current Nebraska Department of Transportation rules & regulations can be located on the Secretary of State's website.

Guidance Documents

Guidance documents listed on the following index can be located at the website address which is listed with each entry.

These indices can also be found on the Department's website at:

<http://dot.nebraska.gov/policies-and-disclaimers/privacy-policy-and-terms-of-use/>

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DEPARTMENT OF TRANSPORTATION

Title 17 - Aeronautics Division

Regulation	Document Title	Description	Last Action
17 NAC 1	Public Use Airport/ Heliport Licensing	Outlines the process for licensing airports and heliports that are available for public use.	Updated on Jul 7, 2021
17 NAC 2	Airport Hazard Area Zoning	Governs the presence of possible hazards (buildings, poles, towers, vegetation, etc...) within or near the Airport Hazard Area.	Updated on Jun 3, 2019
17 NAC 3	Marking and Lighting of Structures	Identifies the manner in which structures must be marked or have lighting installed within or outside of the corporate limits of any municipality.	Updated on Jun 3, 2019
17 NAC 4	Aerial Application - Transmission Lines	Outlines the process for applying for a permit to construct or alter any overhead wire, cable or pipeline that is in the vicinity of an airport.	Updated on Jun 3, 2019
<i>17 NAC 5</i>	<i>Petitioning for</i>	<i>Governs the process for filing a petition with the Aeronautics Division</i>	<i>Repealed on Nov 25, 2019</i>
<i>17 NAC 6</i>	<i>Procedures Governing</i>	<i>**TRANSFERRED TO 407 NAC 3** This chapter pertains solely to the procedures to be used by any person or entity seeking the issuance of a declaratory order from the</i>	<i>Repealed on Nov 25, 2019</i>
<i>17 NAC 7</i>	<i>Practice and Procedure for Hearings in</i>	<i>**TRANSFERRED TO 407 NAC 4** Governs the procedure for conducting contested cases hearings in</i>	<i>Repealed on Feb 6, 2019</i>
<i>17 NAC 8</i>	<i>Nebraska Aeronautics</i>	<i>Defines the term "promotion of aviation" for the purposes of</i>	<i>Repealed on Sep 15, 2020</i>
<i>17 NAC 9</i>	<i>Rental of Aircraft</i>	<i>Describes the requirements for a person or entity that rents an aircraft</i>	<i>Repealed on Sep 15, 2020</i>

Title 407 - Government Affairs Office

Regulation	Document Title	Description	Last Action
<i>407 NAC 1</i>	<i>Hearing Practice and Procedure of the Department of Roads</i>	<i>Governs the procedure for conducting rules & regulations hearings in</i>	<i>Repealed on Feb 6, 2019</i>
407 NAC 2	Practice and Procedure for Contested Cases	Governs the procedure for conducting contested cases hearings in compliance with the Administrative Procedure Act.	Updated on Mar 2, 2020
407 NAC 3	Procedures Governing Declaratory Orders	This regulation adopts, by reference, the Attorney General's model rule for Procedures Governing Declaratory Orders (Title 53, Chapter 3). The regulation governs the Department and the two statutory boards for which the Department is required to provide clerical and other support (Nebraska Board of Public Roads Classifications and Standards; Nebraska Board of Examiners for County Highway and City Street Superintendents)	Adopted on Dec 2, 2019

407 NAC 4	Petitioning for Rulemaking	This regulation adopts, by reference, the Attorney General's model rule for Procedures Governing Petitioning for Rulemaking (Title 53, Chapter 2). The regulation governs the Department and the two statutory boards for which the Department is required to provide clerical and other support (Nebraska Board of Public Roads Classifications and Standards; Nebraska Board of Examiners for County Highway and City Street Superintendents)	Adopted on Dec 2, 2019
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Title 408 - Operations Division

Regulation	Document Title	Description	Last Action
408 NAC 1	Hay Harvesting Permits	Governs the process for applying for and issuing of permits to harvest hay on state highway rights of way.	Updated on Jun 3, 2019
<i>408 NAC 2</i>	<i>Roadside Trees, Shrubs, Bushes and</i>	<i>Prohibits the removal of vegetation from any part of the state highway</i>	<i>Repealed on Feb 6, 2019</i>
408 NAC 3	Vacant - Reserved for Permits for Movement of Overweight and Overdimensional Vehicles or Loads; to be transferred from Title 415 - Chapter 3 Rail and Public Transportation	Regulates the issuance of permits for vehicles and vehicle loads that are overweight or overdimensionion. **Rulemaking process for transfer of regulation from 415 NAC 3 commenced in August, 2022. Public hearing held on October 19, 2022.**	

Title 409 - Construction Division

Regulation	Document Title	Description	Last Action
409 NAC 1	Contracts, Proposal Forms and Qualifications of Bidders for State Highway Work - English (Metric) System Measurements	Defines the process of bidding on contracts posted by NDOT and how NDOT will process and award contracts including the disqualification of bidders	Updated on Jun 3, 2019

Title 410 - Right Of Way Division

Regulation	Document Title	Description	Last Action
<i>410 NAC 1</i>	<i>Utility Permits</i>	<i>**TRANSFERRED TO 412 NAC 3** Governs the issuance of permits for encroachment on state rights of way for utility location pole lines (§001) and underground pipes or</i>	<i>Repealed on Nov 25, 2019</i>
<i>410 NAC 2</i>	<i>Driveway and Approach Road</i>	<i>**TRANSFERRED TO 412 NAC 1** Governs the issuance of permits for the construction, use, alteration, and relocation of driveways and approach roads on state highway</i>	<i>Repealed on Nov 25, 2019</i>
410 NAC 3	Sign Permits	Prohibits the placement of advertising signs on state highway rights of way (§001), and regulates the placement, size, and type of advertising signs located adjacent to the state highway system (§002). **Rulemaking process for revision commenced in August, 2022. Public hearing held on October 19, 2022.**	Updated on Jun 3, 2019
410 NAC 4	Junkyard Permits	Governs permits for location and maintenance of junkyards within one thousand feet of the Highway Beautification Control System (HBCS).	Updated on Jun 3, 2019

410 NAC 5	Relocation Assistance	Interprets federal relocation regulations and the Nebraska Relocation Assistance Act of 1989 including compensation on projects that require acquisition of real property or displace persons from their homes, businesses, or farms.	Updated on Jun 3, 2019
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<i>410 NAC 7</i>	<i>The Accommodation of Mailboxes and Newspaper Delivery Boxes and Support Posts on Highway Rights-of-Way</i>	<i>**TRANSFERRED TO 412 NAC 2** Governs the placement of mail and newspaper delivery boxes that</i>	<i>Repealed on Jul 7, 2021</i>
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410 NAC 8	Reserved for Vegetation Trimming in the Highway Right of Way	Currently a Guidance Document - Governs the permitting and procedure for trimming or removing vegetation in the highway right-of-way. **Rulemaking process for revision commenced in August, 2022. Public hearing held on October 19, 2022.**	
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Title 411 - Traffic Engineering Division

Regulation	Document Title	Description	Last Action
411 NAC 1	Manual on Uniform Traffic Control Devices, 2009 Edition	Adopts the 2009 edition of the federal Manual on Uniform Traffic Control Devices (MUTCD), the 2009 MUTCD List of Known Errors, and the Nebraska Supplement (2011 Edition) to the MUTCD.	Updated on Mar 23, 2020
<i>411 NAC 2</i>	<i>Standards for School Bus Loading Area</i>	<i>Defines specifications for signs that warn of school bus loading areas.</i>	<i>Repealed on Mar 2, 2020</i>
411 NAC 3	Release of Blood Alcohol and Drug Information	Governs the release of public records for blood-alcohol or drug-concentration information.	Updated on Feb 12, 2001
411 NAC 4	Specific Informational and Business (Logo) Signs	Regulates the placement and content of NDOT-erected signs which direct the traveling public to specific amenities located directly off of the interstate and primary highway system.	Updated on Jun 3, 2019
411 NAC 5	Tourist-Oriented Directional Signs (TODS) Panels	Regulates NDOT-erected signs located within the state's right of way on rural conventional roads which provide travelers with the business identification and directional information for businesses (including seasonal agricultural products), services and activities, the major portion of whose income or visitors is derived during the normal business season from motorists not residing in the immediate area of the business or activity.	Updated on Jun 3, 2019
411 NAC 6	Use of Snowmobiles on the State Highway System	Regulates the use of snowmobiles on the state highway system.	Updated on Aug 11, 2008

Title 412 - Roadway Design Division

Regulation	Document Title	Description	Last Action
412 NAC 1	Driveway and Approach Road Permits	Governs the issuance of permits for the construction, use, alteration, and relocation of driveways and approach roads on state highway rights of way. (Transferred from 410 NAC 2)	Adopted on Dec 2, 2019
412 NAC 2	The Accommodation of Mailboxes and Newspaper Delivery Boxes and Support Posts on Highway Rights-of-Way	Governs the placement of mail and newspaper delivery boxes that are placed on the state highway right of way. (Transferred from 412 NAC 7)	Adopted on Jul 7, 2021

Title 413 - Project Development Division

Regulation	Document Title	Description	Last Action
413 NAC 1	Consultant Services	Governs the selection and certification of consultants for professional	Repealed on Feb 6, 2019

Title 414 - Communication and Public Policy Division

Regulation	Document Title	Description	Last Action
414 NAC 1	Nebraska Scenic Byways Program	Governs designation of certain state highway corridors as Scenic Byways.	Updated on Sep 18, 2014

Title 415 - Local Assistance Division

Regulation	Document Title	Description	Last Action
415 NAC 2	Nebraska Public Transportation Assistance Program	Interprets federal regulations regarding who can receive funding to provide transportation assistance and how that funding is disbursed.	Updated on Jul 23, 2021
415 NAC 3	Permits for Movement of Overweight and Overdimensional Vehicles or Loads	Regulates the issuance of permits for vehicles and vehicle loads that are overweight or overdimension. **Repeal process for transfer of regulation to 408 NAC 3 commenced in August, 2022. Public hearing held on October 19, 2022.**	Updated on Jun 3, 2019
415 NAC 4	Definitions for Highway - Railroad Crossings	Definitions for Highway-Railroad crossings. These definitions apply to chapters 5, 6, and 7 of Title 415.	Updated on Jun 3, 2019
415 NAC 5	Administration of State and Federal Highway - Rail Grade Crossing Safety Funds Projects	Defines requirements and interprets federal regulations regarding financial assistance and safety requirements for closing or improving rail grade crossings.	Updated on Jun 3, 2019
415 NAC 6	Highway - Rail Crossings - Construction, Repair and Maintenance	Regulates the construction, repair and maintenance of public and private highway-rail grade crossings.	Updated on Jun 3, 2019
415 NAC 7	Comprehensive Public Safety Program for Highway - Rail Grade Crossings	Establishes a comprehensive public safety program to deal with problems associated with public and private highway-rail grade crossings.	Updated on Jun 3, 2019

Title 425 - Board of Examiners for County Highway and City Street Superintendents

Regulation	Document Title	Description	Last Action
425 NAC 1	Hearing Practice and Procedure of the Board of Examiners for County Highway and City Street Superintendents	Governs the procedure for conducting rules & regulations hearings (§001) and contested cases (§002) in compliance with the	Repealed on Feb 21, 2020

425 NAC 2	Licensing of County Highway Superintendents and City Street Superintendents	Implements statutory authority for the Board of Examiners for County Highway and City Street Superintendents to approve, disapprove, suspend and revoke the licenses of county highway and city street superintendents	Updated on Jun 3, 2019
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Title 428 - Board of Public Roads Classifications and Standards

Regulation	Document Title	Description	Last Action
428 NAC 1	Procedures for Classifications	Defines each classification of public roadway in Nebraska.	Updated on Jun 3, 2019
428 NAC 2	Procedures for Standards	Defines minimum standards for the design, construction, and maintenance of all Nebraska roads and streets. Also establishes the procedure for a relaxation of standards.	Updated on Jun 3, 2019
<i>428 NAC 3</i>	<i>Instruction Manual for Annual Reporting of One- and Six-Year Plans for Highway, Road and Street Improvements</i>	<i>Defines the method for completing and filing of a county's, municipality's, or NDOT's one- and six-year plan for highway, road</i>	<i>Repealed on Jun 30, 2021</i>
<i>428 NAC 4</i>	<i>Instruction Manual for Standardized System of Annual Reporting for Roads, Street and Highway Programs</i>	<i>Defines the method for completing and filing of a county's, municipality's, or NDOT's Annual Report which consists of financial</i>	<i>Repealed on Oct 18, 2022</i>
<i>428 NAC 5</i>	<i>Hearing Practice and Procedure of the Board of Public Roads Classifications and Standards</i>	<i>Governs the procedure for the adoption, revision or repeal of rules & regulations for the Board (§001) and the process for conducting rules & regulations hearings (§002) for the Board in compliance with the</i>	<i>Repealed on Feb 21, 2020</i>

NDOTG00001	Naming State Highways	Outlines the procedure for processing requests to name state highways and bridges.
WEBSITE LINK https://dot.nebraska.gov/projects/get-involved/name-hwy/		
NDOTG00002	Adopt-A-Highway Program	This document lists the requirements of any group who wishes to apply for inclusion into the Adopt-A-Highway program.
WEBSITE LINK https://dot.nebraska.gov/projects/get-involved/adopt-hwy/		
NDOTG00003	Nebraska Disadvantaged Business Enterprise (DBE) Unified Certification Program	Policy statement about Nebraska's certification requirements for disadvantaged businesses. [DBE]
WEBSITE LINK https://dot.nebraska.gov/business-center/civil-rights/		
NDOTG00004	Nebraska Disadvantaged Business Enterprise Unified Certification Program for Airport Concessionaires	Policy statement about Nebraska's certification requirements for airport facilities owned by an authorized disadvantaged business. [DBE]
WEBSITE LINK https://dot.nebraska.gov/business-center/civil-rights/		
NDOTG00005	Community Agencies (Referral Sources) [DBE]	Referral sources for minority and female job applicants. [DBE]
WEBSITE LINK https://dot.nebraska.gov/business-center/civil-rights/		
NDOTG00006	Disadvantaged Business Enterprise Interstate Certification Affidavit, NDOR	For disadvantaged businesses whom are DBE-certified in their home state and wish to become DBE-certified in Nebraska. [DBE]
WEBSITE LINK https://dot.nebraska.gov/business-center/civil-rights/		
NDOTG00007	Procurement of Professional Services; Policies and Procedures	Procedures manual for procurement of professional services such as architectural, engineering, landscape architecture, or surveying services to be performed by a Consultant.
WEBSITE LINK https://dot.nebraska.gov/media/6094/ndor-consultant-procurement-manual.pdf		
NDOTG00008	Rest Area Rules	Governs a citizen's usage of Nebraska's rest areas.
WEBSITE LINK https://dot.nebraska.gov/travel/rest-area/		
NDOTG00009	Nebraska's Interstate 80 Rest Areas	Contains rest area information and prohibitions.
WEBSITE LINK https://dot.nebraska.gov/travel/rest-area/		
NDOTG00010	Legal Sizes And Weights For Vehicles In Nebraska	Lists the legal size and weight for vehicles that travel on Nebraska's highways
WEBSITE LINK https://dot.nebraska.gov/business-center/permits/truck/		
NDOTG00011	Before You Start - A Guide for Those Interested in Operating a Commercial Motor Vehicle in Nebraska	This guide is designed to help you determine which government agencies you need to contact before you start operating a commercial motor vehicle in Nebraska.
WEBSITE LINK https://dot.nebraska.gov/media/2789/before-you-start.pdf		

NDOTG00012	Application to Harvest Hay (English)	This application is completed and submitted to NDOR when requesting a permit to mow and harvest hay on state property.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/hay-harvest/	
NDOTG00013	Application to Harvest Hay (Spanish)	This application is completed and submitted to NDOR when requesting a permit to mow and harvest hay on state property.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/hay-harvest/	
NDOTG00014	Hay Harvesting Brochure (English)	This brochure identifies the requirements and necessary steps to be taken when considering mowing and harvesting hay on state property.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/hay-harvest/	
NDOTG00015	Hay Harvesting Brochure (Spanish)	This brochure identifies the requirements and necessary steps to be taken when considering mowing and harvesting hay on state property.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/hay-harvest/	
NDOTG00016	Permit Application Guidelines [Occupy, Access, Encroach on State Property]	Outlines procedure to get a permit, with links to more specific publications regarding access and access control
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00017	So You Want to Access the Highway	This guide is intended to provide Nebraskans with some basic information about highway access and to help them locate assistance when considering a request for such access.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00018	Access Control Policy to the State Highway System	Detailed policy and procedures regarding property owner requests for access to the State Highway System
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00019	Policy for Removing or Permitting Encroachments Permitting Physical or Functional Encroachments, Structures or Uses of State Highway Right-of-Way	Detailed policy and procedures for removing or permitting encroachments, structures, or uses of State Highway right-of-way
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00020	Sign Permit Instructions - General Requirements	Instructions for getting a permit for a sign
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00021	Sign Permits - Class Requirements	Criteria defining each class or type of Signs
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00022	So You Want a Highway Sign	Overview of policies and procedures for obtaining a sign along the highway
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/	
NDOTG00023	Nebraska Byways - A Guide to Highway Signs	Brochure with summary regarding signs along Scenic Byways
WEBSITE LINK	https://dot.nebraska.gov/travel/scenic-byways/	

NDOTG00024	Frequently Asked Questions [Junkyards]	Questions and answers regarding the location of junkyards along the Highway Beautification Control System
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/hwy-beaut/	
NDOTG00025	Banners Policy - Overview	General Overview of when Banners are allowed
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/banners/	
NDOTG00026	Banner Policy	Policy and procedures for permitting Banners within State Highway Right-of-Way.
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/banners/	
NDOTG00027	Letter from NDOR Director Regarding Special Events	Procedure for closing a State Highway for a special event
WEBSITE LINK	https://dot.nebraska.gov/business-center/permits/row/events/	
NDOTG00028	Make Your Application Stand Out	Guide to completeing an application for employment with NDOR.
WEBSITE LINK	https://dot.nebraska.gov/about/careers/	
NDOTG00032	Vegetation Trimming and Removal on State Right-Of-Way for Outdoor Advertising Signs Adjacent To the State Highway System	Describes processes and procedures for applying for and executing a permit to trim or remove vegetation on the state highway right-of-way.
WEBSITE LINK	http://dot.nebraska.gov/media/7055/vegetation-trimming.pdf	
NDOTG00033	Criteria and Guidelines for Roadside Memorials	This document offers criteria and requirments for applying for a roadside memorial sign.
WEBSITE LINK	https://dot.nebraska.gov/media/13535/ndot-roadside-memorial-policy.pdf	