

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 353

Introduced by Lautenbaugh, 18.

Read first time January 13, 2011

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 section 60-6,297, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to the towing of vehicles
4 and exemptions from size, weight, and load restrictions;
5 and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,297, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,297 (1) The provisions of section 60-6,288,
4 subsection (1) of section 60-6,289, subdivision (1)(b) of section
5 60-6,290, and subsections (2) and (3) of section 60-6,294 shall not
6 apply when a disabled ~~combination of vehicles or wrecked vehicle~~ is
7 towed if the ~~combination of vehicles, together with the wrecker or~~
8 ~~tow truck, does not exceed one hundred fifty feet, inclusive of front~~
9 ~~and rear bumpers including load. Such exception shall apply only if~~
10 ~~the disabled combination of vehicles is being towed directly to the~~
11 ~~nearest place of secure safekeeping. The towing vehicle by any~~
12 ~~wrecker or tow truck performing a wrecker or towing service. If a~~
13 ~~disabled or wrecked combination of vehicles is towed, the wrecker or~~
14 ~~tow truck shall be connected with the air brakes and brake lights of~~
15 the towed vehicle.

16 (2) For purposes of this section:

17 (a) ~~Place~~, ~~place~~ of secure safekeeping means a (i) place
18 off the traveled portion of the highway that can accommodate the
19 parking of ~~such disabled or wrecked~~ vehicles in order for the
20 vehicles to be ~~(1)-(A)~~ repaired or ~~(2)-(B)~~ dismantled and operated in
21 compliance with section 60-6,288, subsection (1) of section 60-6,289,
22 subdivision (1)(b) of section 60-6,290, and subsections (2) and (3)
23 of section 60-6,294 or (ii) point of storage; -

24 (b) Wrecker or tow truck means any emergency commercial
25 vehicle equipped, designed, and used to assist or render aid and

1 transport or tow disabled or wrecked vehicles from a highway, road,
2 street, or highway right-of-way to a place of secure safekeeping.
3 Wrecker or tow truck includes a rollback car carrier; and

4 (c) Wrecker or towing service means the act of
5 transporting, towing, or recovering with a wrecker or tow truck any
6 vehicle not owned by the operator of the wrecker or tow truck for
7 which the operator, directly or indirectly, receives compensation or
8 other personal gain. Wrecker or towing service includes towing a
9 replacement vehicle to replace a disabled or wrecked vehicle.

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

16 Sec. 2. Original section 60-6,297, Reissue Revised
17 Statutes of Nebraska, is repealed.