



**Ninety-Ninth Legislature - Second Session - 2006**  
**Committee Statement**  
**LB 1007**

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**Hearing Date:** January 23, 2006

**Committee On:** Transportation and Telecommunications

**Introducer(s):** (Baker)

**Title:** Adopt certain federal transportation regulations

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**Roll Call Vote – Final Committee Action:**

- X Advanced to General File
  - Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

- |   |                     |  |
|---|---------------------|--|
| 5 | Yes                 | Senators Foley, Baker, Hudkins, Stuthman, and Dw. Pedersen |
|   | No                  |  |
|   | Present, not voting |  |
| 3 | Absent              | Senators Smith, Aguilar and Brown                          |
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**Proponents:**

Jill Becker  
James Brokaw  
Mike Hybl

**Representing:**

Introducer, Senator Tom Baker, District #44  
Nebraska State Patrol  
Nebraska Trucking Association

**Opponents:**

**Representing:**

**Neutral:**

Michael Becker  
Bob Hallstrom

**Representing:**

Estate Gardening, Inc./PLANET  
Nebraska Federation of Independent Businesses

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

The bill updates statutes relating to motor carrier provisions and the Code of Federal Regulations.

**Section 1** amends §28-1213, subsections (5), (7) and (9) by striking references to the federal Hazardous Materials regulations, strikes a specific date and inserts “the effective date of this act”.

**Section 2** amends §28-1241 by changing a reference to the Code of Federal Regulations (CFR).

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**Section 3** amends §57-501 by changing a reference to the CFR and strikes an obsolete date, replacing that reference with “the effective date of this act”.

**Section 4** amends §60-462.01 by replacing an obsolete date with “2006” and changes a reference to the CFR.

**Section 5** amends §60-465 by striking a reference to the federal Hazardous Material Regulations.

**Section 6** amends §60-4,138 by changing an internal reference.

**Section 7** amends §60-4,145 by changing references to the CFR.

**Section 8** amends §60-4,146 by striking a reference to the federal motor carrier safety regulations. Language is stricken regarding eligibility for a CDL. An internal reference is changed.

**Section 9** amends §60-4,163 by changing references to the federal Motor Carrier Safety Regulations and strikes an obsolete date.

**Section 10** amends §60-6,251 by striking a reference to the federal Motor Carrier Safety Regulations and adds new language regarding the parts, subparts, and sections of Title 49 of the federal code.

**Section 11** amends §60-6,284 by striking a reference to the federal Motor Carrier Safety Regulations and adds new language regarding the parts, subparts, and sections of Title 49 of the federal code.

**Section 12** amends §60-1306 by adding internal references.

**Section 13** amends §75-363 by changing references to Title 49 of the CFR. An obsolete date is stricken and “2006” is inserted. Under (2)(b), the regulations also apply to motor carriers in intrastate commerce, including transporters of hazardous materials. Obsolete language regarding intrastate motor carriers is stricken. New language references specific parts of Title 49 of the CFR that are added. Additional references are changed.

**Section 14** adds definitions. Each term is individually numbered.

**Section 15** amends §75-364 by changing references to the CFR and changes the effective date. These provisions shall apply to interstate and intrastate motor carriers. New language specifically mentions several parts of Title 49. Other internal references and corrections are made.

**Section 16** amends §75-368 by adding an internal reference.

**Section 17** amends §75-369 by adding an internal reference.

**Section 18** amends §75-369.01 by modifying language to only allow an officer of the carrier enforcement division to conduct a safety audit or compliance review.

**Section 19** amends §75-369.02 by changing references to a compliance review and changes references to the federal code.

**Section 20** amends §75-369.03 by changing references to intrastate motor carriers. Language is stricken regarding specific types of carriers.

**Section 21** contains the repealer clause.

**Section 22** outright repeals §75-381 and §75-382.

**Section 23** contains the emergency clause.

**Explanation of amendments, if any:**

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**Senator Tom Baker, Chairperson**