

AMENDMENTS TO LB 846

Introduced by Raikes, 25.

1           1. Insert the following new section:

2           Sec. 2. Section 60-6,301, Revised Statutes Supplement,  
3 2007, is amended to read:

4           60-6,301 When any motor vehicle, semitrailer, or trailer  
5 is operated upon the highways of this state carrying a load in  
6 excess of the maximum weight permitted by section 60-6,294, the  
7 load shall be reduced or shifted to within such maximum tolerance  
8 before being permitted to operate on any public highway of this  
9 state, except that:

10           (1) If any motor vehicle, semitrailer, or trailer exceeds  
11 the maximum load on only one axle, only one tandem axle, or only  
12 one group of axles when (a) the distance between the first and last  
13 axle of such group of axles is twelve feet or less, (b) the excess  
14 axle load is no more than five percent in excess of the maximum  
15 load for such axle, tandem axle, or group of axles permitted by  
16 such section, while the vehicle or combination of vehicles is  
17 within the maximum gross load, and (c) the load on such vehicle is  
18 such that it can be shifted or the configuration of the vehicle can  
19 be changed so that all axles, tandem axle, or groups of axles are  
20 within the maximum permissible limit for such axle, tandem axle, or  
21 group of axles, such shift or change of configuration may be made  
22 without penalty;

23           (2) Any motor vehicle, semitrailer, or trailer carrying

1 only a load of livestock may exceed the maximum load as permitted  
2 by such section on only one axle, only one tandem axle, or only one  
3 group of axles when the distance between the first and last axle  
4 of the group of axles is six feet or less if the excess load on  
5 the axle, tandem axle, or group of axles is caused by a shifting  
6 of the weight of the livestock by the livestock and if the vehicle  
7 or combination of vehicles is within the maximum gross load as  
8 permitted by such section;

9 (3) With a permit issued by the Department of Roads  
10 or the Nebraska State Patrol, a truck with an enclosed body and  
11 a compacting mechanism, designed and used exclusively for the  
12 collection and transportation of garbage or refuse, may exceed the  
13 maximum load as permitted by such section by no more than twenty  
14 percent on only one axle, only one tandem axle, or only one group  
15 of axles when the vehicle is laden with garbage or refuse if the  
16 vehicle is within the maximum gross load as permitted by such  
17 section. There shall be a permit fee of ten dollars per month or  
18 one hundred dollars per year. The permit may be issued for one or  
19 more months up to one year, and the term of applicability shall be  
20 stated on the permit; and

21 (4) Any motor vehicle, semitrailer, or trailer carrying  
22 any kind of a load, including livestock, which exceeds the legal  
23 maximum gross load by five percent or less may proceed on its  
24 itinerary and unload the cargo carried thereon to the maximum legal  
25 gross weight at the first unloading facility on the itinerary where  
26 the cargo can be properly protected. All material so unloaded shall  
27 be cared for by the owner or operator of such vehicle at the risk

1 of such owner or operator, and

2 ~~(5) Any motor vehicle, semitrailer, or trailer carrying~~  
3 ~~grain or other seasonally harvested products may operate from~~  
4 ~~the field where such grain or products are harvested to storage,~~  
5 ~~market, or stockpile in the field or from stockpile to market or~~  
6 ~~factory up to seventy miles with a load that exceeds the maximum~~  
7 ~~load permitted by section 60-6,294 by fifteen percent on any tandem~~  
8 ~~axle, group of axles, and gross weight. Any truck with no more than~~  
9 ~~a single rear axle carrying grain or other seasonally harvested~~  
10 ~~products may operate from the field where such grain or products~~  
11 ~~are harvested to storage, market, or stockpile in the field or~~  
12 ~~from stockpile to market or factory up to seventy miles with a~~  
13 ~~load that exceeds the maximum load permitted by section 60-6,294~~  
14 ~~by fifteen percent on any single axle and gross weight. The owner~~  
15 ~~or a representative of the owner of the agricultural product shall~~  
16 ~~furnish the driver of the loaded vehicle a signed statement of~~  
17 ~~origin and destination.~~

18 Nothing in this section shall be construed to permit  
19 to be operated on the National System of Interstate and Defense  
20 Highways any vehicle or combination of vehicles which exceeds any  
21 of the weight limitations applicable to such system as contained in  
22 section 60-6,294.

23 If the maximum legal gross weight or axle weight of any  
24 vehicle is exceeded by five percent or less and the arresting peace  
25 officer or carrier enforcement officer has reason to believe that  
26 such excessive weight is caused by snow, ice, or rain, the officer  
27 may issue a warning citation to the operator.

1                   2. Correct the operative date section and repealer so  
2 that the section added by this amendment becomes operative on its  
3 effective date.

4                   3. Renumber the remaining sections and correct internal  
5 references accordingly.