

LEGISLATIVE BILL 310

Approved by the Governor February 28, 2018

Introduced by Friesen, 34.

A BILL FOR AN ACT relating to highways and bridges; to amend sections 39-1411 and 39-1412, Reissue Revised Statutes of Nebraska, and section 60-6,383, Revised Statutes Cumulative Supplement, 2016; to change provisions relating to carrying capacity and weight limits of bridges and operation restrictions for implements of husbandry; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 39-1411, Reissue Revised Statutes of Nebraska, is amended to read:

39-1411 The county highway superintendent or some other qualified person designated by the county board shall keep in his or her office a road record which shall include a record of the proceedings in regard to the laying out, establishing, changing, or discontinuing of all roads in the county hereafter established, changed, or discontinued, and a record of the cost and maintenance of all such roads. Such person shall record in the bridge record, a record of all county bridges and culverts showing number, location, and description of each, and a record of the cost of construction and maintenance of all such bridges and culverts. If the carrying capacity or weight limit of any bridge is less than the limits set forth in subsections (2), (3), and (4) of section 60-6,294, the county Such person shall cause to be firmly posted or attached upon such each bridge in a conspicuous place at each end thereof a board or metal sign showing the carrying capacity or weight which the bridge will safely carry or bear.

Sec. 2. Section 39-1412, Reissue Revised Statutes of Nebraska, is amended to read:

39-1412 (1) No Any person shall drive driving across or go going upon any county bridge with a greater weight than the limits set forth in subsections (2), (3), and (4) of section 60-6,294 or the carrying capacity or weight posted or attached pursuant to thereupon as provided in section 39-1411.

(2) A person who violates this section shall recover no damages from the county for because of any accident or injury which may happen to him or her upon such bridge because of damage to or the failure of such bridge caused by such violation.

(3) A Such person who violates this section shall, for entering upon any such bridge with a greater weight than the carrying capacity or weight posted thereupon as provided in section 39-1411, be guilty of a Class III misdemeanor.

Sec. 3. Section 60-6,383, Revised Statutes Cumulative Supplement, 2016, is amended to read:

60-6,383 (1) An implement of husbandry being operated on any highway of this state, except the National System of Interstate and Defense Highways, shall be exempt from the weight and load limitations of subsections (2), (3), and (4) of section 60-6,294 but shall be subject to any ordinances or resolutions enacted by local authorities pursuant to section 60-681.

(2) An implement of husbandry being operated on any highway of this state shall not cross any bridge or culvert with a span of more than sixty inches or any bridge if the vehicle axle, axle groupings, or gross weight exceeds the limits established in subsections (2), (3), and (4) of section 60-6,294 or weight limits established by bridge postings.

(3) For purposes of this section, an implement of husbandry includes (a) a farm tractor with or without a towed farm implement, (b) a self-propelled farm implement, (c) self-propelled equipment designed and used exclusively to carry and apply fertilizer, chemicals, or related products to agricultural soil or crops, (d) an agricultural floater-spreader implement as defined in section 60-303, (e) a fertilizer spreader, nurse tank, or truck permanently mounted with a spreader used for spreading or injecting water, dust, or liquid fertilizers or agricultural chemicals, (f) a truck mounted with a spreader used or manufactured to spread or inject animal manure, and (g) a mixer-feed truck owned and used by a livestock-raising operation designed for and used for the feeding of livestock.

Sec. 4. Original sections 39-1411 and 39-1412, Reissue Revised Statutes of Nebraska, and section 60-6,383, Revised Statutes Cumulative Supplement, 2016, are repealed.