

March 30, 1982

LB 408

SENATOR LAMB: Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, a question of Senator Cullan, please. Senator Cullan, why should there be penalties and for what? Would you explain that?

SENATOR CULLAN: Well, they are Senator Kremer's amendments, but as I understand it now there are farm trucks and the farm trucks can be used to haul the grain. Presumably the grain is supposed to be that farmer's grain and if the farmer hauls someone else's grain or does some other different things, there is absolutely no penalty. So you can get a farm plate for a truck and you can drive the truck anywhere you want to drive the truck. You can drive it all year long. You can do anything you want to with that farm plate and there is no penalty for violating the law. So if we pass this bill, as I understand it, in the version it is in, there is absolutely no reason for every commercial trucker in the State of Nebraska not to come in and get a farm plate for almost nothing in cost and then haul anything they want to for hire or whatever and there are no penalties. So I think what we have done is we have just created a system where there is no reason for truckers to get commercial licenses, they can all get farm licenses and do as they please.

SENATOR HABERMAN: One more question, Senator Cullan. Then you feel it is necessary to have a penalty to enforce the law? Is this correct?

SENATOR CULLAN: I think any law, almost any law, needs some kind of penalty, otherwise the law is simply meaningless and you just invite disrespect for it. So I think there has to be a penalty for this law and other laws.

SENATOR HABERMAN: Thank you, Senator Cullan.

SENATOR LAMB: Senator Beutler. Senator Kremer.

SENATOR KREMER: There will be penalties on the fees just like it was and if we're not sure about that I'll accommodate those that are concerned on Select File and see that there is a penalty for sure, so that defeats that argument.

SENATOR LAMB: Senator Cullan, to close on your amendment.

SENATOR CULLAN: Mr. President, members of the Legislature, all I would say is that the penalty provision in this bill has already been ruled nongermane and if Senator Kremer wants to establish a system where farmers can use semitrailer trucks