

LEGISLATIVE BILL 553

Approved by the Governor May 24, 1985

Introduced by Schmit, 23; Miller, 37

AN ACT relating to vehicles; to amend sections 39-6,177 to 39-6,179, 39-6,180, 39-6,184, and 60-320, Reissue Revised Statutes of Nebraska, 1943; to provide for operation of vehicles moving buildings and other objects as prescribed; to provide powers and duties; to provide a penalty; to harmonize provisions; to change a penalty relating to carrying a gross load over the maximum; to change provisions relating to In Transit decals; and to repeal the original sections.

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

Section 1. (1) The Department of Roads may issue permits for vehicles moving a building or objects requiring specialized moving dollies. Such permits shall allow the vehicles transporting buildings or objects requiring specialized dollies to operate on highways under the jurisdiction of the department, excluding any portion of the National System of Interstate and Defense Highways. Such permit shall specify the maximum allowable width, length, height, and weight of the building to be transported, the route to be used, and the hours during which such building or object may be transported. Any vehicle moving a building or object requiring specialized moving dollies shall be escorted by another vehicle or vehicles in the manner determined by the Department of Roads. Such vehicles shall travel at a speed which is not in excess of five miles per hour when carrying loads which are in excess of the maximum gross weight specified by law by more than twenty-five per cent. The permit shall not be issued for travel on a state highway containing a bridge or structure which is structurally inadequate to carry such building or object as determined by the Department of Roads. The department may prescribe conditions of operation of such vehicle when necessary to assure against damage to the road foundations, surfaces, or structures and require such security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(2) The application for any such permit shall specifically describe the vehicle and the load to be moved and, whenever possible, the particular highways for which the permit is requested. The company or individual shall maintain a copy of the permit in each vehicle moving a building or object requiring specialized moving dollies

which shall be open to inspection by any police officer or authorized agent of any authority granting such permit. The fee for such permit shall be ten dollars.

(3) The Department of Roads shall adopt and promulgate rules and regulations governing the issuance of the permits. Such rules and regulations shall include, but not be limited to, driver qualifications, equipment selection, hours of operation, weather conditions, road conditions, determination of any damage caused to highways or bridges, cutting or trimming of trees, removal or relocation of signs or other property of the state, raising or lowering of electric supply and communication lines, and such other safety considerations as the department shall deem necessary.

Sec. 2. Any person violating the terms of a permit issued pursuant to section 1 of this act or otherwise violating section 1 of this act shall be guilty of a Class III misdemeanor.

Sec. 3. That section 39-6,177, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,177. (1) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any portion of the National System of Interstate and Defense Highways. The Director-State Engineer shall adopt and promulgate rules and regulations, consistent with federal requirements, designating safety devices which shall be excluded in determining vehicle width.

(2) No vehicle which exceeds a total outside width of one hundred two inches, including any load but excluding designated safety devices, shall be permitted on any highway which is not a portion of the National System of Interstate and Defense Highways, except that such prohibition shall not apply to (a) farm equipment in temporary movement during daylight hours, or during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with, in the normal course of farm operations, (b) combines eighteen feet or less in width, while in the normal course of farm operations and while being driven during daylight hours or during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with, (c) combines in excess of eighteen feet in width, while in the normal course of farm operations and while being driven during daylight hours for distances of twenty-five miles or less on highways and while preceded by a well-lighted pilot vehicle or flagperson, except that such combines may be driven on highways while in the normal course of farm operations for distances of twenty-five miles or less and while preceded by a well-lighted pilot vehicle or flagperson during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied

with, (d) combines and vehicles used in transporting combines, and only when transporting combines, to be engaged in harvesting, while being transported into or through the state during daylight hours, when the total width including the width of the combine being transported does not exceed fifteen feet, except that vehicles used in transporting combines may, when necessary to the harvesting operation, travel unloaded for distances not to exceed twenty-five miles, while the combine to be transported is engaged in a harvesting operation, (e) farm equipment dealers hauling, driving, delivering, or picking up farm equipment, including portable livestock buildings not exceeding fourteen feet in width, or implements of husbandry during daylight hours, (f) alfalfa harvesting machinery in temporary movement during daylight hours and hours of darkness when (i) the clearance light requirements of section 39-6,127 are fully complied with, (ii) there is, on the front vehicle and above the line of the regular lights of such vehicle, a flashing, amber-colored light at least four inches in diameter and clearly visible to traffic approaching from any direction, and (iii) there is a well-lighted pilot vehicle or flagperson at least three hundred feet in advance of such vehicles to give warning of the approach of over-width equipment, and such prohibition shall not apply to equipment of thirteen feet or less in width to be used in highway or other public construction or in agricultural land treatment in temporary movement during daylight hours on roads other than dustless-surfaced state highways and for necessary access to points on such highways, (g) livestock forage vehicles loaded or unloaded that comply with subsection (2) of section 39-6,100, (h) vehicles hauling baled livestock forage which, including the load thereon, may be twelve feet in width, (i) mobile homes or prefabricated livestock buildings not exceeding sixteen feet in width and with an outside tire width dimension not exceeding one hundred twenty inches moving during daylight hours, ~~or~~ (j) a rubber-tired crane with a fixed load when (i) such vehicle will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (ii) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane, specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (iii) such vehicle will be escorted by another vehicle or vehicles assigned by the city, (iv) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven

thousand pounds, if a three-axle crane, and (v) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds, or (k) vehicles which have been issued a permit pursuant to section 1 of this act.

(3) The Director-State Engineer, with respect to highways under his or her jurisdiction, may designate certain highways upon which vehicles of no more than ninety-six inches in width may be permitted to travel. Highways so designated shall be limited to one or more of the following: (a) Highways with traffic lanes of ten feet or less; (b) highways upon which are located narrow bridges; and (c) highways which because of sight distance, surfacing, unusual curves, topographic conditions, or other unusual circumstances, would not, in the opinion of the Director-State Engineer, safely accommodate vehicles of more than ninety-six inches in width.

Sec. 4. That section 39-6,178, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,178. (1) No vehicle unladen or with load shall exceed a height of fourteen feet, six inches, except (a) combines or vehicles used in transporting combines, to be engaged in harvesting within or without the state, moving into or through the state during daylight hours when the overall height does not exceed fifteen feet, six inches, (b) livestock forage vehicles with or without load that comply with ~~the provisions of~~ subsection (2) of section 39-6,100, (c) farm equipment or implements of husbandry being driven, picked up, or delivered during daylight hours by farm equipment dealers shall not exceed fifteen feet, six inches, ~~e*~~ (d) a ~~rubber-tired rubber~~ ~~tired~~ crane with a fixed load when (i) such vehicle will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (ii) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane, specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (iii) such vehicle will be escorted by another vehicle or vehicles assigned by the city, (iv) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven thousand pounds, if a three-axle crane, and (v) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand

five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds, or (e) vehicles which have been issued a permit pursuant to section 1 of this act.

(2) No person, firm, corporation, the State of Nebraska, or any political subdivision thereof, shall be required to raise, alter, construct, or reconstruct any underpass, bridge, wire, or other structure to permit the passage of any vehicle having a height, unladen or with load, in excess of twelve feet, six inches. The owners, lessees, and operators, jointly and severally, of vehicles exceeding twelve feet, six inches, in height shall assume the risk of loss to the vehicle or its load, and shall be liable for any damages that result to overhead obstructions from operation of a vehicle exceeding twelve feet, six inches, in height.

Sec. 5. That section 39-6,179, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,179. (1)(a) No vehicle shall exceed a length of forty feet, extreme overall dimensions, inclusive of front and rear bumpers including load, except that (i) a bus may exceed the forty-foot limitation by up to but not to exceed six inches when such excess length is caused by the projection of a front or rear safety bumper constructed, treated, or manufactured so that it absorbs energy upon impact, (ii) a truck-tractor may exceed the forty-foot limitation, (iii) a semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation, and (iv) a semitrailer operating in a truck-tractor single semitrailer combination, which semitrailer was not actually and lawfully operating in the State of Nebraska on December 1, 1982, may exceed the forty-foot limitation but shall not exceed a length of fifty-three feet including load.

(b) No combination of vehicles shall exceed a length of sixty-five feet extreme overall dimensions inclusive of front and rear bumpers and including load, except (i) a truck-tractor single semitrailer combination and (ii) a truck-tractor semitrailer trailer combination, but the semitrailer trailer portion of such combination shall not exceed sixty-five feet inclusive of connective devices.

(c) Two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each when the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six, thirty-seven, or thirty-eight feet, except as provided in section 39-6,180.02. Such vehicles shall be subject to ~~the provisions of~~ section 39-6,185.

(d) A truck shall be construed to be one vehicle for the purpose of determining length.

(e) A trailer shall be construed to be one vehicle for the purpose of determining length.

(2) ~~Subsection The provisions of subsection (1)~~ of this section shall not apply to: ~~Extra-long extra-long~~ vehicles which have been issued a permit pursuant to section 39-6,179.01; ~~vehicles which have been issued a permit pursuant to section 1 of this act;~~ ~~7~~ ~~to~~ the temporary moving of farm machinery during daylight hours in the normal course of farm operations; ~~7~~ ~~to~~ the movement of unbalanced livestock forage vehicles, loaded or unloaded; ~~7~~ ~~nor~~ ~~to~~ the movement of public utility or other construction and maintenance material and equipment at any time; ~~7~~ ~~or~~ ~~to~~ farm equipment dealers hauling, driving, delivering, or picking up farm equipment or implements of husbandry within the county in which the dealer maintains his or her place of business, or in any adjoining county or counties, and return; ~~7~~ ~~nor~~ ~~shall~~ ~~they~~ ~~apply~~ ~~to~~ the overhang of any motor vehicle being hauled upon any lawful combination of vehicles, but such overhang shall not exceed the distance from the rear axle of the hauled motor vehicle to the closest bumper thereof; ~~or~~ ~~nor~~ ~~shall~~ ~~they~~ ~~apply~~ ~~to~~ any rubber-tired crane with a fixed load when (a) such vehicle will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (b) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane, specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (c) such vehicle will be escorted by another vehicle or vehicles assigned by the city, (d) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven thousand pounds, if a three-axle crane, and (e) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds.

(3) The length limitations of this section shall be exclusive of safety and energy conservation devices, such as rearview mirrors, turnsignal lamps, marker lamps, steps and handholds for entry and egress, flexible fender extensions, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors, and other devices necessary for safe and

efficient operation of commercial motor vehicles, except that no device excluded from the limitations of this section shall have by its design or use the capability to carry cargo.

Sec. 6. That section 39-6,180, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,180. (1) The wheels of all vehicles, including trailers, except those operated at twenty miles per hour or less, shall be equipped with pneumatic tires.

(2) No wheel of a vehicle or trailer, referred to in subsection (1) of this section, equipped with pneumatic, solid rubber, or cushion tires shall carry a gross load in excess of ten thousand pounds on any road or highway nor shall any axle carry a gross load in excess of twenty thousand pounds on any road or highway. An axle load shall be defined as the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

(3) Every vehicle, whether operated singly or in a combination of vehicles, and every combination of vehicles must comply with subsections (2) and (4) of this section, except as provided in section 39-6,180.02. The limitations imposed by this section are supplemental to all other provisions imposing limitations upon the size and weight of vehicles.

(4) No group of two or more consecutive axles shall carry a load in pounds in excess of the value given in the following table corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot, except that the maximum load carried on any group of two or more axles shall not exceed eighty thousand pounds on the National System of Interstate and Defense Highways unless the Director-State Engineer pursuant to section 39-6,180.01 authorizes a greater weight.

Distance in feet between the extremes of any group of two or more consecutive axles	Two Axles	Three Axles	Four Axles	Five Axles	Six Axles	Seven Axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			

14	46,500	51,500			
15	47,000	52,000			
16	48,000	52,500	58,000		
17	48,500	53,500	58,500		
18	49,500	54,000	59,000		
19	50,000	54,500	60,000		
20	51,000	55,500	60,500		
21	51,500	56,000	61,000		
22	52,500	56,500	61,500		
23	53,000	57,500	62,500		
24	54,000	58,000	63,000		
25	54,500	58,500	63,500	69,000	
26	55,500	59,500	64,000	69,500	
27	56,000	60,000	65,000	70,000	
28	57,000	60,500	65,500	71,000	
29	57,500	61,500	66,000	71,500	
30	58,500	62,000	66,500	72,000	
31	59,000	62,500	67,500	72,500	
32	60,000	63,500	68,000	73,000	
33		64,000	68,500	74,000	
34		65,500	69,000	74,500	
35		65,500	70,000	75,000	
36		66,000	70,500	75,500	
37		66,500	71,000	76,000	81,500
38		67,500	72,000	77,000	82,000
39		68,000	72,500	77,500	82,500
40		68,500	73,000	78,000	83,500
41		69,500	73,500	78,500	84,000
42		70,000	74,000	79,000	84,500
43		70,500	75,000	80,000	85,000
44		71,500	75,500	80,500	85,500
45		72,000	76,000	81,000	86,000
46		72,500	76,500	81,500	87,000
47		73,500	77,500	82,000	87,500
48		74,000	78,000	83,000	88,000
49		74,500	78,500	83,500	88,500
50		75,500	79,000	84,000	89,000
51		76,000	80,000	84,500	89,500
52		76,500	80,500	85,000	90,500
53		77,500	81,000	86,000	91,000
54		78,000	81,500	86,500	91,500
55		78,500	82,500	87,000	92,000
56		79,500	83,000	87,500	92,500
57		80,000	83,500	88,000	93,000
58			84,000	89,000	94,000
59			85,000	89,500	94,500
60			85,500	90,000	95,000

(5) The distance between axles shall be measured to the nearest foot. When a fraction is exactly one half foot the next larger whole number shall be used.

(6) The limitations of subsections (2), (4), and (5) of this section shall apply as stated to all main, rural, and intercity roads, but shall not be construed as

inhibiting heavier axle loads in metropolitan areas, except on the National System of Interstate and Defense Highways, if such loads are not prohibited by city ordinance.

(7) The weight limitations of wheel and axle loads as defined in subsections (2), (4), and (5) of this section shall be restricted to the extent deemed necessary by the Department of Roads for a reasonable period where road subgrades or pavements are weak or are materially weakened by climatic conditions.

(8) If any truck shall cross a bridge with a total gross load in excess of the posted capacity of such bridge ~~provided for by section 39-803-01~~ and as a result of such crossing any damage results to the bridge, the owner of such truck shall be responsible for all of such damage.

(9) Vehicles equipped with a greater number of axles than provided in the tables in subsection (4) of this section shall be legal if they do not exceed the maximum load upon any wheel or axle, the maximum load upon any group of two or more consecutive axles, and the total gross weight, or any of such weights as provided in subsections (2) and (4) of this section.

(10) Subsections (1) to (9) of this section shall not apply to a vehicle which has been issued a permit pursuant to section 1 of this act or to a rubber-tired crane with a fixed load when (a) such ~~vehicle~~ crane will be transported on a state highway, excluding any portion of the National System of Interstate and Defense Highways, on a city street, or on a road within the corporate limits of a city, (b) the city in which the crane is intended to be transported has authorized a one-day permit for the transportation of the crane specifying the route to be used and the hours during which the crane can be transported, except that no permit shall be issued by a city for travel on a state highway containing a bridge or structure which is structurally inadequate to carry the crane as determined by the Department of Roads, (c) such ~~vehicle~~ crane will be escorted by another vehicle or vehicles assigned by the city, (d) such vehicle's gross weight does not exceed eighty-five thousand pounds, if a four-axle crane, or sixty-seven thousand pounds, if a three-axle crane, and (e) if a four-axle crane, the maximum weight on each set of tandem axles does not exceed forty-two thousand five hundred pounds, or if a three-axle crane, the maximum weight on the front axle does not exceed twenty-five thousand pounds and the total maximum weight on the rear tandem axles does not exceed forty-two thousand five hundred pounds.

Sec. 7. That section 39-6,184, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:
39-6,184. Any person operating any motor vehicle, freight-carrying vehicle, bus, truck, truck-tractor, or trailer, when the weight of the vehicle

and load is in violation of the provisions of subdivision (1)(c) of section 39-6,179 or section 39-6,180 and the vehicle and load does not qualify for the exceptions permitted by section 39-6,185, shall be guilty of a traffic infraction or traffic infractions and shall, upon conviction thereof, be fined (1) twenty-five dollars for carrying a gross load of five per cent or less over the maximum, (2) one hundred dollars for carrying a gross load of more than five per cent but not more than ten per cent over the maximum, (3) two hundred dollars for carrying a gross load of more than ten per cent but not more than fifteen per cent over the maximum, (4) three hundred fifty dollars for carrying a gross load of more than fifteen per cent but not more than twenty per cent over the maximum, (5) six hundred dollars for carrying a gross load of more than twenty per cent but not more than twenty-five per cent over the maximum, (6) one thousand dollars for carrying a gross load of more than twenty-five per cent over the maximum, (7) twenty-five dollars for carrying a load on a single axle or a group of axles of five per cent or less over the maximum, (8) seventy-five dollars for carrying a load on a single axle or a group of axles of more than five per cent but not more than ten per cent over the maximum, (9) one hundred fifty dollars for carrying a load on a single axle or a group of axles of more than ten per cent but not more than fifteen per cent over the maximum, (10) ~~two~~ three hundred twenty-five dollars for carrying a load on a single axle or a group of axles of more than fifteen per cent but not more than twenty per cent over the maximum, (11) ~~three~~ five hundred dollars for carrying a load on a single axle or a group of axles of more than twenty per cent and not more than twenty-five per cent over the maximum, and (12) ~~five hundred dollars for carrying a load on a single axle or a group of axles of more than twenty-five per cent over the maximum;~~ seven hundred fifty dollars for carrying a load on a single axle or group of axles of more than twenty-five per cent but not more than thirty per cent over the maximum, (13) nine hundred fifty dollars for carrying a load on a single axle or group of axles of more than thirty per cent but not more than thirty-five per cent over the maximum, (14) one thousand one hundred fifty dollars for carrying a load on a single axle or group of axles of more than thirty-five per cent but not more than forty per cent over the maximum, (15) fifteen hundred fifty dollars for carrying a load on a single axle or group of axles of more than forty per cent but not more than forty-five per cent over the maximum, (16) two thousand dollars for carrying a load on a single axle or group of axles of more than forty-five per cent but not more than fifty per cent over the maximum, and (17) twenty-five hundred dollars for carrying a load on a single axle or group of axles of more than fifty per cent over the maximum. No person shall be guilty of multiple offenses

when the violations (a) involve the excess weight of an axle or a group of axles and the excess weight of the gross load of a single vehicle or (b) occur on the National System of Interstate and Defense Highways.

Sec. 8. That section 60-320, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-320. (1) Each licensed dealer in motor vehicles or dealer in trailers as defined in section 60-1401.02 doing business in this state in lieu of the registering of each motor vehicle or trailer which such dealer owns of a type otherwise required to be registered, or any employee of such dealer, may (a) operate or move the same upon the streets and highways of this state solely for purposes of transporting, testing, demonstrating, or use in the ordinary course and conduct of his or her business as a motor vehicle or trailer dealer, including the personal or private use of such dealer, and including the personal or private use of any bona fide employee licensed pursuant to Chapter 60, article 14, or for transporting industrial equipment held by the licensee for purposes of demonstration, sale, rental, or delivery, or (b) sell the same without registering each such motor vehicle or trailer upon the condition that any such vehicle display thereon, in the manner prescribed in section 60-323, dealer number plates as provided for in subsection (3) of this section. Each licensed manufacturer as defined in section 60-1401.02, which actually manufactures or assembles motor vehicles, motorcycles, or trailers within this state, in lieu of the registering of each motor vehicle or trailer which such manufacturer owns of a type otherwise required to be registered, or any employee of such manufacturer, may operate or move the same upon the streets and highways of this state solely for purposes of transporting, testing, demonstrating to prospective customers, or use in the ordinary course and conduct of business as a motor vehicle, motorcycle, or trailer manufacturer, upon the condition that any such vehicle display thereon, in the manner prescribed in section 60-323, dealer number plates as provided for in subsection (3) of this section. In no event shall such plates be used on trucks or truck-tractors or trailers hauling other than automotive or trailer equipment unless there is issued by the Department of Motor Vehicles a special permit specifying the hauling of other products.

(2) Motor vehicles or trailers owned by such dealer, and bearing such dealer number plates, may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of forty-eight hours. Motor vehicles or trailers owned and held for sale by such dealer and bearing such dealer number plates may be driven upon the streets and highways for a period of forty-eight hours as service loaner vehicles by customers having their vehicles repaired by the dealer.

Upon delivery of such motor vehicle or trailer to such prospective buyer for demonstration purposes or to a service customer, the dealer shall deliver to the prospective buyer or service customer a card or certificate giving the name and address of the dealer, the name and address of the prospective buyer or service customer, and the date and hour of such delivery and the products to be hauled, if any, under a special permit. The special permit and card or certificate shall be in such form as shall be prescribed by the Department of Motor Vehicles and shall be carried by such prospective buyer or service customer while driving such motor vehicle or pulling such trailer. The Department of Motor Vehicles shall make a charge of ten dollars for each special permit issued hereunder. Finance companies, as defined in section 60-1401.02, licensed to do business in this state may, in lieu of registering each motor vehicle or trailer repossessed, upon the payment of a fee of ten dollars, make an application to the Department of Motor Vehicles for a repossession certificate and one repossession plate. Additional certificates and repossession plates may be procured for a fee of ten dollars each. Such repossession plates may be used only for moving motor vehicles or trailers on the streets and highways for the purpose of repossession, demonstration, and disposal of such motor vehicles or trailers repossessed. Such repossession plates shall be of the same size and material as the normal motor vehicle license plates and shall be prefixed with a large letter R and be serially numbered from 1 to distinguish them from each other. Such plates shall be displayed only on the rear of a repossessed motor vehicle or trailer. The certificate shall be displayed on demand for any motor vehicle or trailer being operated on a repossession plate. Finance companies shall be entitled to a dealer number plate only in the event such company has qualified as a motor vehicle dealer under the provisions of Chapter 60, article 14.

(3)(a) Any licensed dealer or manufacturer described in subsection (1) of this section may upon payment of a fee of thirty dollars make an application, on a form approved by the Nebraska Motor Vehicle Industry Licensing Board, to the county treasurer of the county in which his or her place of business is located for a certificate and one dealer number plate for the type of vehicle the dealer has been authorized by the Nebraska Motor Vehicle Industry Licensing Board to sell and demonstrate. One additional dealer number plate may be procured for the type of vehicle the dealer has sold during the last previous period of October 1 through September 30 for each twenty vehicles sold at retail during such period, or one additional dealer number plate for each thirty vehicles sold at wholesale during such period, but not to exceed a total of five additional dealer number plates in

the case of vehicles sold at wholesale or in the case of a manufacturer, for each ten vehicles actually manufactured or assembled within the state within the last previous period of October 1 through September 30 for a fee of fifteen dollars each. However, when an applicant applies for a license, the Nebraska Motor Vehicle Industry Licensing Board may authorize the county treasurer to issue additional dealer number plates when the dealer or manufacturer furnishes satisfactory proof for a need of additional dealer number plates because of special condition or hardship. In the case of unauthorized use of dealer plates by any licensed dealer, the Nebraska Motor Vehicle Industry Licensing Board is empowered to hold a hearing and after such hearing may determine that such dealer is not qualified for continued usage of such dealer plates for a set period not to exceed one year. Such additional dealer number plates shall, in addition to all other numbers and letters required by section 60-311.02, bear such mark or number as will distinguish such plates one from another.

(b) Subject to all the provisions of law relating to motor vehicles and trailers not inconsistent with this section, any person, firm, or corporation holding a dealer's license issued pursuant to the laws of this state, who is regularly engaged within this state in the business of buying and selling motor vehicles and trailers, who regularly maintains within this state an established place of business, and who desires to effect delivery of any motor vehicle or trailer bought or sold by him or her from the point where purchased or sold to points within or outside this state may, solely for the purpose of such delivery by himself or herself, agent, or bona fide purchaser, drive such motor vehicle or pull such trailer on the highways of this state without charge or registration of such vehicle or trailer. There shall be displayed on the front and rear windows of such motor vehicle, except a motorcycle, and displayed on the front and rear of each such trailer a decal on which shall be plainly printed in black letters not less than two inches high the words In Transit. One In Transit decal shall be displayed on a motorcycle, which decal may be one half the size required for other motor vehicles. Such decals shall include a registration number, which registration number shall be different for each decal or pair of decals issued, and the form of such decal and the numbering system shall be as prescribed by the Department of Motor Vehicles. Each dealer issuing such decals shall keep a record of the registration number of each decal or pair of decals on the invoice of such sale. Such transit decal shall allow such owner to operate the motor vehicle or pull such trailer for a period of fifteen days in order to effect proper registration of the new or used motor vehicle or trailer, except that transit decals for trailers manufactured in

Nebraska shall allow such owner or his or her designee to pull such trailer for a period of thirty days. Where any person, firm, or corporation has had a motor vehicle or trailer previously registered and license plates assigned to such person, firm, or corporation, such owner may operate the motor vehicle or pull such trailer for a period of fifteen days in order to effect transfer of plates to the new or used motor vehicle or trailer. Upon demand of proper authorities, there shall be presented by the person in charge of such motor vehicle or trailer, for examination, a duly executed bill of sale therefor, a certificate of title, or other satisfactory evidence of the right of possession by such person of such motor vehicle or trailer.

(4) Any transporter doing business in this state may, in lieu of registering each motor vehicle or trailer which such transporter is transporting, upon payment of a fee of ten dollars, make an application to the Department of Motor Vehicles for a transporter's certificate and one transporter number plate. Additional certificates and plates may be procured for a fee of ten dollars each. Such transporter number plates may be the same size as plates issued for motorcycles, and shall bear thereon a mark to distinguish them as transporter plates, and shall be serially numbered so as to distinguish them from each other. Such plates may only be displayed upon the front of a driven vehicle of a lawful combination or upon the front of a motor vehicle driven singly or upon the rear of a trailer being pulled. The certificate shall be issued in duplicate. The ~~7~~ and the original thereof shall be kept on file by the transporter, and the duplicate shall be displayed upon demand by the driver of any vehicle or trailer being transported. A transporter plate or certificate may not be displayed upon a work or service vehicle, except that where when a properly registered truck or tractor being a work or service vehicle is in the process of towing or drawing a trailer or semitrailer including a cabin trailer, which itself is being delivered by the transporter, then the registered truck or tractor shall also display a transporter plate upon the front thereof. The applicant for a transporter plate shall keep, for three years, a record of each vehicle transported by him or her hereunder, and such record shall be available to the department for inspection. Each applicant hereunder must file proof of his or her status as a bona fide transporter.

(5) It shall be the duty of all law enforcement officers to arrest and prosecute all violators of the provisions of subsection (1), (2), (3), or (4) of this section and see that they are properly prosecuted according to the provisions of the law. Any person, firm, or corporation, including any motor vehicle or trailer dealer or manufacturer, who fails to comply with the

provisions of subsection (1), (2), (3), or (4) of this section shall be deemed guilty of a Class V misdemeanor and in addition thereto pay the county treasurer any and all motor vehicle and trailer taxes or registration fees due had the motor vehicle or trailer been properly registered according to law. When any motor vehicle or trailer dealer's or manufacturer's license has been revoked, or otherwise terminated, it shall be the duty of such dealer to immediately surrender to the Department of Motor Vehicles or to the Nebraska Motor Vehicle Industry Licensing Board any dealer number plates issued to him or her for the current year. Failure of such dealer or manufacturer to immediately surrender such dealer license plates to the department upon demand by the department shall be unlawful.

(6) Any motor vehicle or trailer owned by a dealer and bearing other than dealer number plates as provided in section 60-320 shall be conclusively presumed not to be a part of the dealer's inventory and not for demonstration or sale, and therefor not eligible for any exemption from taxation applicable to vehicles with dealer plates.

Sec. 9. That original sections 39-6,177 to 39-6,179, 39-6,180, 39-6,184, and 60-320, Reissue Revised Statutes of Nebraska, 1943, are repealed.