

LEGISLATIVE BILL 21

Approved by the Acting Governor January 27, 1989

Introduced by Labeledz, 5, Chairperson, Executive Board

AN ACT relating to highways; to amend sections 39-6,100 and 39-1346, Reissue Revised Statutes of Nebraska, 1943; to eliminate an unused definition and a duplicative penalty provision; to change a penalty provision to harmonize with Laws 1977, LB 40, section 207; to eliminate a reference to a repealed section; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-6,100, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,100. (1) A livestock forage vehicle shall mean a vehicle with chassis which has a special implement bolted, mounted, or attached thereto for loading, unloading, and moving livestock forage.

(2) All livestock forage vehicles shall:

(a) Not exceed a length of sixty-five feet, extreme overall dimensions inclusive of bumpers and load;

(b) Not exceed a width of eighteen feet;

(c) Not exceed a height of eighteen feet, either for equipment alone or for equipment and load combined. ~~Such~~ ; ~~PROVIDED~~; that such vehicles shall comply with subsection (2) of section 39-6,178; and

(d) Only be operated during hours of daylight.

(3) ~~As used in sections 39-6,177 to 39-6,179, an interstate bus shall mean any motor vehicle with motive power, except a trailer, designed for carrying more than ten persons and performing transportation between two or more cities in the State of Nebraska.~~

(4) Any person who violates the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided in section 39-6,112.

(5) The load of baled livestock forage shall be securely fastened to the vehicle at all times while it is on the roads or highways, and any a highway. Any person who transports unbaled or baled livestock forage shall be responsible for all damages occurring to other persons or property as a result of his or her negligence

during the transportation of the same and shall also be responsible for cleaning the roads and highways a highway of unbaled or baled livestock forage which falls or is dropped from the load onto the roads and highways a highway during the moving of the same.

(4) ~~(6)~~ Any person who shall use uses equipment which exceeds the length, width, and height provisions set forth in subsection (2) of this section shall first obtain a permit from the county sheriff of the county in which he or she resides. The and such permit shall be valid to carry loads twenty feet wide in such county and in adjacent counties. Such permit shall be furnished to the sheriff's office by the Department of Motor Vehicles and shall be valid for one calendar year. The fee for such permit shall be ten dollars. Any person securing such a permit shall keep a record of all activity covered by such permit, which record shall be available to the issuing officer, his or her deputies and agents, or members of the Nebraska State Patrol, at all times. The record shall include dates, items moved, route, and other pertinent information.

(5) ~~(7)~~ Any person who violates the provisions of this section shall be guilty of a misdemeanor traffic infraction and shall, upon conviction thereof, be punished as provided in section 39-6,112. Enforcement of these provisions shall be the responsibility of the sheriffs and their deputies and the Nebraska State Patrol.

Sec. 2. That section 39-1346, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-1346. When (1) any portion of the state highway system is impassable or dangerous to travel, (2) it shall be deemed necessary, because of construction or maintenance work or for other reasons, to suspend all or part of the travel thereon, or (3) it is impracticable to maintain any portion of the state highway system as laid out, the department may route travel over a detour around such portion of the state highway system. Such detour shall temporarily be considered part of the state highway system, except the mileage of such detour shall not be regarded in computing the total mileage of the state highway system as provided in section 39-1310- The department may create a new temporary road or may use an existing road, highway, or street for a detour.

Sec. 3. That original sections 39-6,100 and 39-1346, Reissue Revised Statutes of Nebraska, 1943, are repealed.