

April 7, 1995

LB 461, 481

The committee chose to look at a more liberal interpretation or take advantage of the tolerance guidelines they allow us to do, and that's the reason the bill is in the shape that it is in, and I'd be happy to try to answer any questions, if I could. I personally am going to vote for that amendment. Thank you.

SPEAKER WITHEM: Senator Bohlke, followed by Senators Matzke and Hall.

SENATOR BOHLKE: Mr. Speaker, members, I rise to oppose returning this to Select File. I have heard from a number of constituents. One who wrote me I thought put the argument very succinctly and states how it really impacts that particular person with his business. And he said, it seems unreal to apply the same rules to a driver delivering products to farmers as to over-the-road drivers for reasons such as, one, he or she may work fifteen or eighteen hours a day during a four to a six week period of year, but, certainly, will never reach the boredom level of a person driving day in and day out all year; secondly, actual on the road driving from thirty to sixty minutes at a time, with a possible total of four to six hours during the day; and, third, the driver always sleeps in his or her own bed at night rather than in a sleeper berth while traveling, that's much more conducive to rest; and, lastly, the driver is outside of the cab, and I think this is one of the things that makes the most sense, actively involved in loading or unloading every hour or less, again decreasing the likelihood of boredom or sleeplessness. He then said, please support LB 461 as currently amended and apply federal rules to a federal interstate environment and a state rule to a local environment. Small businesses in Nebraska cannot afford nor need they be subjected to the unnecessary burden of paperwork and expense in complying with the federal regulation that does not improve safety. I think that states the case very well from a number of constituents that I have heard from on this bill, and for that reason, I will be voting not to return to Select File. Thank you.

SPEAKER WITHEM: Thank you, Senator Bohlke. We now have Senator Matzke, followed by Senators Hall, Bromm, Jensen, Witek, Robinson, and Wehrbein.

SENATOR MATZKE: Mr. Speaker and members of the Legislature, I originally introduced LB 481, which included this provision, because it applies to particularly two industries in the state.