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February 9, 1999 LB 161

PRESIDENT MAURSTAD: Thank you, Senator. Senator, you're now recognized to open on the committee amendments. (See Standing Committee amendment, AM0135, on page 439 of the Legislative Journal.)

SENATOR BROMM: Thank you again, Mr. President. The committee amendments deal with two issues. In discussion with the State Patrol's Carrier Enforcement Division, it was determined that certain still necessary language was inadvertently removed in the drafted and introduced copy of LB 161. And if this language that we're reinstating is not reinstated, Nebraska would go out of compliance with the federal requirements for HAZMAT and transportation regulations. In addition, the one area in the committee hearing that was called into question by a testifier and which the committee focused on was language being removed which appeared to exempt large farm vehicles over 16 tons, as well as an exemption for what we would call nonplacarded fertilizer and agricultural chemical application distribution equipment. It...we questioned and witnesses questioned why this language would be removed. Following the hearing we did have a more extended meeting with the Carrier Enforcement Division, at which time we also invited representatives of the farm organization in particular that was concerned about this language. And we had an excellent discussion. And following that discussion it was agreed that the language that the committee amendment proposes to reinstate exempting large farm equipment and nonplacarded fertilizer and ag chemical equipment in fact should be reinstated. And in Section 2 of the bill the committee amendment describes a grandfather clause for certain farm exemptions which is reinstated by keeping the exemptions adopted July 1, '98, rather than changing the date to January 1 of '99. Now, as a practical matter, following this...following the adoption of the committee amendments to 161, and if 161 is passed, it is my understanding, from the discussions with Carrier Enforcement, that this will not have any impact on what the agricultural sector is presently required to do, that it basically will not have any impact at all. The impact of the committee amendment is to clarify that nonplacarded fertilizer and chemical application equipment is able to be transported and driven by drivers who don't have a CDL license. Now, if it's placarded equipment that the dealer has or is being used, then