

**ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010**  
**COMMITTEE STATEMENT (CORRECTED)**  
**LB725**

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**Hearing Date:** Monday January 25, 2010  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Fischer  
**One Liner:** Define fertilizer and agricultural chemical application and distribution equipment and change applicability of certain federal motor carrier rules

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Campbell, Fischer, Gay, Hadley, Janssen, Lautenbaugh, Louden, Stuthman  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

Dusty Vaughan  
Bryan Tuma  
Brad Bousquet

Craig Head  
Steve Ebke

**Representing:**

Senator Deb Fischer, Introducer  
Nebraska State Patrol  
Central Valley Ag, Oakland NE & Nebraska Aeri-Business Association  
Nebraska Farm Bureau Federation  
Nebraska Corn Growers Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 725 provides exemptions for brakes, brake lights and turn signals requirements for fertilizer and agricultural chemical applications and distribution equipment.

The bill amends Sec. 75-362 to include a definition of "fertilizer and agricultural chemical application and distribution equipment" that means: 1.) self-propelled or towed equipment designed and used exclusively to apply commercial fertilizer, chemicals, or related products to agricultural soil and crops OR 2.) towed equipment (equipped with implement or flotation tires) designed and used exclusively to carry commercial fertilizer, chemicals, or related products for use on agricultural soil and crops.

The bill also amends Sec. 75-363 to state that Parts 393 and 396 of Title 49 of the Code of Federal Regulations do not apply to fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity 3,500 gallons or less. These two provisions of federal law detail motor carrier vehicle equipment and inspection requirements.

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**Explanation of amendments:**

The committee amendment, AM 1630, adds a new section to the bill.

Sec. 60-363 is amended to create an exemption from carrying a registration certificate with a fertilizer trailer. Instead the registration certificate shall be kept at the principal place of business of the trailer's owner.

These trailers have no place to carry a registration certificate upon them.

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Deb Fischer, Chairperson