

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 420

Introduced by Dubas, 34.

Read first time January 14, 2011

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-601,
2 60-605, and 60-6,301, Reissue Revised Statutes of
3 Nebraska; to define farm wagon; to provide for an
4 exception from load limits for farm tractor-farm wagon
5 combinations; to harmonize provisions; and to repeal the
6 original sections.

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

1 Section 1. Section 60-601, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-601 Sections 60-601 to 60-6,379 and section 3 of this
4 act shall be known and may be cited as the Nebraska Rules of the
5 Road.

6 Sec. 2. Section 60-605, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-605 For purposes of the Nebraska Rules of the Road,
9 the definitions found in sections 60-606 to 60-676 and section 3 of
10 this act shall be used.

11 Sec. 3. Farm wagon means an implement of husbandry which
12 belongs to a farmer or rancher and which is without motive power, is
13 equipped with flotation tires, is constructed in a manner that no
14 part of its weight rests upon the farm tractor, and is designed and
15 used wholly and exclusively to carry agricultural products as defined
16 in section 60-304 to or from harvest point, storage, or market.

17 Sec. 4. Section 60-6,301, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 60-6,301 When any motor vehicle, semitrailer, ~~or trailer,~~
20 or farm tractor-farm wagon combination is operated upon the highways
21 of this state carrying a load in excess of the maximum weight
22 permitted by section 60-6,294, the load shall be reduced or shifted
23 to within such maximum tolerance before being permitted to operate on
24 any public highway of this state, except that:

25 (1) If any motor vehicle, semitrailer, or trailer exceeds

1 the maximum load on only one axle, only one tandem axle, or only one
2 group of axles when (a) the distance between the first and last axle
3 of such group of axles is twelve feet or less, (b) the excess axle
4 load is no more than five percent in excess of the maximum load for
5 such axle, tandem axle, or group of axles permitted by such section,
6 while the vehicle or combination of vehicles is within the maximum
7 gross load, and (c) the load on such vehicle is such that it can be
8 shifted or the configuration of the vehicle can be changed so that
9 all axles, tandem axle, or groups of axles are within the maximum
10 permissible limit for such axle, tandem axle, or group of axles, such
11 shift or change of configuration may be made without penalty;

12 (2) Any motor vehicle, semitrailer, or trailer carrying
13 only a load of livestock may exceed the maximum load as permitted by
14 such section on only one axle, only one tandem axle, or only one
15 group of axles when the distance between the first and last axle of
16 the group of axles is six feet or less if the excess load on the
17 axle, tandem axle, or group of axles is caused by a shifting of the
18 weight of the livestock by the livestock and if the vehicle or
19 combination of vehicles is within the maximum gross load as permitted
20 by such section;

21 (3) With a permit issued by the Department of Roads or
22 the Nebraska State Patrol, a truck with an enclosed body and a
23 compacting mechanism, designed and used exclusively for the
24 collection and transportation of garbage or refuse, may exceed the
25 maximum load as permitted by such section by no more than twenty

1 percent on only one axle, only one tandem axle, or only one group of
2 axles when the vehicle is laden with garbage or refuse if the vehicle
3 is within the maximum gross load as permitted by such section. There
4 shall be a permit fee of ten dollars per month or one hundred dollars
5 per year. The permit may be issued for one or more months up to one
6 year, and the term of applicability shall be stated on the permit;

7 (4) Any motor vehicle, semitrailer, or trailer carrying
8 any kind of a load, including livestock, which exceeds the legal
9 maximum gross load by five percent or less may proceed on its
10 itinerary and unload the cargo carried thereon to the maximum legal
11 gross weight at the first unloading facility on the itinerary where
12 the cargo can be properly protected. All material so unloaded shall
13 be cared for by the owner or operator of such vehicle at the risk of
14 such owner or operator; and

15 (5) Any motor vehicle, semitrailer, ~~or~~-trailer, or farm
16 tractor-farm wagon combination carrying grain or other seasonally
17 harvested products may operate from the field where such grain or
18 products are harvested to storage, market, or stockpile in the field
19 or from stockpile to market or factory up to seventy miles with a
20 load that exceeds the maximum load permitted by section 60-6,294 by
21 fifteen percent on any tandem axle, group of axles, and gross weight.
22 Any truck with no more than a single rear axle carrying grain or
23 other seasonally harvested products may operate from the field where
24 such grain or products are harvested to storage, market, or stockpile
25 in the field or from stockpile to market or factory up to seventy

1 miles with a load that exceeds the maximum load permitted by section
2 60-6,294 by fifteen percent on any single axle and gross weight. The
3 owner or a representative of the owner of the agricultural product
4 shall furnish the driver of the loaded vehicle a signed statement of
5 origin and destination.

6 Nothing in this section shall be construed to permit to
7 be operated on the National System of Interstate and Defense Highways
8 any vehicle or combination of vehicles which exceeds any of the
9 weight limitations applicable to such system as contained in section
10 60-6,294.

11 If the maximum legal gross weight or axle weight of any
12 vehicle is exceeded by five percent or less and the arresting peace
13 officer or carrier enforcement officer has reason to believe that
14 such excessive weight is caused by snow, ice, or rain, the officer
15 may issue a warning citation to the operator.

16 Sec. 5. Original sections 60-601, 60-605, and 60-6,301,
17 Reissue Revised Statutes of Nebraska, are repealed.