

AMENDMENTS TO LB 997

Introduced by Business and Labor

1 1. Insert the following new section:

2 Sec. 4. Section 60-6,298, Revised Statutes Supplement,
3 2011, is amended to read:

4 60-6,298 (1)(a) The Department of Roads or the Nebraska
5 State Patrol, with respect to highways under its jurisdiction
6 including the National System of Interstate and Defense Highways,
7 and local authorities, with respect to highways under their
8 jurisdiction, may in their discretion upon application and good
9 cause being shown therefor issue a special, continuing, or
10 continuous permit in writing authorizing the applicant or his
11 or her designee:

12 (i) To operate or move a vehicle, a combination of
13 vehicles, or objects of a size or weight of vehicle or load
14 exceeding the maximum specified by law when such permit is
15 necessary:

16 (A) To further the national defense or the general
17 welfare;

18 (B) To permit movement of cost-saving equipment to be
19 used in highway or other public construction or in agricultural
20 land treatment; or

21 (C) Because of an emergency, an unusual circumstance, or
22 a very special situation;

23 (ii) To operate vehicles, for a distance up to one

1 hundred twenty miles, loaded up to fifteen percent greater than the
2 maximum weight specified by law, up to ten percent greater than the
3 maximum length specified by law, except that for a truck-tractor
4 semitrailer trailer combination utilized to transport sugar beets
5 which may be up to twenty-five percent greater than the maximum
6 length specified by law, or both, when carrying grain or other
7 seasonally harvested products from the field where such grain or
8 products are harvested to storage, market, or stockpile in the
9 field or from stockpile to market or factory when failure to
10 move such grain or products in abundant quantities would cause an
11 economic loss to the person or persons whose grain or products are
12 being transported or when failure to move such grain or products
13 in as large quantities as possible would not be in the best
14 interests of the national defense or general welfare. The distance
15 limitation may be waived for vehicles when carrying dry beans from
16 the field where harvested to storage or market when dry beans
17 are not normally stored, purchased, or used within the permittee's
18 local area and must be transported more than one hundred twenty
19 miles to an available marketing or storage destination. No permit
20 shall authorize a weight greater than twenty thousand pounds on any
21 single axle;

22 (iii) To transport an implement of husbandry which does
23 not exceed twelve and one-half feet in width during daylight hours,
24 except that the permit shall not allow transport on holidays;

25 (iv) To operate one or more recreational vehicles, as
26 defined in section 71-4603, exceeding the maximum width specified
27 by law if movement of the recreational vehicles is prior to retail

1 sale and the recreational vehicles comply with subdivision (2)(k)
2 of section 60-6,288; or

3 (v) To operate an emergency vehicle for purposes of sale,
4 demonstration, exhibit, or delivery, if the applicant or his or her
5 designee is a manufacturer or sales agent of the emergency vehicle.
6 No permit shall be issued for an emergency vehicle which weighs
7 over sixty thousand pounds on the tandem axle.

8 (b) No permit shall be issued under subdivision (a)(i)
9 of this subsection for a vehicle carrying a load unless such
10 vehicle is loaded with an object which exceeds the size or weight
11 limitations, which cannot be dismantled or reduced in size or
12 weight without great difficulty, and which of necessity must be
13 moved over the highways to reach its intended destination. No
14 permit shall be required for the temporary movement on highways
15 other than dustless-surfaced state highways and for necessary
16 access to points on such highways during daylight hours of
17 cost-saving equipment to be used in highway or other public
18 construction or in agricultural land treatment when such temporary
19 movement is necessary and for a reasonable distance.

20 (2) The application for any such permit shall
21 specifically describe the vehicle, the load to be operated or
22 moved, whenever possible the particular highways for which permit
23 to operate is requested, and whether such permit is requested for a
24 single trip or for continuous or continuing operation. The permit
25 shall include a signed affirmation under oath that for any load
26 sixteen feet high or higher that the applicant has contacted any
27 and all electrical utilities that have high voltage conductors and

1 infrastructure that crosses over the roadway affected by the move
2 and made arrangements with such electrical utilities for the safe
3 movement of the load under any high voltage conductors owned by
4 such electrical utilities.

5 (3) The department or local authority is authorized to
6 issue or withhold such permit at its discretion or, if such permit
7 is issued, to limit the number of days during which the permit
8 is valid, to limit the number of trips, to establish seasonal or
9 other time limitations within which the vehicles described may be
10 operated on the highways indicated, or to issue a continuous or
11 continuing permit for use on all highways, including the National
12 System of Interstate and Defense Highways. The permits are subject
13 to reasonable conditions as to periodic renewal of such permit
14 and as to operation or movement of such vehicles. The department
15 or local authority may otherwise limit or prescribe conditions
16 of operation of such vehicle or vehicles, when necessary to
17 assure against undue damage to the road foundations, surfaces, or
18 structures or undue danger to the public safety. The department or
19 local authority may require such undertaking or other security as
20 may be deemed necessary to compensate for any injury to any roadway
21 or road structure.

22 (4) Every such permit shall be carried in the vehicle
23 to which it refers and shall be open to inspection by any peace
24 officer, carrier enforcement officer, or authorized agent of any
25 authority granting such permit. Each such permit shall state the
26 maximum weight permissible on a single axle or combination of axles
27 and the total gross weight allowed. No person shall violate any

1 of the terms or conditions of such special permit. In case of any
2 violation, the permit shall be deemed automatically revoked and the
3 penalty of the original limitations shall be applied unless:

4 (a) The violation consists solely of exceeding the size
5 or weight specified by the permit, in which case only the penalty
6 of the original size or weight limitation exceeded shall be
7 applied; or

8 (b) The total gross load is within the maximum authorized
9 by the permit, no axle is more than ten percent in excess of the
10 maximum load for such axle or group of axles authorized by the
11 permit, and such load can be shifted to meet the weight limitations
12 of wheel and axle loads authorized by such permit. Such shift may
13 be made without penalty if it is made at the state or commercial
14 scale designated in the permit. The vehicle may travel from its
15 point of origin to such designated scale without penalty, and a
16 scale ticket from such scale, showing the vehicle to be properly
17 loaded and within the gross and axle weights authorized by the
18 permit, shall be reasonable evidence of compliance with the terms
19 of the permit.

20 (5) The department or local authority issuing a permit
21 as provided in this section may adopt and promulgate rules and
22 regulations with respect to the issuance of permits provided for in
23 this section.

24 (6) The department shall make available applications
25 for permits authorized pursuant to subdivisions (1)(a)(ii) and
26 (1)(a)(iii) of this section in the office of each county treasurer.
27 The department may make available applications for all other

1 permits authorized by this section to the office of the county
2 treasurer and may make available applications for all permits
3 authorized by this section to any other location chosen by the
4 department.

5 (7) The department or local authority issuing a permit
6 may require a permit fee of not to exceed twenty-five dollars,
7 except that:

8 (a) The fee for a continuous or continuing permit may not
9 exceed twenty-five dollars for a ninety-day period, fifty dollars
10 for a one-hundred-eighty-day period, or one hundred dollars for a
11 one-year period; and

12 (b) The fee for permits issued pursuant to subdivision
13 (1)(a)(ii) of this section shall be twenty-five dollars for a
14 thirty-day permit and fifty dollars for a sixty-day permit. Permits
15 issued pursuant to such subdivision shall be valid for thirty days
16 or sixty days and shall be renewable for a total number of days not
17 to exceed two hundred ten days per year.

18 A vehicle or combination of vehicles for which an
19 application for a permit is requested pursuant to this section
20 shall be registered under section 60-3,147 or 60-3,198 for the
21 maximum gross vehicle weight that is permitted pursuant to section
22 60-6,294 before a permit shall be issued.

23 2. On page 2, lines 9 and 14, strike "electric", show as
24 stricken, and insert "electrical".

25 3. On page 3, lines 19, 21, and 23; and page 6, line 10,
26 strike "electric" and insert "electrical".

27 4. On page 3, line 21, strike "electrical" and insert

1 "electric".

2 5. On page 3, line 23, after the period insert "This
3 subsection shall not be construed to apply to activities performed
4 by an authorized and qualified person employed by an electrical
5 utility on the electric system of another electrical utility
6 when the nonowning or nonoperating electrical utility has a
7 written agreement with the owning and operating electrical utility
8 (a) providing for the joint use of or interconnection of the
9 electric systems of both the electrical utilities or (b) approving
10 authorized and qualified persons employed by the nonowning or
11 nonoperating electrical utility to work on the electric system of
12 the owning or operating electrical utility on an ongoing basis."

13 6. On page 5, line 8, after the period insert "This
14 subsection shall not be construed to apply to activities performed
15 by an electrical utility on high voltage conductors of another
16 electrical utility when the electrical utilities have a written
17 agreement (a) providing for joint use of poles or structures
18 supporting the high voltage conductors of the electrical utilities
19 or (b) approving the nonowning electrical utility's performance
20 of the activities described in subdivisions (1)(a), (b), and (c)
21 of this section on an ongoing basis on the owning or operating
22 electrical utility's high voltage conductors."

23 7. On page 6, strike beginning with "written" in line
24 10 through "move" in line 13 and insert "a signed affirmation
25 under oath that for any load sixteen feet high or higher that
26 the applicant has contacted any and all electrical utilities that
27 have high voltage conductors and infrastructure that crosses over

1 the roadway affected by the move and made arrangements with such
2 electrical utilities for the safe movement of the load under any
3 high voltage conductors owned by such electrical utilities".

4 8. Renumber the remaining sections and correct the
5 repealer section accordingly.