

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB249

Hearing Date: Monday January 28, 2013
Committee On: Transportation and Telecommunications
Introducer: Dubas
One Liner: Change motor vehicle provisions relating to farm vehicles and drivers transporting agricultural commodities or farm supplies

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	6	Senators Brasch, Dubas, Hadley, McCoy, Price, Smith
Nay:	1	Senator Watermeier
Absent:	1	Senator Janssen
Present Not Voting:		

Proponents:

Senator Annette Dubas
Beverly Neth
Gerald Krolikowski
Alice Licht
Anthony Aerts

Representing:

Introducer
Department of Motor Vehicles
Nebraska State Patrol
Nebraska Agri-Business Association
Nebraska Farm Bureau

Opponents:

Larry Johnson

Representing:

Nebraska Trucking Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB249 updates Nebraska's Motor Vehicle Operator's License Act to comply with the new federal-aid highway reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21) which became effective October 2012. States have up to three years to amend their safety regulations to conform to revised regulations that will be implemented by the Federal Motor Carrier Safety Administration under MAP-21. LB249 implements the covered farm vehicle exemptions to commercial drivers license (CDL) requirements to provide regulatory relief to the state's agricultural industry and ensure ease of travel in interstate commerce. The bill also adds exemptions to hours of service requirements for CDL holders transporting ag commodities and farm supplies to a farm or retail distribution point from a wholesale or retail distribution point or source of commodities, within a 150 air mile radius from the source, during the planting and harvesting season.

Section-by-section description:

Section 1 amends 60-462 to add section 4 of the bill to the Motor Vehicle Operator's License Act.

Section 2 amends 60-463 to add definitions from section 4 of the bill to the Motor Vehicle Operator's License Act.

Section 3 strikes language in 60-465(2) to reflect the new definition of "covered farm vehicle".

Section 4 adds a definition of "covered farm vehicle" as per MAP-21.

Section 5 amends 75-362, which adopts Federal regulation definitions, to add the definitions of "covered farm vehicle" and "planting and harvesting season".

Section 6 amends 75-363, which adopts federal motor carrier safety regulations and provides exceptions, to exempt covered farm vehicles from Controlled Substances and Alcohol Use and Testing, Physical Qualifications and Examinations, Hours of Service, and Inspection, Repair, and Maintenance requirements.

Hours of Service of Drivers requirements are amended for those required to hold CDL's, transporting agricultural commodities or farm supplies within a 150 mile radius of the farm or distribution point during planting and harvesting season.

Section 7 amends 75-364 to update a date to comply with MAP-21.

Section 8 amends 75-366 to update dates to comply with MAP-21.

Section 9 repeals original sections.

Section 10 declares an emergency.

Annette Dubas, Chairperson