

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB561

Hearing Date: Tuesday February 18, 2025
Committee On: Transportation and Telecommunications
Introducer: Brandt
One Liner: Change maximum weight limits for vehicles carrying raw milk

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

Vote Results:

Aye: 8 Senators Moser, Ballard, Bosn, Brandt, DeBoer, Fredrickson,
Guereca, Storer

Nay:

Absent:

Present Not Voting:

Testimony:

Proponents:

Senator Tom Brandt
Kris Bousquet
Kent Grisham

Representing:

Opening Presenter
Nebraska State Dairy Association
Nebraska Trucking Industry

Opponents:

Representing:

Neutral:

Mick Syslo

Representing:

Nebraska Department of Transportation

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB561 allows the Nebraska Department of Transportation (the department) to issue continuous permits for the operation of overweight raw-milk vehicles that are hauling raw milk to processing facilities. Previously, the department could issue these types of permits but only on a temporary basis. Overweight vehicles with permits could load up to fifteen percent greater than the maximum weight specified by law, not to exceed twenty thousand pounds on any single axle.

Explanation of amendments:

The Committee considered and adopted an amendment which accomplishes the following:

Alters the weight limit on overweight raw-milk vehicles, allows the Nebraska Department of Transportation (the department) to issue exceptions to vehicle length limits, directs the department to create a map of bridges that can support overweight vehicles, allows the department to revoke permits if federal funding is at risk, and assigns liability



if an overweight vehicle damages a bridge that cannot support it.

AM316 was adopted on an 8-0 vote of the Committee:

Aye- Moser, Ballard, Bosn, Brandt, DeBoer, Fredrickson, Guereca, Storer

Nay- 0

Section by section summary

Section 1-Amends section 60-601 to add section 4 of the present act to the Nebraska Rules of the Road.

Section 2-If a length exception has been granted under section 4 of this act, section 2 removes overweight raw-milk vehicles from the requirement that vehicle length must be under forty feet.

Section 3-Allows the department to issue continuous permits for operation of overweight raw-milk vehicles that are hauling milk to processing facilities in accordance with section 4 of this act. Previously, the department could issue permits but only on a temporary basis. A permit granted by the department must be carried in the vehicle to which it refers. Violations of the obligations found in section 4 of this act are not subject to automatic permit revocation.

Section 4- The Legislature finds that current vehicle weight requirements can lead to raw milk produced at a dairy farm to be wasted as it needs to be promptly processed and that continuous permits allowing for overweight raw-milk vehicles could alleviate that problem. Section 4 defines raw-milk vehicles and raw-milk vehicle permits. Vehicles cannot exceed one hundred seven thousand five hundred pounds and weight limits for each axel must conform with the limits found in 23 U.S.C. 127 as they existed on January 1,2025. Vehicles also cannot travel on the Interstate system unless granted authorization by the department.

The department must also create a map of bridge structures that cannot support overweight raw-milk vehicles by January 1, 2026, publish it to their website, and review the map on an annual basis. Overweight raw-milk vehicles with permits must carry a physical or digital copy of the map at all times. An overweight vehicle that drives on a prohibited bridge and is the proximate cause of damage is liable for such damage.

If the department determines that overweight raw-milk trucks put federal funding at risk, it can revoke all such granted permits.

Violations of overweight raw-milk vehicle requirements can be punished by revocation of the permit with written notice by the department and can be appealed in accordance with the Administrative Procedures Act.

Finally, the section allows the department to grant length exceptions as referenced in section 2.

Mike Moser, Chairperson

