

March 3, 1980

LB 842

the garbage trucks to pick up since that is the cause of this overweight situation. Now, obviously they are not going to do that. Obviously, they are going to continue to pile the grass clippings out there so the only logical solution is to allow these trucks to have this exception and it seems to me that that is the only answer that we can give these people and it is a logical one. As to the question raised by Senator Kahle about the overweight trucks in general and the problem that agriculture sometimes is accused of damaging the roads, I would submit to the members of this body that if they would examine the roads of the State of Nebraska they would find out that the roads that have the most chuckholes in them is probably the interstate and it is probably the main traveled highways and not the feeder highways that the overweight farm trucks drive on. At least that is the experience that I have had in my area so I would suggest to you that perhaps it is not all weight that is causing the breakup of the highways. I would urge the body's advancement of 842.

SPEAKER MARVEL: The motion is the advancement of the bill. Senator Kelly, do you want to close on the motion to advance the bill?

SENATOR KELLY: Yes, Mr. Speaker, I would. The presentation made by Senator Vickers is very real is that this is a Catch 22 and, remember, that fully loaded this equipment once in while will violate the axle weight but at half loaded, at half loaded, it always violates the axle weight. In conversations and letters from the Department of Environmental Control, we get statements such as "It would seem logical due to the increased emphasis on energy use that the exemption for this period 'the summer months' to haul garbage in this equipment would be considered." Senator Vickers asked the Highway Department at the hearing, why don't you go out and measure that road and see whether the east lane in that highway is taking more wear and tear than the west lane where they are coming back empty, and the answer is, two one-hundredths of one inch in about a twenty year period. It is negligible whether that truck is going out with a load in it with a little bit axle weight overload or not and coming back, there is a negligible difference in those two lanes of traffic, Senator Vickers, which points out that this is one of those regulations that is so tight that it hamstring the activities of the people of this state for no particular reason except to satisfy the regulation and for no other reason. There is no engineering reasons. There is no economic reasons. There is no reasons of any kind except the regulation says