

March 20, 1980

LB 842

SENATOR KELLY: Mr. Speaker, Senator Kahle, colleagues please bear with me as I also write into the record on Final Reading of 842, which has been discussed, which has been through the committee, which has been in contact with the Department of Roads for a long time. I have distributed to each member of the Legislature a memo. I will read that into the record. "Reference your request to review LB 842 and how the bill might cause loss of federal funds by illegal use of the national system of interstate highways in Nebraska. Per discussion with Mary Sommermeyer and Michael O'Hara of Senator Kremer's office, current statutes already provide for a check by the department as to what roads would be used upon the issuance of a special permit. In Revised Statutes 39-6,181 subparagraph 2, the Department is able to describe to them at the time of the application for a permit, 'Particular highways, roads or streets for which the permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.' Therefore they would be forewarned as to whether or not someone planned to use a federal interstate with special permit thus allowing the department the opportunity to reject the application. Also, Public Works Committee amended LB 842 so that a permit for garbage vehicles could be used 25% greater than the maximum weight specified by law, could only be available, could only be available during and including April 15th to July 1, the language allowing other times as when it may be best for Public Health and Welfare has been stricken. Mr. Coolidge reference would be for vehicles similarly situated on similar roads at similar speeds. Garbage trucks of their very nature are a very slow speed vehicle and therefore where road damage is a product of speed and weight the slow speed allows these garbage trucks to not damage the roads in any way. Speed is a factor in this question and also, ladies and gentlemen of the Legislature, there has been several references in recent days about an urban-rural fight. Now the statute that 842 is amending is that statute which allows of necessity our farm operators to use over loads in hauling their crops out of the fields to market and to do it on a seasonal basis and they do it by permit from the Department of Roads. My very good farming friends, your city cousins are asking for the same permission that you people have had and have needed for years and years and we in the town, we need it too. Mr. Speaker, I respectfully withdraw my amendment.

SPEAKER MARVEL: ...you withdraw your.....Okay, the Clerk will read LB 842 on Final Reading.

CLERK: Read LB 842.

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