

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1039

Introduced by Dubas, 34.

Read first time January 22, 2014

Committee:

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-6,288 and
2 60-6,289, Reissue Revised Statutes of Nebraska, and
3 sections 60-601 and 60-6,290, Revised Statutes Cumulative
4 Supplement, 2012; to change provisions relating to size,
5 weight, and load for farm equipment and implements of
6 husbandry; and to repeal the original sections.

7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-601, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 60-601 Sections 60-601 to 60-6,381 and section 2 of this
4 act shall be known and may be cited as the Nebraska Rules of the
5 Road.

6 Sec. 2. Farm equipment dealers may allow farm equipment
7 haulers to act as their representative when hauling farm equipment to
8 or from the dealer's place of business. Farm equipment haulers shall
9 carry in the motor vehicle hauling the farm equipment a signed
10 statement from the farm equipment dealer stating that they are acting
11 as a representative of the farm equipment dealer. The statement shall
12 be dated and valid for ninety days and shall be subject to inspection
13 by any peace officer. The statement shall indicate the name of the
14 farm equipment dealer, the name of the hauler, and that the dealer
15 authorizes the hauler to act as its representative for purposes of
16 complying with width, height, and length limitations. Nothing in this
17 section shall require farm equipment dealers to provide insurance
18 coverage for farm equipment haulers.

19 Sec. 3. Section 60-6,288, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-6,288 (1) No vehicle which exceeds a total outside
22 width of one hundred two inches, including any load but excluding
23 designated safety devices, shall be permitted on any portion of the
24 National System of Interstate and Defense Highways. The Director-
25 State Engineer shall adopt and promulgate rules and regulations,

1 consistent with federal requirements, designating safety devices
2 which shall be excluded in determining vehicle width.

3 (2) No vehicle which exceeds a total outside width of one
4 hundred two inches, including any load but excluding designated
5 safety devices, shall be permitted on any highway which is not a
6 portion of the National System of Interstate and Defense Highways,
7 except that such prohibition shall not apply to:

8 (a) Farm equipment in temporary movement, during daylight
9 hours or during hours of darkness when the clearance light
10 requirements of section 60-6,235 are fully complied with, in the
11 normal course of farm operations;

12 (b) Combines eighteen feet or less in width, while in the
13 normal course of farm operations and while being driven during
14 daylight hours or during hours of darkness when the clearance light
15 requirements of section 60-6,235 are fully complied with;

16 (c) Combines in excess of eighteen feet in width, while
17 in the normal course of farm operations, while being driven during
18 daylight hours for distances of twenty-five miles or less on highways
19 and while preceded by a well-lighted pilot vehicle or flagperson,
20 except that such combines may be driven on highways while in the
21 normal course of farm operations for distances of twenty-five miles
22 or less and while preceded by a well-lighted pilot vehicle or
23 flagperson during hours of darkness when the clearance light
24 requirements of section 60-6,235 are fully complied with;

25 (d) Combines and vehicles used in transporting combines

1 or other implements of husbandry, and only when transporting combines
2 or other implements of husbandry, to be engaged in harvesting or
3 other agricultural work, while being transported into or through the
4 state during daylight hours, when the total width including the width
5 of the combine or other implement of husbandry being transported does
6 not exceed fifteen feet, except that vehicles used in transporting
7 combines or other implements of husbandry may, when necessary to the
8 harvesting operation or other agricultural work, travel unloaded for
9 distances not to exceed twenty-five miles, while the combine or other
10 implement of husbandry to be transported is engaged in a harvesting
11 operation or other agricultural work;

12 (e) Farm equipment dealers ~~hauling,~~ or their
13 representatives as authorized under section 2 of this act driving,
14 delivering, or picking up farm equipment, including portable
15 livestock buildings not exceeding fourteen feet in width, or
16 implements of husbandry during daylight hours;

17 (f) Livestock forage vehicles loaded or unloaded that
18 comply with subsection (2) of section 60-6,305;

19 (g) During daylight hours only, vehicles en route to pick
20 up, delivering, or returning unloaded from delivery of baled
21 livestock forage which, including the load if any, may be twelve feet
22 in width;

23 (h) Mobile homes or prefabricated livestock buildings not
24 exceeding sixteen feet in width and with an outside tire width
25 dimension not exceeding one hundred twenty inches moving during

1 daylight hours;

2 (i) Self-propelled specialized mobile equipment with a
3 fixed load when:

4 (i) The self-propelled specialized mobile equipment will
5 be transported on a state highway, excluding any portion of the
6 National System of Interstate and Defense Highways, on a city street,
7 or on a road within the corporate limits of a city;

8 (ii) The city in which the self-propelled specialized
9 mobile equipment is intended to be transported has authorized a
10 permit pursuant to section 60-6,298 for the transportation of the
11 self-propelled specialized mobile equipment, specifying the route to
12 be used and the hours during which the self-propelled specialized
13 mobile equipment can be transported, except that no permit shall be
14 issued by a city for travel on a state highway containing a bridge or
15 structure which is structurally inadequate to carry the self-
16 propelled specialized mobile equipment as determined by the
17 Department of Roads;

18 (iii) The self-propelled specialized mobile equipment's
19 gross weight does not exceed ninety-four thousand pounds if the self-
20 propelled specialized mobile equipment has four axles or seventy-two
21 thousand pounds if the self-propelled specialized mobile equipment
22 has three axles; and

23 (iv) If the self-propelled specialized mobile equipment
24 has four axles, the maximum weight on each set of tandem axles does
25 not exceed forty-seven thousand pounds, or if the self-propelled

1 specialized mobile equipment has three axles, the maximum weight on
2 the front axle does not exceed twenty-five thousand pounds and the
3 total maximum weight on the rear tandem axles does not exceed forty-
4 seven thousand pounds;

5 (j) Vehicles which have been issued a permit pursuant to
6 section 60-6,299; or

7 (k) A motor home or travel trailer, as those terms are
8 defined in section 71-4603, which may exceed one hundred and two
9 inches if such excess width is attributable to an appurtenance that
10 extends no more than six inches beyond the body of the vehicle. For
11 purposes of this subdivision, the term appurtenance includes (i) an
12 awning and its support hardware and (ii) any appendage that is
13 intended to be an integral part of a motor home or travel trailer and
14 that is installed by the manufacturer or dealer. The term
15 appurtenance does not include any item that is temporarily affixed or
16 attached to the exterior of the motor home or travel trailer for
17 purposes of transporting the vehicular unit from one location to
18 another. Appurtenances shall not be considered in calculating the
19 gross trailer area as defined in section 71-4603.

20 (3) The Director-State Engineer, with respect to highways
21 under his or her jurisdiction, may designate certain highways upon
22 which vehicles of no more than ninety-six inches in width may be
23 permitted to travel. Highways so designated shall be limited to one
24 or more of the following:

25 (a) Highways with traffic lanes of ten feet or less;

1 (b) Highways upon which are located narrow bridges; and
2 (c) Highways which because of sight distance, surfacing,
3 unusual curves, topographic conditions, or other unusual
4 circumstances would not in the opinion of the Director-State Engineer
5 safely accommodate vehicles of more than ninety-six inches in width.

6 Sec. 4. Section 60-6,289, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 60-6,289 (1) No vehicle unladen or with load shall exceed
9 a height of fourteen feet, six inches, except:

10 (a) Combines or vehicles used in transporting combines,
11 to be engaged in harvesting within or without the state, moving into
12 or through the state during daylight hours when the overall height
13 does not exceed fifteen feet, six inches;

14 (b) Livestock forage vehicles with or without load that
15 comply with subsection (2) of section 60-6,305;

16 (c) Farm equipment or implements of husbandry being
17 driven, picked up, or delivered during daylight hours by farm
18 equipment dealers or their representatives as authorized under
19 section 2 of this act shall not exceed fifteen feet, six inches;

20 (d) Self-propelled specialized mobile equipment with a
21 fixed load when the requirements of subdivision (2)(i) of section
22 60-6,288 are met;

23 (e) Vehicles which have been issued a permit pursuant to
24 section 60-6,299; or

25 (f) Vehicles with a baled livestock forage load that

1 comply with subsection (4) of section 60-6,305 when the overall
2 height does not exceed fifteen feet, six inches.

3 (2) No person shall be required to raise, alter,
4 construct, or reconstruct any underpass, bridge, wire, or other
5 structure to permit the passage of any vehicle having a height,
6 unladen or with load, in excess of twelve feet, six inches. The
7 owners, lessees, and operators, jointly and severally, of vehicles
8 exceeding twelve feet, six inches, in height shall assume the risk of
9 loss to the vehicle or its load and shall be liable for any damages
10 that result to overhead obstructions from operation of a vehicle
11 exceeding twelve feet, six inches, in height.

12 Sec. 5. Section 60-6,290, Revised Statutes Cumulative
13 Supplement, 2012, is amended to read:

14 60-6,290 (1)(a) No vehicle shall exceed a length of forty
15 feet, extreme overall dimensions, inclusive of front and rear bumpers
16 including load, except that:

17 (i) A bus or a motor home, as defined in section 71-4603,
18 may exceed the forty-foot limitation but shall not exceed a length of
19 forty-five feet;

20 (ii) A truck-tractor may exceed the forty-foot
21 limitation;

22 (iii) A semitrailer operating in a truck-tractor single
23 semitrailer combination, which semitrailer was actually and lawfully
24 operating in the State of Nebraska on December 1, 1982, may exceed
25 the forty-foot limitation;

1 (iv) A semitrailer operating in a truck-tractor single
2 semitrailer combination, which semitrailer was not actually and
3 lawfully operating in the State of Nebraska on December 1, 1982, may
4 exceed the forty-foot limitation but shall not exceed a length of
5 fifty-three feet including load; and

6 (v) A semitrailer operating in a truck-tractor single
7 semitrailer combination, while transporting baled livestock forage,
8 may exceed the forty-foot limitation but shall not exceed a length of
9 fifty-nine feet six inches including load.

10 (b) No combination of vehicles shall exceed a length of
11 sixty-five feet, extreme overall dimensions, inclusive of front and
12 rear bumpers and including load, except:

13 (i) One truck and one trailer, loaded or unloaded, used
14 in transporting implements of husbandry to be engaged in harvesting,
15 while being transported into or through the state during daylight
16 hours if the total length does not exceed seventy-five feet including
17 load;

18 (ii) A truck-tractor single semitrailer combination;

19 (iii) A truck-tractor semitrailer trailer combination,
20 but the semitrailer trailer portion of such combination shall not
21 exceed sixty-five feet inclusive of connective devices; and

22 (iv) A driveaway saddlemount vehicle transporter
23 combination and driveaway saddlemount with fullmount vehicle
24 transporter combination, but the total overall length shall not
25 exceed ninety-seven feet.

1 (c) A truck shall be construed to be one vehicle for the
2 purpose of determining length.

3 (d) A trailer shall be construed to be one vehicle for
4 the purpose of determining length.

5 (2) Subsection (1) of this section shall not apply to:

6 (a) Extra-long vehicles which have been issued a permit
7 pursuant to section 60-6,292;

8 (b) Vehicles which have been issued a permit pursuant to
9 section 60-6,299;

10 (c) The temporary moving of farm machinery during
11 daylight hours in the normal course of farm operations;

12 (d) The movement of unbaled livestock forage vehicles,
13 loaded or unloaded;

14 (e) The movement of public utility or other construction
15 and maintenance material and equipment at any time;

16 (f) Farm equipment dealers ~~hauling,~~ or their
17 representatives as authorized under section 2 of this act driving,
18 delivering, or picking up farm equipment or implements of husbandry
19 within the county in which the dealer maintains his or her place of
20 business, or in any adjoining county or counties, and return;

21 (g) The overhang of any motor vehicle being hauled upon
22 any lawful combination of vehicles, but such overhang shall not
23 exceed the distance from the rear axle of the hauled motor vehicle to
24 the closest bumper thereof;

25 (h) The overhang of a combine to be engaged in

1 harvesting, while being transported into or through the state driven
2 during daylight hours by a truck-tractor semitrailer combination, but
3 the length of the semitrailer, including overhang, shall not exceed
4 sixty-three feet and the maximum semitrailer length shall not exceed
5 fifty-three feet;

6 (i) Any self-propelled specialized mobile equipment with
7 a fixed load when the requirements of subdivision (2)(i) of section
8 60-6,288 are met; or

9 (j) One truck-tractor two trailer combination or one
10 truck-tractor semitrailer trailer combination used in transporting
11 equipment utilized by custom harvesters under contract to
12 agricultural producers to harvest wheat, soybeans, or milo during the
13 months of April through November but the length of the property-
14 carrying units, excluding load, shall not exceed eighty-one feet six
15 inches.

16 (3) The length limitations of this section shall be
17 exclusive of safety and energy conservation devices such as rearview
18 mirrors, turnsignal lights, marker lights, steps and handholds for
19 entry and egress, flexible fender extensions, mudflaps and splash and
20 spray suppressant devices, load-induced tire bulge, refrigeration
21 units or air compressors, and other devices necessary for safe and
22 efficient operation of commercial motor vehicles, except that no
23 device excluded from the limitations of this section shall have by
24 its design or use the capability to carry cargo.

25 Sec. 6. Original sections 60-6,288 and 60-6,289, Reissue

- 1 Revised Statutes of Nebraska, and sections 60-601 and 60-6,290,
- 2 Revised Statutes Cumulative Supplement, 2012, are repealed.