

LEGISLATIVE BILL 427

Approved by the Governor May 11, 1977

Introduced by F. Lewis, 45

AN ACT to amend section 39-6,150, Reissue Revised Statutes of Nebraska, 1943, and sections 39-6,177 and 39-6,185, Revised Statutes Supplement, 1976, relating to rules of the road; to provide additional vehicles that may display flashing or rotating amber lights; to provide for a change of configuration of vehicles without penalty; to provide an additional width exception; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 39-6,150, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-6,150. A rotating or flashing amber light or lights shall be displayed on the roof of any motor vehicle being operated by any rural mail carrier outside the corporate limits of any municipality in this state when stopping on or near any road or highway in the process of delivering mail. A rotating or flashing amber light or lights may be displayed on any vehicle of the Military Department while on any state emergency mission, any motor vehicle being operated by any public utility, vehicle service, towing service, or any publicly or privately-owned construction or maintenance vehicle while performing its duties on or near any road, street, or highway, any motor vehicle being operated by any member of the Civil Air Patrol, any pilot vehicle escorting an overdimensional load, or any vehicle while actually engaged in the moving of houses, buildings, or other objects of extraordinary bulk, including unbaled livestock forage as authorized by subdivision ~~(5)~~ (6) of section 39-6,177.

Sec. 2. That section 39-6,177, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,177. No vehicle shall exceed a total outside width, including any load thereon, of eight feet except that such prohibition shall not apply to (1) a vehicle with a load of pulpwood in movement during daylight hours when such maximum width shall be one hundred inches and the load is bound with at least two

separate iron chains or cables comprised of material not less than one half inch in thickness or diameter attached to the front and rear of the loading platform and frame of the vehicle so as to hold the load securely in place, (2) farm equipment in temporary movement during daylight hours, or during hours of darkness when the clearance light requirements of section 39-6,127 are fully complied with, in the normal course of farm operations, (3) combines or vehicles used in transporting combines, to be engaged in harvesting within or without the state, moving into or through the state during daylight hours when the overall width does not exceed fifteen feet, (4) farm equipment dealers hauling, driving, delivering, or picking up farm equipment or implements of husbandry during daylight hours, (5) alfalfa harvesting machinery in temporary movement during daylight hours and hours of darkness when (a) the clearance light requirements of section 39-6,127 are fully complied with, (b) there is, on the front vehicle and above the line of the regular lights of such vehicle, a flashing, amber-colored light at least four inches in diameter and clearly visible to traffic approaching from any direction, and (c) there is a well-lighted pilot vehicle or flagman at least three hundred feet in advance of such vehicles to give warning of the approach of over-width equipment, and such prohibition shall not apply to equipment of thirteen feet or less in width to be used in highway or other public construction or in agricultural land treatment in temporary movement during daylight hours on roads other than dustless-surfaced state highways and for necessary access to points on such highways, (6) unbaled livestock forage vehicles loaded or unloaded that comply with subsection (4) of section 39-6,100; Provided, that no vehicle which shall exceed a total outside width, including any load thereon, of eight feet shall be permitted upon any portion of the National System of Interstate and Defense Highways, except intercity buses upon designated segments as hereinafter provided in this section, (7) livestock forage vehicles hauling round bales which, including the load thereon, may be ten feet in width, or (7) (8) intercity buses which may be one hundred two inches in width plus additional width for safety devices when operated on certain highways designated by the Director-State Engineer for such operation. The Director-State Engineer, with respect to highways under his jurisdiction, may designate certain highways for the operation of such intercity buses upon the following conditions:

(a) Highways designated by the Director-State Engineer shall be limited to the National System of Interstate and Defense Highways and four-lane and six-lane highways, except that other highways that are



not part of the National System of Interstate and Defense Highways may be so designated for the sole purpose of directly connecting disconnected segments of the National System of Interstate and Defense Highways and four-lane and six-lane highways; Provided, that on two-lane highways so designated for connection each traffic lane shall not be less than ten feet in width; and

(b) No highways shall be so designated by the Director-State Engineer under the provisions of subdivision ~~(7)~~ (8) (a) of this section prior to the time when interstate buses of such width are permitted on the National System of Interstate and Defense Highways.

Sec. 3. That section 39-6,185, Revised Statutes Supplement, 1976, be amended to read as follows:

39-6,185. When any motor vehicle, motor truck, truck-tractor, or trailer is operated upon the public highways of this state carrying a load in excess of the maximum weight permitted by section 39-6,180 or the maximum tolerance permitted in subdivision (1) or (2) of section 39-6,182, the load shall be reduced or shifted to within such maximum tolerance before being permitted to operate on any public highway of this state; Provided, that if any truck, truck-tractor, semitrailer or trailer exceeds the maximum load, or load with tolerance as provided in section 39-6,182, on only one axle, or on only one group of axles where the distance between the first and last axle of such group of axles is twelve feet or less, and said excess axle load is no more than five per cent in excess of the maximum load for such axles or group of axles permitted by section 39-6,180, while the vehicle or combination of vehicles is within the maximum gross load, or maximum gross load with tolerance as provided in section 39-6,182, and the load on such vehicle is such that it can be shifted or that the configuration of the vehicle can be changed so that all axles or groups of axles are within the maximum permissible limit, or maximum permissible limit with tolerance, for such axle or group of axles, such shift or change of configuration may be made without penalty; provided further, that any truck, truck-tractor, semitrailer, or trailer, carrying only a load of livestock, may exceed the maximum load, or load with tolerance on only one axle, or on only one group of axles when the distance between the first and last axle of said group of axles is six feet or less, if the excess load on said axle or on said group of axles is caused by a shifting of the weight of the livestock by said livestock, and if the vehicle or combination of vehicles is within the maximum gross load, or maximum gross load with tolerance; and provided further, that any truck,

truck-tractor, semitrailer, or trailer carrying any kind of a load, including livestock, which exceeds the legal maximum gross load by five per cent or less may proceed on its itinerary and unload the cargo carried thereon to the maximum legal gross weight at the first unloading facility on the itinerary where the cargo can be properly protected. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator. Nothing herein contained shall be construed to permit to be operated, on the National System of Interstate and Defense Highways, any vehicle or combination of vehicles which exceeds any of the weight limitations applicable to such system, as contained in section 39-6,180, with the tolerance permitted in section 39-6,182.

If the maximum legal gross weight or axle weight of any vehicle is exceeded by five per cent or less and the arresting officer has reason to believe that such excessive weight is caused by snow, ice, or rain he may issue a warning citation to the operator.

Sec. 4. That original section 39-6,150, Reissue Revised Statutes of Nebraska, 1943, and sections 39-6,177 and 39-6,185, Revised Statutes Supplement, 1976, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.