

## LEGISLATIVE BILL 112

Approved by the Governor April 2, 1979

Introduced by Kremer, 34

AN ACT to amend sections 39-6,179 and 39-6,184, Revised Statutes Supplement, 1978, relating to rules of the road; to change maximum length provisions as prescribed; to provide a weight provision; 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 39-6,179, Revised Statutes Supplement, 1978, be amended to read as follows:

39-6,179. (1) (a) No vehicle shall exceed a length of forty feet, extreme overall dimensions, inclusive of front and rear bumpers including load, except that a bus shall be permitted to exceed the forty foot limitation by up to but not to exceed six inches when such excess length is caused by the projection of a front or rear safety bumper constructed, treated, or manufactured so that it absorbs energy upon impact;

~~(b) --A--tractor--and--semitrailer--when--combined shall not exceed a length of sixty feet, extreme overall dimensions, inclusive of front and rear bumpers including load;~~

~~(c) (b) Combinations of vehicles,--except--as provided in subdivision (b) of this section, shall not exceed a total length of sixty-five feet, inclusive of front and rear bumpers and including load, and two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each when the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more;~~

~~(d) (c) A truck shall be construed to be one vehicle for the purpose of determining length;~~

~~(e) (d) A trailer shall be construed to be one vehicle for the purpose of determining length; and~~

~~(f) (e) The length of refrigeration units mounted on the front of trailers which overhang the cab of the truck shall not be counted in determining length.~~

(2) The above provisions of this section shall not apply to the temporary moving of farm machinery during daylight hours in the normal course of farm operations, to the movement of unbaled livestock forage vehicles, loaded or unloaded, nor to the movement of public utility or other construction and maintenance material and equipment at any time, or to farm equipment dealers hauling, driving, delivering, or picking up farm equipment or implements of husbandry within the county in which the dealer maintains his place of business, or in any adjoining county or counties, and return, nor shall they apply to the overhang of any motor vehicle being hauled upon any lawful combination of vehicles, but such overhang shall not exceed the distance from the rear axle of the hauled motor vehicle to the closest bumper thereof.

Sec. 2. That section 39-6,184, Revised Statutes Supplement, 1978, be amended to read as follows:

39-6,184. Any person operating any motor vehicle, freight-carrying vehicle, bus, truck, truck-tractor, or trailer, where the weight of the vehicle and load is in violation of the provisions of subdivision (1) (b) of section 39-6,179 or section 39-6,180, and the tolerance permitted by subdivision (1) or (2) of section 39-6,182, and when the vehicle and load does not qualify for the exceptions permitted by section 39-6,185, shall be guilty of a traffic infraction or traffic infractions, and shall, upon conviction thereof, be fined (1) twenty-five dollars for carrying a gross load of five per cent or less over the maximum, (2) one hundred dollars for carrying a gross load of more than five per cent but not more than ten per cent over the maximum, (3) two hundred dollars for carrying a gross load of more than ten per cent but not more than fifteen per cent over the maximum, (4) three hundred fifty dollars for carrying a gross load of more than fifteen per cent but not more than twenty per cent over the maximum, (5) six hundred dollars for carrying a gross load of more than twenty per cent but not more than twenty-five per cent over the maximum, (6) one thousand dollars for carrying a gross load of more than twenty-five per cent over the maximum, (7) twenty-five dollars for carrying a load on a single axle or a group of axles of five per cent or less over the maximum, (8) seventy-five dollars for carrying a load on a single axle or a group of axles of more than five per cent but not more than ten per cent over the maximum, (9) one hundred fifty dollars for carrying a load on a single axle or a group of axles of more than ten per cent but not more than fifteen per cent over the maximum, (10) two hundred twenty-five dollars for carrying a load on a single axle

or a group of axles of more than fifteen per cent but not more than twenty per cent over the maximum, (11) three hundred dollars for carrying a load on a single axle or a group of axles of more than twenty per cent and not more than twenty-five per cent over the maximum, and (12) five hundred dollars for carrying a load on a single axle or a group of axles of more than twenty-five per cent over the maximum; Provided, that no person shall be guilty of multiple offenses when the violations (a) involve the excess weight of an axle or a group of axles and the excess weight of the gross load of a single vehicle or (b) occur on the National System of Interstate and Defense Highways.

Sec. 3. That original sections 39-6,179 and 39-6,184, Revised Statutes Supplement, 1978, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.