

LEGISLATIVE BILL 476

Approved by the Governor April 2, 1979

Introduced by Public Works Committee, Kremer, 34, Chmn.;
Beutler, 28; Vickers, 38; Cullan, 49; Clark,
47; Goodrich, 20; Wesley, 26; Kennedy, 21

AN ACT to amend section 28-1240, Revised Statutes Supplement, 1978, relating to transportation of anhydrous ammonia; to change requirements of a tank vehicle; and to repeal the original section.

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

Section 1. That section 28-1240, Revised Statutes Supplement, 1978, be amended to read as follows:

28-1240. (1) Any person, partnership, firm or corporation who shall load, unload, transport or cause to be transported over the public highways of this state anhydrous ammonia in a tank vehicle with a water gallon capacity of three thousand gallons or less, which will not withstand two hundred ~~sixty-five~~ fifty pounds per square inch gauge pressure, or in a tank vehicle with a water gallon capacity of more than three thousand gallons which will not withstand two hundred sixty-five pounds per square inch gauge pressure and does not meet all the other requirements of the United States Department of Transportation Specifications MC 330 or MC 331, as amended and effective September 1, 1965; or any anhydrous ammonia railroad tank cars operated over the railroads of this state who fail to comply with all of the applicable requirements of the United States Department of Transportation in effect on December 25, 1969, commits the offense of unlawful transportation of anhydrous ammonia.

(2) Compliance with this section must be shown by an identification plate permanently affixed to a conspicuous place on each tank vehicle.

(3) Unlawful transportation of anhydrous ammonia is a Class II misdemeanor.

(4) Each day of a violation of this section shall constitute a separate offense, and any person, partnership, firm or corporation operating, loading or unloading a tank vehicle not in compliance with any of the provisions of this section shall be considered as a separate violator of this section.

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Sec. 2. That original section 28-1240, Revised Statutes Supplement, 1978, is repealed.