

NEBRASKA TRUCK INFORMATION GUIDE



**CARRIER ENFORCEMENT
2008**

Nebraska is a Member of the Commercial Vehicle Safety Alliance

An association of State and Provincial Officials responsible for the administration and enforcement of the Motor Carrier Safety Laws in the United States, Canada, and Mexico.

Commercial Vehicle Safety Alliance

1101 17th Street, NW, Suite 803

Washington DC 20036

Telephone: (202)775-1623

FAX: (202)775-1624

www.cvsa.org

This Truck Information Guide is compiled and printed with the intention of assisting you, the transportation public, in complying with the regulations contained herein that you may have a safe and successful trip into or across Nebraska.

INTRODUCTION

In order to make your travels into and through our state safer and less complicated, the Nebraska State Patrol, Carrier Enforcement Division is pleased to provide this information guide which summarizes many of the Rules and Regulations concerning the operation of any freight carrying vehicle, bus, truck, truck-tractor or trailer.

This booklet is a guide to help you travel legally in Nebraska. However, it does not contain every rule; if you need more detailed information please contact the agencies shown on page 1.

Disclaimer

***This manual is intended for information only.
It is not a thorough listing of all applicable
State statutes and is not intended to be a
substitute for applicable State statutes.***

Welcome to Nebraska



(402)471-4545

Carrier Enforcement

(402)471-0105

Fax (402)471-3295

www.nsp.state.ne.us

Nebraska State Patrol Offices

STATE HEADQUARTERS

PO Box 94907
1600 Highway 2
Lincoln, NE 68509
(402) 471-4545

Carrier Enforcement
3920 W. Kearney St.
Lincoln, NE 68524
(402) 471-0105
Fax (402)471-3295

Nebraska State Patrol 800 Number
Emergency Help Line **only** 1-800-525-5555

HEADQUARTERS

TRAFFIC
4130 NW 37th
Lincoln, NE 68524
(402)471-4680

TROOP C
PO Box 1602
3431 West Old Potash Hwy.
Grand Island, NE 68802
(308)385-6000

TROOP A
4411 S. 108th St.
Omaha, NE 68137
(402)331-3333

TROOP D
300 W South River Rd
North Platte, Ne 69101
(308)535-8047

TROOP B
1401 Eisenhower Ave.
Norfolk, NE 68701
(402)370-3456

TROOP E
PO Box 1500
4500 Avenue I
Scottsbluff, NE 69363
(308)632-1211

TABLE OF CONTENTS

Agencies and Telephone Numbers	1
Nebraska Commercial Driver's License	2
Weights.....	8
Regulations	
Maximum Load Chart	
Measuring Groups of Axles	
Dimensions.....	12
Registration and Licensing.....	13
Trip Leases.....	14
Nebraska Licenses.....	14
Operating Authority	14
Unified Carrier Registration (UCR)	15
Fuel Permits	16
International Fuel Tax Agreement	
Fuel Trip Permits	
Nebraska Truck Regulations for Agriculture	17
Definitions	
Dimensions	
Legal Width - Exceptions	
Legal Height - Exceptions	
Legal Length - Exceptions	
Overdimensional -- Overweight Permit Sources	
Seasonal Harvest Overweight Permits	
Custom Harvest Information	
Non-resident Grain Haulers Permit	
General Regulations.....	21
Federal Motor Carrier Safety Regulations.....	25
Applicability	
Interstate	
Intrastate	
Exemptions	
Intrastate	
Interstate	
Driver Requirements	
Vehicle Requirements	
Federal Motor Carrier Safety Regulation Parts.....	27
Intrastate and Interstate Hazardous Material Transportation	29
Hazardous Material Regulations	31
Hazardous Material Safety Permits.....	32
Intrastate Vehicle Marking and DOT Numbers.....	33

Agencies and Telephone Numbers

Nebraska Agencies

Nebraska's One-stop Shop Service

Int'l Registration Plan, Int'l Fuel Tax Agreement & Unified Carrier Registration
 Nebraska Motor Carrier Services
 Department of Motor Vehicles
 301 Centennial Mall South
 PO Box 94729
 Lincoln, NE 68509-4729
 Toll Free - 888-622-1222
 Local - (402) 471-4435
www.dmv.ne.gov/mcs

Unified Carrier Registration (online)
www.ucr.in.gov

Operating Authority for Carriers of Passengers and Household Goods

Public Service Commission
 1200 N Street Suite 300
 Lincoln, NE 68508
 Mailing address:
 PO Box 94927
 Lincoln, NE 68509
www.psc.state.ne.us

Overdimensional and Overweight Vehicles or Loads

Department of Roads
 Permit Office
 1400 Hwy 2 Room 123A
 Lincoln, NE 68509
 (402) 471-0034

Permit can be obtained online at www.dor.state.ne.us (Profile required) or District Offices located in: Omaha, Norfolk Grand Island, Sidney, Bridgeport, North Platte, McCook and Ainsworth,

See Page 19 for additional information

CDL Driver Licensing Services

Department of Motor Vehicles
 301 Centennial Mall South
 PO Box 94726
 Lincoln, NE 68509
 (402) 471-3861
www.dmv.ne.gov

Motor Fuel Tax

(Non IFTA related questions)
 Taxpayers Assistance Office
 Department of Revenue
 301 Centennial Mall South
 PO Box 98904
 Lincoln, NE 68509-8904
 (402) 471-5730
 (800) 554-3835
www.revenue.ne.gov/fuels

Enforcement, Prorate, Fuel Permit Information, Hazardous Material & Safety Regulations

Nebraska State Patrol
 Carrier Enforcement Division
 3920 W Kearney St
 Lincoln NE 68524-2260
 (402)471-0105
 Fax# (402)471-3295
www.nsp.state.ne.us

Federal Agency

Hazardous Material & Safety Regulations

Department of Transportation
 Federal Motor Carrier
 Safety Administration
 Room 406, Federal Building
 100 Centennial Mall North
 Lincoln NE 68508-3851
 (402) 437-5986
 Fax# (402) 437-5837
 For Safety Information:
www.fmcsa.dot.gov
 For Hazardous Materials Information:
www.phmsa.dot.gov

NEBRASKA COMMERCIAL DRIVER'S LICENSE

All drivers of commercial vehicles must have a Commercial Driver's License.

A Commercial Driver's License (CDL) will be required for anyone driving a vehicle that has a gross vehicle weight rating of more than 26,000 pounds, carries 16 or more passengers, or transports an amount of hazardous materials that requires placarding.

Do You Need A Commercial Driver's License

There are three types of Commercial Driver's Licenses: Class "A," Class "B" and Class "C." To see if you need a Commercial Driver's License, follow the instructions and answer the questions below.

1. Read the first question. Choose the appropriate answer (YES or NO) to its right.
2. Follow the line downward from the selected YES or NO answer to the ● (black dot).
3. Read the question to the left and then choose the appropriate answer (YES or NO) to its right.
4. Continue this process until the last line is reached.
5. Proceed with the examination process for the class of license designated.

Is it a combination vehicle?
 (Is there a towed vehicle)

Does the towed vehicle have a GVWR greater than 10,000 lbs.?
 (Towed Units - Manufacturer's Gross Vehicle Weight Rating or Actual Gross Weight)

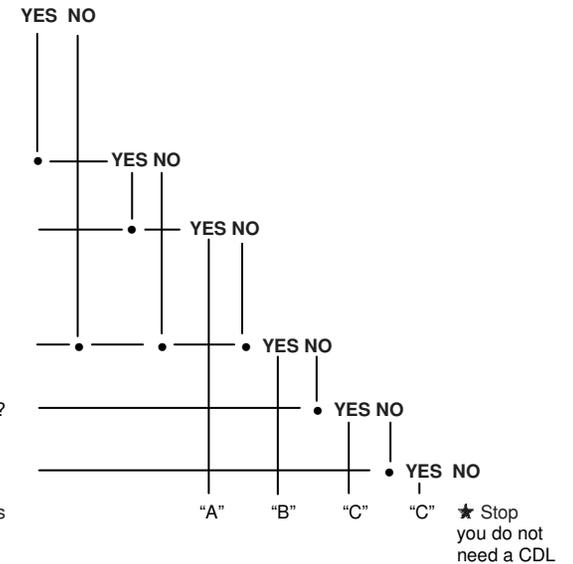
Is the GCWR of both the vehicles combined greater than 26,000 lbs.?

Is the GVWR of the single straight vehicle greater than 26,000 lbs.?
 (Power Units - Manufacturer's Gross Vehicle Weight Rating)

Is the vehicle designed to carry 16 or more passengers including the driver?

Is the vehicle required to display a Hazardous Materials Placard?

Examine for the designated license class



Disqualifications

Disqualification is the loss of your CDL that will occur if you lose any driving privilege in this or any other state through suspension, revocation, cancellation or administrative order, or upon conviction of certain offenses. This includes convictions of certain violations committed while driving non-commercial vehicles. There are four categories of offenses resulting in disqualification:

- Major Offenses
- Serious Traffic Offenses
- Violating Out-of-Service Orders
- Railroad Grade Crossing Violations

Major Offenses:

Operating *any motor vehicle (not limited to operations of a CMV):*

- Driving *any motor vehicle* under the influence of alcohol or a controlled substance.
Refusing to take an alcohol or drug test while operating *any motor vehicle*.
- Leaving the scene of an accident driving *any motor vehicle*.
- Using *any motor vehicle* in the commission of a felony.

Operating a CMV (which requires a CDL):

- Driving a CMV while the person's alcohol level is 0.04% or more.
- Driving a CMV after the driver's CDL has been suspended, revoked, cancelled, or the driver is disqualified from driving a CMV.
- Causing a fatality through the negligent or criminal operation of a CMV.

The first major offense results in disqualification for one year. If the vehicle is transporting hazardous materials required to be placarded, the disqualification is for three years. A second offense results in your CDL being disqualified for life.

Any CDL holder convicted of using *any motor vehicle* in the commission of a felony involving the manufacture, distributing or dispensing of a controlled substance will be disqualified for life.

Serious Traffic Offenses

While operating a CMV:

- Speeding – at or in excess of 15 miles per hour over the posted speed limit.
- Willful reckless or reckless driving.
- Making improper or erratic lane changes.
- Following the vehicle ahead too closely.
- Any violation of any traffic control arising in connection with an accident or collision resulting in a fatality.
- Driving a CMV without obtaining a CDL.
- Driving a CMV without a current CDL in driver's possession.
- Driving a CMV without the proper class or endorsement for the specific vehicle being operated.

When applicable, if any of the above offenses occur while the CDL holder is operating a *non-CMV* and the *court conviction results in the license being revoked or impounded by the court*, it will be considered a serious offense and count towards disqualification.

Being convicted of two serious traffic violations in a commercial vehicle within three years will result in your CDL being disqualified for 60 days. A third conviction within three years will result in a 120-day disqualification.

Out-of-Service Orders:

Disqualification following conviction during any 10-year period for violating an out-of-service order while operating a CMV:

- 1st Conviction – disqualified for at least 180 days, but no more than one year.
- 2nd Conviction – disqualified for at least two years, but no more than five years.
- 3rd or subsequent Conviction – disqualified for at least three years, but no more than five years.

Disqualification following conviction during any 10-year period for violating an out-of-service order while operating a CMV transporting hazardous materials requiring placards or 16 or more passengers:

- 1st Conviction – disqualified for at least 180 days, but no more than two years.
- 2nd or subsequent Conviction – disqualified for at least three years, but no more than five years.

Railroad Grade Crossing Violations:

Conviction during any 3-year period for operating a CMV in violation of the following:

- *For drivers not required to always stop* –
Failing to slow down and check that tracks are clear.
Failing to stop before reaching crossing if tracks are not clear.
- *For drivers always required to stop* –
Failing to stop before driving onto the crossing.
- *For all drivers* –
Failing to have sufficient space to drive completely through the crossing without stopping.
Failing to obey a traffic control device or the directions of an enforcement official at the crossing.
Failing to negotiate a crossing because of insufficient undercarriage clearance.

The first conviction will result in a disqualification of not less than 60 days; a second conviction within three years will result in a disqualification of not less than 120 days; and a third or subsequent conviction within three years will result in a disqualification of not less than one year.

Testing

Individuals applying for an original (first time) Commercial Driver's License (CDL) will be required to pass the knowledge and skills tests. Individuals renewing their Nebraska CDL will not be required to take the knowledge tests, except for the hazardous materials portion, if the renewal is for the same class of commercial motor vehicle. The knowledge tests, except for the hazardous material test, will be waived if the applicant surrenders to Nebraska a valid CDL from another state and is applying for the same class of license. Individuals with a valid CDL from another state will be able to waive the skills test when applying for a Nebraska CDL.

A knowledge test is required for:

- the class of vehicle
- each endorsement
- removing the air brake restriction
- pre-trip vehicle inspection

A skills test consists of brake checks, basic controls and a road test. The skills tests are given on an appointment only basis.

For further information contact: Department of Motor Vehicles at (402)471-3861.

Tank Endorsement

Tank vehicle means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. Such vehicle includes, but is not limited to, a cargo tank and a portable tank, as defined in 49 C.F.R. 171. However, this definition does not include a portable tank that has a rated capacity under one thousand gallons." A commercial motor vehicle hauling any portable tank with a maximum capacity greater than 119 gallons that is not permanently attached to a vehicle, but is loaded and unloaded without being removed from the vehicle is to be treated the same as if it were a permanently attached cargo tank. In these instances, the exception for portable tanks with capacities less than one thousand gallons would **not** apply and the tank endorsement would be required. A commercial motor vehicle hauling a portable tank having a rated capacity under one thousand gallons does **not** need the tank endorsement, provided the tank is filled before being loaded on the truck and then emptied after being unloaded from the truck.

School Bus Endorsement

School bus drivers must hold a CDL with a Passenger (P) and School Bus (S) endorsement. The (S) endorsement requires a written and a skills test.

Ten-Year Driving History

CDL applicants who are applying for a new license, renewing or upgrading a license, or transferring a license from one jurisdiction to another, must provide the names of all states that they have held a license in during the past ten years when applying for a Nebraska CDL.

Hazardous Materials Endorsement – Security Threat Assessment

Prior to the issuance of a Nebraska CDL with the hazardous materials endorsement, individuals will be required as per the U.S. Patriot Act to have a Transportation Security Administration (TSA) security threat assessment completed. The security threat assessment procedures require individuals to complete a hazardous materials application and be fingerprinted—a fee will be charged. This process will be handled by a TSA third party agent—**not** the Nebraska DMV. Contact the TSA either by phone toll free at 1-877-429-7746, or at their website www.hazprints.com. Fingerprint locations can be found on the Nebraska DMV website: www.dmv.state.ne.us/examining/patriotact-hazmat.html
The hazardous materials application must be completed before going to a fingerprint collection location.

Restricted Commercial Driver's License

The Restricted Commercial Driver's License (RCDL), when accompanied by a Seasonal Permit (SEP), allows persons 18 years of age or older to drive Class "B" or "C" commercial motor vehicles for purposes of farm-related or ranch-related service industries within 150 miles of the employer's place of business or the farm or ranch currently being served. Applicants must hold an operator's license or provisional operator's permit for at least one year prior to application. No knowledge or skills tests are required. Two separate license documents will be issued: A RCDL and a SEP. Individuals may operate commercial motor vehicles when both documents are valid. Individuals may operate a car when the RCDL is valid without the SEP. The SEP is good for 180 consecutive days in a 12-month period of time.

VEHICLES EXEMPT FROM CDL:

1. Farm-plated trucks, except for farm-plated tractor trailers, within 150 miles of the registered owner's farm or ranch.
2. Recreational vehicles, if licensed as such.
3. Emergency vehicles operated by a public or volunteer fire department.
4. Military vehicles driven by active-duty military personnel.
5. Vehicles driven by members of the military reserves, other than military technicians.
6. Vehicles driven by active-duty Coast Guard personnel.
7. Vehicles driven by members of the National Guard on active-duty including:
 - a) Personnel on full-time National Guard duty;
 - b) Personnel on part-time National Guard training; and
 - c) National guard Military Technicians required to wear military uniforms.

Fees

The fee for a five-year Commercial Driver's License is \$55.00. Any change of class, restriction and/or endorsement after the license is issued will cost \$10.00 each. The bus permit will still be issued at no cost.

Age

Intrastate (*within Nebraska*)

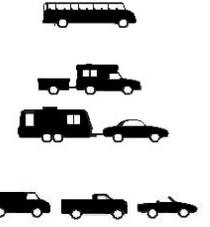
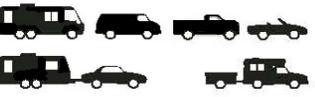
Class "A", "B" or "C" — 18 years of age

Interstate (*across state lines*)

Class "A", "B" or "C" -- 21 years of age

CDL manual available www.dmv.state.ne.us/examining/pdf/cdlmanual.pdf

License Classes

Class		Tests		
		Written	Pre-Trip	Road
A	<p>*Motor vehicle combinations when the power units have a GVWR in excess of 26,000 lbs., towing vehicles that have a GVWR in excess of 10,000 lbs. GVWR (or actual weight if no GVWR indicated)</p>  <p>Plus any Class B, C, or O Vehicles</p>	Yes 50 Questions	Yes	Yes
B	<p>*Single vehicles in excess of 26,000 lbs. GVWR *Busses in excess of 26,000 lbs. GVWR *Combination vehicles when the power unit is in excess of 26,000 lbs. GVWR and if the trailer does not exceed 10,000 lbs. GVWR (or actual weight if no GVWR indicated)</p>  <p>Plus any Class C or O Vehicles</p>	Yes 50 Questions	Yes	Yes
C	<p>*Any single motor vehicle with a GVWR of less than 26,001 lbs. or any such motor vehicle towing a vehicle with a GVWR (or actual weight if no GVWR indicated) not exceeding 10,000 lbs. *Any vehicle hauling HAZMAT requiring placards *Any vehicle designed to transport 16 or more persons including the driver</p>  <p>Plus any Class O Vehicles</p>	Yes 50 Questions	No	Yes
O	<p>Any motor vehicles or combination motor vehicles that do not require a Class A, B, C or M</p> 	Yes 25 Questions	No	Yes
M	<p>Any motorcycle</p> 	Yes 25 Questions	No	Yes

Weights

Maximum Legal Weight for Axles or Groups of Axles on Nebraska Highways and Interstate Highways

Weight: Any Single Axle - 20,000 Lbs.
Any Tandem Axle - 34,000 Lbs.
Maximum weight on State Highways - 95,000 Lbs.
(refer to chart on page 9)

Maximum weight on Interstate - 80,000 Lbs. 95,000 Lbs. with Conditional Safety Weight Permit
(refer to chart on page 9)

A **Tandem Axle** is defined as any two consecutive axles whose centers are more than forty inches and not more than ninety-six inches apart, measured to the nearest inch between any two adjacent axles in the series.

The maximum gross load on any group of two axles, the distance between the extremes of which is more than eight feet but less than eight feet six inches, shall be 38,000 pounds.

The distance between axles shall be measured to the nearest foot. When a fraction is exactly one-half foot, the next larger whole number shall be used, except that any group of three axles shall be restricted to a maximum load of 34,000 pounds unless the distance between the extremes of the first and third axle is at least ninety-six inches in fact.

Sliding Fifth-Wheel: It shall be unlawful to reposition the fifth-wheel connection device of a truck-tractor and semitrailer combination which is carrying cargo and on the state highway system, except for fifth-wheel repositioning done pursuant to Section 60-6,301 of the State Statutes.

Weight Tolerance: None. There is a five (5) percent weight shift if overweight on only one axle, one tandem axle, or one group of axles when the distance between the first and last axle of such group of axles is twelve (12) feet or less.

In all cases gross weights are subject to all wheel and axle load restrictions indicated in the table on the following page, except if you have two (2) consecutive sets of tandem axles that measure a minimum of 36, 37, or 38 feet, you may carry 34,000 pounds each on such consecutive sets of tandem axles.

Dummy Axles shall be disregarded in determining the legal weight of a vehicle or combination of vehicles and axle grouping if the axle does not articulate or substantially equalize the load, is not in continuous contact with the roadway, and does not have the lesser of 8,000 lbs or 8% of the gross weight of the vehicle, or vehicle combination including the load.

Idle Reduction Technology or APU: The maximum gross weight limit and the axle weight limit for any vehicle or combination of vehicles equipped with an APU may be increased by an amount necessary to cover the additional weight of the APU. The additional weight shall not exceed 400 lbs and shall not be in addition to the 5% shift tolerance.

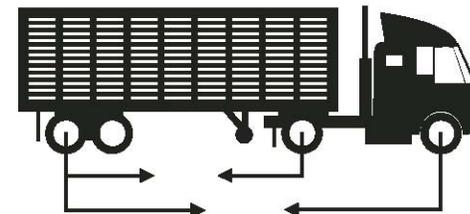
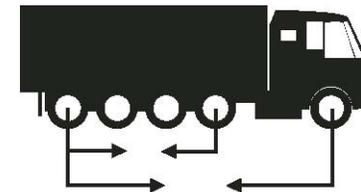
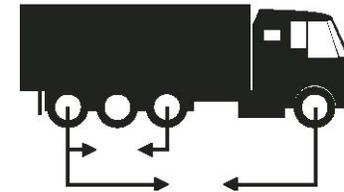
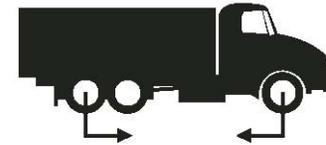
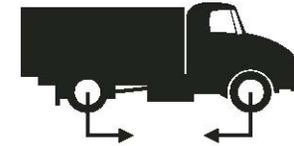
Distance in feet
between the
extremes of
any group of
two or more
consecutive axles

Maximum load in pounds carried on any group
of two or more consecutive axles

	<u>Two Axles</u>	<u>Three Axles</u>	<u>Four Axles</u>	<u>Five Axles</u>	<u>Six Axles</u>	<u>Seven Axles</u>
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		
18		49,500	54,000	59,000		
19		50,000	54,500	60,000		
20		51,000	55,500	60,500		
21		51,500	56,000	61,000		
22		52,500	56,500	61,500		
23		53,000	57,500	62,500		
24		54,000	58,000	63,000		
25		54,500	58,500	63,500	69,000	
26		55,500	59,500	64,000	69,500	
27		56,000	60,000	65,000	70,000	
28		57,000	60,500	65,500	71,000	
29		57,500	61,500	66,000	71,500	
30		58,500	62,000	66,500	72,000	
31		59,000	62,500	67,500	72,500	
32		60,000	63,500	68,000	73,000	
33			64,000	68,500	74,000	
34			64,500	69,000	74,500	
35			65,500	70,000	75,000	
36			66,000	70,500	75,500	
37			66,500	71,000	76,000	81,500
38			67,500	72,000	77,000	82,000
39			68,000	72,500	77,500	82,500
40			68,500	73,000	78,000	83,500
41			69,500	73,500	78,500	84,000
42			70,000	74,000	79,000	84,500
43			70,500	75,000	80,000	85,000
44			71,500	75,500	80,500	85,500
45			72,000	76,000	81,000	86,000
46			72,500	76,500	81,500	87,000
47			73,500	77,500	82,000	87,500
48			74,000	78,000	83,000	88,000
49			74,500	78,500	83,500	88,500
50			75,500	79,000	84,000	89,000
51			76,000	80,000	84,500	89,500
52			76,500	80,500	85,000	90,500
53			77,500	81,000	86,000	91,000
54			78,000	81,500	86,500	91,500
55			78,500	82,500	87,000	92,000
56			79,500	83,000	87,500	92,500
57			80,000	83,500	88,000	93,000
58				84,000	89,000	94,000
59				85,000	89,500	94,500
60				85,500	90,000	95,000

Correct Method for Measuring Groups of Axles

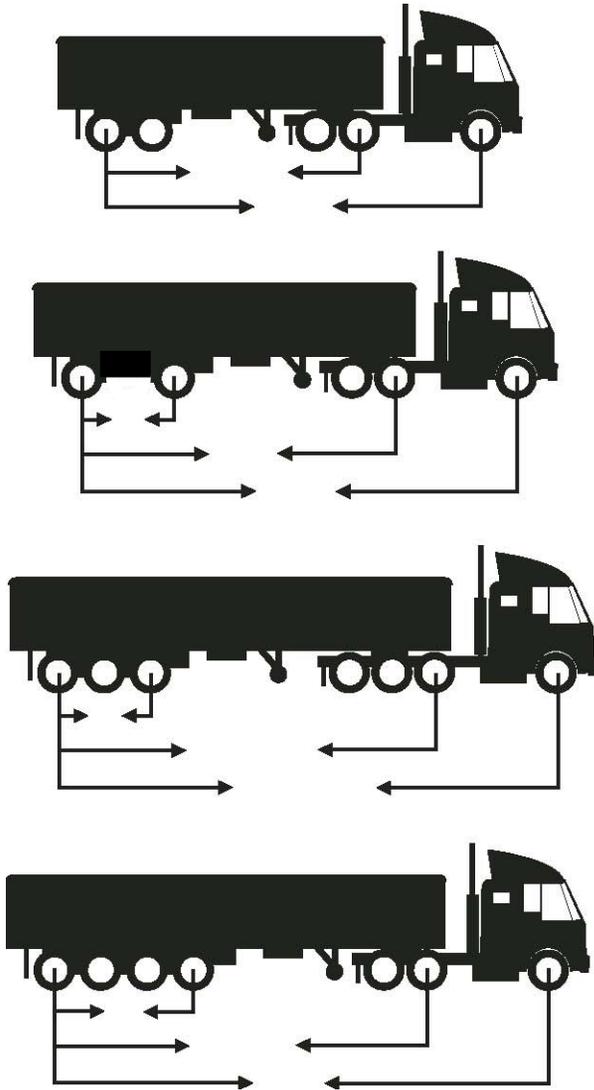
(Refer to weight chart on page 9)



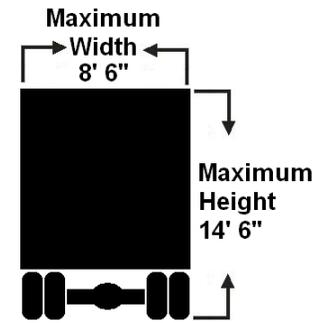
If any vehicle shall cross a bridge with a total gross weight in excess of the posted capacity of said bridge, and as a result of such crossing, any damage results to the bridge, the owner of such vehicle shall be responsible for all such damage.

If any vehicle with a non-divisible load exceeds these limitations, contact the Nebraska Department of Roads to see if you qualify for an overweight permit.

Correct Method for Measuring Groups of Axles
Maximum Weight on State Highways - 95,000 Lbs. Maximum Weight on
Interstate Highways - 80,000 Lbs.
 (Refer to weight chart on page 9)



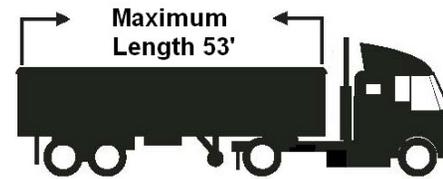
Dimensions



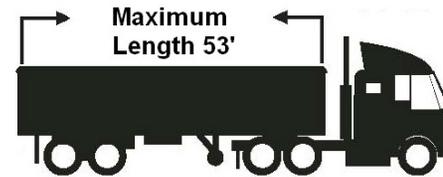
Width 8'6" (including load) **
 Height 14'6" (including load) **
 Single Vehicle 40' (including load) **
 Exceptions **



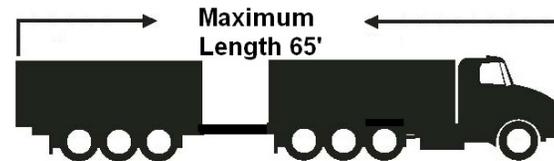
Maximum overall length single vehicle 40 feet (including load)



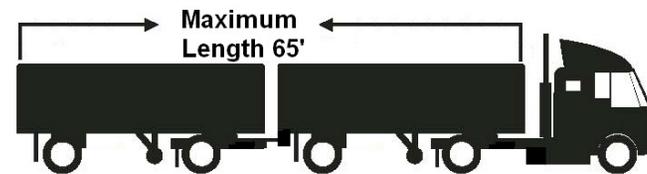
Maximum overall length, semitrailer (excluding truck-tractor 53 feet, including load)



Maximum overall length, semitrailer (excluding truck-tractor 53 feet, including load)



Maximum overall length, combination of vehicles 65 feet (including load)



Maximum overall length, semitrailer and trailer 65 feet (including connecting devices, excluding truck-tractor including load)

All other combinations 65 feet

Registration and Licensing

If you are a Nebraska resident and your vehicles move intrastate (within Nebraska) only, license them at your county courthouse.

If you are a nonresident and your vehicles move interstate, or if you are a Nebraska-based interstate operator, contact the Department of Motor Vehicles, Motor Carrier Services Division, 301 Centennial Mall South, Mall Level, PO Box 94789, Lincoln, NE 68509-4789, (402)471-4435.

Nebraska is currently a member of the following apportioned registration agreement:

International Registration Plan (IRP)

Alabama	Iowa	Nevada	South Dakota	Alberta
Arizona	Kansas	New Hampshire	Tennessee	British Columbia
Arkansas	Kentucky	New Jersey	Texas	Manitoba
California	Louisiana	New Mexico	Utah	New Brunswick
Colorado	Maine	New York	Vermont	New Foundland
Connecticut	Maryland	North Carolina	Virginia	Labrador
Delaware	Massachusetts	North Dakota	Washington	Nova Scotia
Dist. of Columbia	Michigan	Ohio	West Virginia	Ontario
Florida	Minnesota	Oklahoma	Wisconsin	Prince Edward Island
Georgia	Mississippi	Oregon	Wyoming	Quebec
Idaho	Missouri	Pennsylvania	Saskatchewan	Illinois
Montana	Rhode Island	Indiana	Nebraska	South Carolina

Any carrier engaged in operating a fleet of one or more apportionable vehicles in the State of Nebraska may, in lieu of full county registration, license such a fleet under the apportioned registration laws of the State of Nebraska.

An apportionable vehicle shall mean: any vehicle except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, used in two or more jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons, for hire, or designed, used or maintained primarily for the transportation of property and is a vehicle qualifying as one of these:

1. Is a power unit having a licensed weight in excess of 26,000 pounds
2. Is a power unit having a gross weight in excess of 26,000 pounds
3. Is a power unit having three or more axles, regardless of weight, or
4. Is used in combinations when weight of such combination exceeds 26,000 pounds gross vehicle weight

Any carriers based in the previously mentioned jurisdictions having vehicles eligible for apportioned registration but not registered as such, shall be required to meet their registration responsibilities by alternative means, such as:

(1) purchasing a Trip Permit at the first truck permit station upon entering the State of Nebraska, or (2) fully license the vehicle at the county level as a nonresident commercial vehicle.

Trip Leases

A vehicle from a non-compact state or province, trip leased or long-term leased to an operator based in any of the IRP States, must prorate with the State of Nebraska or purchase a trip permit.

Any operator of a vehicle from a reciprocity jurisdiction that leases his/her vehicle to an operator based in an apportioning or prorating jurisdiction, shall pay fees in accordance with that apportioning or prorate jurisdiction.

For permit purposes, if a vehicle is displaying base plates from an IRP State and is not apportioned with Nebraska, a permit will need to be purchased on the base plate registration only.

A 72-hour trip permit may be purchased at the first truck permit station (designated truck stop) upon entering the state, or through the wire services (Transceiver, Trans Mid-America). A temporary license permit costs \$25.00 with the station charging a ten percent issuing fee.

Nebraska Licenses

If you have your truck licensed as a Nebraska Apportion Vehicle, your license registration expires December 31 each year, with a grace period until the last day of the month in January. Enforcement begins February 1.

If you have your truck licensed in Nebraska at county level, your plates expire on the first day of the month one year from the month of issuance. You must renew it by the first day of the following month. Exception six-month plate

You are allowed 1,000 pounds tolerance on commercial and farm license carrying capacity on which the registration fee on such vehicle has been paid.

Operating Authority

Intrastate Carriers

If you are an Intrastate Carrier operating as a household mover or transporting persons for hire, contact the Nebraska Public Service Commission. They can be reached at:

The Atrium, 1200 N St, Lincoln, Ne 68508, (402)471-3101.

Interstate Carriers (crossing state lines)

If you are an Interstate Carrier operating for hire and transporting a regulated commodity, such as manufactured and processed good, you must contact to obtain proper authority.

The Federal Motor Carrier Safety Administration
1200 New Jersey Ave SE
Washington, DC 20590
800-832-5660
www.fmcsa.dot.gov

Unified Carrier Registration

The Unified Carrier Registration (UCR) replaced the Single State Registration System (SSRS) in 2007. The UCR affects both for-hire and private motor carriers involved in interstate commerce; plus freight forwarders, brokers, and leasing companies. Carriers who transport cargo for someone else or operate their own company vehicles across state lines are required to register under UCR.

A motor carrier must register with UCR if they operate a self-propelled or towed vehicle on the highways in commerce, if the vehicle:

- Has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater, or
- Is designed to transport more than 10 passengers including the driver, or
- Is transporting USDOT regulated hazardous materials in a quantity requiring placarding.

Other business entities also required to register with UCR are:

- A freight forwarder
- A freight broker
- A commercial vehicle leasing company

The Unified Carrier Registration (UCR) application form, instruction sheet, and application information are available at the Nebraska Department of Motor Vehicles, Motor Carrier Services Division website at www.dmv.ne.gov/mcs

Return completed UCR application forms with appropriate payments to:

Nebraska Department of Motor Vehicles
Motor Carrier Services
301 Centennial Mall South
PO Box 94729
Lincoln, NE 68509-4729
Toll Free 888-622-1222

Applicants may go to the Indiana website and print a receipt if they wish. No UCR credential will be issued. There is no requirement to carry or display the receipt of UCR payment in the commercial vehicle.

Upon payment to either the Nebraska Department of Motor Vehicles or if applicants choose to use the IN system, the Federal Motor Carrier Safety Administration will be notified that the UCR fees have been paid.

In lieu of filing a written UCR application with the Nebraska Department of Motor Vehicles, applicants may complete an online UCR application by visiting the national UCR registration website operated by the State of Indiana at www.ucr.in.gov. There is a \$3.00 filing fee charged for filing online plus a \$1.00 fee if paying by electronic check, or a 2.5% fee if paying by credit card.

International Fuel Tax Agreement Guide

Who needs an International Fuel Tax Agreement Permit?

A qualified motor vehicle that:

1. Has two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds, or
2. Has three or more axles regardless of weight, or
3. Is used in combination when the gross vehicle weight or registered gross weight of such combination exceeds 26,000 pounds.

Note: Recreational vehicles such as: motor homes, pickup trucks with attached campers, and buses, are not qualified motor vehicles when they are used exclusively for personal pleasure by an individual. In order to qualify as a recreational vehicle, the vehicle shall not be used in connection with any business endeavor.

A qualified farm or commercial motor vehicle listed in the above categories 1, 2, or 3 is required to have in their possession an International Fuel Tax Agreement Permit; or purchase a \$20.00 Fuel Permit.

Contact Nebraska Motor Carrier Services, telephone (402)471-4435.

Qualifying vehicles licensed in other states must have an IFTA identification card issued by any listed IFTA state, or purchase a fuel permit.

A temporary 72 hour fuel permit may be purchased at the first truck permit station (designated truck stop) upon entering the state, or through the wire services (Transceiver, Trans Mid-America). A temporary fuel permit costs \$20.00 with the station charging a 10% issuing fee.

Listing of Permit stations available at www.dmv.state.ne.us/mcs

Untaxed – Dyed Fuel

Fuel purchased for off-road use is non-taxed and dyed to indicate its non-tax status. Dyed fuel is regulated by the Internal Revenue Service (IRS) and generally cannot be used in any vehicle requiring registration. Vehicles designed and used primarily off-road that are operated on the highways incidental to their primary off-road use may be exempt. The presence of dyed fuel in a highway use vehicle can incur substantial fines and penalties. If you have questions contact the Internal Revenue Service, Diesel Fuel Compliance Section at 515-201-1359 or 214-906-4821.

To report suspected misuse of dyed fuel please contact Nebraska Department of Revenue Motor Fuels at 1-800-554-FUEL (3835)

Nebraska Truck Regulations for Agriculture

Definitions:

Farm trailer: shall mean any trailer or semitrailer (a) used exclusively to carry a farmer's or rancher's own supplies, farm equipment, and household goods to or from the owner's farm or ranch, (b) used by the farmer or rancher to carry his or her own agricultural products, livestock, and produce to or from storage and market and attached to a passenger car, commercial-licensed vehicle registered for sixteen tons or less, or farm-licensed vehicle, or (c) used by a farmer or rancher to carry his or her own agricultural products, livestock, and produce to and from market. Such trailers shall carry on their license plate, in addition to the registration number, the letter X. Farm trailer shall not include a trailer so used when attached to a farm tractor.

Farm trucks: shall mean trucks, including combinations of trucks or truck-tractors and trailers or semitrailers, of farmers or ranchers (a) used exclusively to carry a farmer's or rancher's own supplies, farm equipment, and household goods to or from the owner's farm or ranch, (b) used by the farmer or rancher to carry his or her own agricultural products, livestock, and produce to or from storage or market,

(c) used by farmers or ranchers in exchange of service in such hauling of such supplies or agricultural products, livestock, and produce, or (d) used occasionally to carry camper units or to pull boats or cabin trailers. Such trucks shall carry on their license plates, in addition to the registration number, the designation farm and the words "Not for Hire."

Fertilizer trailer: shall mean any trailer, including gooseneck applicators or trailers, designed and used exclusively to carry or apply agricultural fertilizer or agricultural chemicals and having a gross weight including load thereon of 20,000 pounds or less. Such trailers shall carry on their license plate, in addition to the registration number, the letter X.

Dimensions

Width - Maximum Legal Width on All Highways - 8'6"

Exceptions for width only: *(exceptions do not apply to interstate highways)*

1. Farm equipment in temporary movement during daylight hours, or hours of darkness when the clearance light requirements are complied with in the normal course of farm operations.
2. Combines 18' or less in width, while in the normal course of farm operations and while being driven during daylight hours or during hours of darkness when the clearance light requirements are fully complied with.
3. Combines in excess of 18' in width, while in the normal course of farm operations and while being driven during daylight hours for distance of twenty-five miles or less on highways and while preceded by a well-lighted pilot vehicle or flag person, and during hours of darkness when clearance light requirements are met
4. Combines and vehicles used in transporting combines or other implements of husbandry, and only when transporting combines or other implements of husbandry, to be engaged in harvesting or other agricultural work, while being transported into or through the state during daylight hours, when the total width including the width of the combine or other implement of husbandry being transported does not exceed fifteen feet, except that vehicles used in transporting combines or other implements of husbandry man, when necessary

to the harvesting operation or other agricultural work, travel unloaded for distances not to exceed twenty-five miles, while the combine or other implement of husbandry to be transported is engaged in a harvesting operation or other agricultural work.

5. Livestock forage vehicles loaded or unloaded that comply with livestock forage vehicle provisions of 60-6,305 *(not exceeding 65' in length, 18' in width, 18' in height, and being operated only during hours of daylight)*.
6. During daylight hours only, vehicles enroute to pickup, delivering or returning unloaded from delivery of baled livestock forage which, including the load if any, may be twelve feet in width.
7. Farm equipment dealers hauling, driving, delivering or picking up farm equipment or other implements of husbandry during daylight hours on state highways.

Height – Maximum Legal height on All Highways – 14'6"

Exceptions for height only:

1. Combines or vehicles used in transporting combines, to be engaged in harvesting within or out of the state, moving into or through the state during daylight hours when overall height does not exceed 15'6".
2. Farm equipment dealers hauling farm equipment shall not exceed overall height of 15'6".
3. Livestock forage vehicles with or without load that comply with subsection 2 of 60-6,305. *(Refer to #5 above in width)*

Length – Maximum Legal length on All Highways

Single Vehicles shall not exceed 40' length

Exceptions

1. A truck-tractor
2. A semitrailer operated in a truck-tractor single semitrailer combination.

Truck and Trailer combinations shall not exceed a length of 65' overall length including front and rear bumpers and load.

Exceptions:

1. One truck and one trailer loaded or unloaded, used in transporting implements of husbandry to be engaged in harvesting, while be transported into or through the state during daylight hours if the total length does not exceed 75' including the load.
2. A truck-tractor single semitrailer combination
3. A truck-tractor semitrailer-trailer combination, but the semitrailer-trailer portion shall not exceed 65' including connecting devices.
4. A driveaway saddlemount vehicle transporter combination and driveaway saddlemount with fullmount vehicle transporter combination, but the total overall length shall not exceed 97'.
5. The movement of public utility or other construction and maintenance material at any time.

(If overwidth the following vehicles are not authorized to travel on interstate highways)

6. Movement of unbaled livestock forage vehicles, loaded or unloaded.
7. The overhang of a combine to be engaged in harvesting, while being transported into or through the state driven during daylight hours by a truck-tractor semitrailer combination, but the length of the semitrailer length shall not exceed 53'.
8. Farm equipment dealers hauling, driving, delivering or picking up farm equipment within the county in which the dealer maintains his place of business, or adjoining counties and return.
9. Temporary movement of farm machinery during daylight hours in normal farm operation. *(Never authorized to travel on interstate highways)*

Overdimensional-Overweight Permit Sources

Permits may be obtained from the Department of Roads website at www.dor.state.ne.us

A Permit Profile will be required before purchasing permits online and can be obtained by calling the Lincoln Permit office Mon-Fri during regular business hours.

Lincoln Permit Office

Nebraska Dept. of Roads
Permit Office - Room 123A
PO Box 94759
1400 Highway 2
Lincoln NE 68509
(402)471-0034
FAX: (402)479-3906

District 2 – Omaha

4452 South 108th st
PO Box 45461
Omaha, Ne 68145-0461
(402)595-2534

District 3 - Norfolk

408 North 13th St
PO Box 1707
Norfolk NE 68702-1707
(402)370-3470

District 4 - Grand Island

211 North Tilden St
PO Box 1488
Grand Island NE 68802-1488
(308)385-6265

District 5 - Bridgeport

514 Main St
PO Box 580
Bridgeport NE 69336-0580
(308)262-1920

District 6 - North Platte

1321 North Jeffers
PO Box 1108
North Platte NE 69103-1108
(308)535-8031

District 7 - McCook

619 & Auditorium Dr
PO Box 530
McCook NE 69001-0530
(308)345-8490

District 8 - Ainsworth

736 E 4th St.
Ainsworth NE 69210-1215
(402)387-2471

Seasonal Harvest Overweight Permits

Seasonal harvest permits may be issued to carriers hauling grain or seasonally harvested products from the field where they are harvested to storage, market or stockpile in the field for a distance up to 120 miles. These carriers may be up to 15% greater than the maximum weight specified by law and up to 10% greater than the maximum length specified by law. The distance limitation may be waived for vehicles when carrying dry beans from the field where harvested to storage or market when dry beans are not normally stored, purchases, or used within the permittee's local area and must be transported more than 120 miles to an available marketing or storage destination.

Permits for grain or other seasonable harvested products shall be valid for 30 days or 60 days and renewable for a total number of days not to exceed 120 days per year. No permit shall authorize a weight greater than 20,000 lbs on any single axle.

In order for the permit to be valid, vehicle(s) must be registered for the max weight that that vehicle can hauling according to 60-6,294 (see chart page 9)

Overweight Exceptions for Seasonally Harvested Products:

No permit is required for carriers hauling grain or other seasonally harvested products operating from the field where such grain or products are harvested to storage, market, or stockpile in the field or from stockpile to market or factory up to 70 miles with a load that exceeds the maximum load permitted by section 60-6,294 by 15% on any tandem axle, group of axles and gross weight, a truck with no more than one single rear axle may also exceed the axle weight and gross weight by 15%. The owner or a representative of the owner of the agricultural product shall furnish the driver of the loaded vehicle a signed statement of origin and destination.

The provisions in these paragraphs do not apply to the National System of Interstate and Defense Highways.

Custom Harvest Information

Maximum Legal Width - 8'6"

Except: *(not authorized on the Interstate Highway System)*

- Combines and vehicles used in transporting combines or other implements of husbandry, and only when transporting combines or other implements of husbandry, to be engaged in harvesting or other agricultural work, while being transported into or through the state during daylight hours, when the total width including the width of the combine or other implement of husbandry being transported does not exceed fifteen feet, except that vehicles used in transporting combines or other implements of husbandry may, when necessary to the harvesting operation or other agricultural work, travel unloaded for distances not to exceed twenty-five miles, while the combine or other implement of husbandry to be transported is engaged in a harvesting operation or other agricultural work.
- Mobile homes not exceeding 16' in width and with an outside tire width dimension not exceeding 120" moving during daylight hours.

Maximum Legal Length of a Straight Truck-Trailer Combination - 65' Overall

Exceptions:

- One truck and one trailer, loaded or unloaded, used in transporting implements of husbandry to be engaged in harvesting, while being transported into or through the state during daylight hours if the total length does not exceed 75' including load.

Maximum legal length

- **Semi-trailer is 53' including load.**
- **Truck-tractor semi-trailer, trailer combination is 65' measuring the trailers only including the load.**
- **All other combinations (including B-Trains) 65' including load.**
- **Truck-tractor two trail combination or a truck-tractor semitrailer-trailer combination used in transporting equipment utilized by custom harvesters under contract to agricultural producers to harvest wheat, soybeans, or milo during the months of April – November – the lengths of the property-carrying units (excluding load) shall not exceed 81'6".**

Maximum Legal Height for a Vehicle Empty or Loaded - 14'6"

Exceptions:

1. Combines or vehicles used in transporting combines, to be engaged in harvesting within or outside the state, moving into or through the state during daylight hours when the overall height does not exceed 15'6".
2. Vehicles which have been issued an overdimension permit.

Note: Owners, lessees, and operators, jointly and severally, of vehicles exceeding 12'6" in height shall assume the risk of loss to the vehicle or its load and shall be liable for any damages that result to overhead obstructions from operation of a vehicle exceeding 12'6" in height.

Weight

Maximum --	Single axle	20,000 lbs.
	Tandem axle	34,000 lbs.
	Triple axles @ 8 feet	42,000 lbs.
	Triple axles @ 9 feet	42,500 lbs.
	Triple axles @ 10 feet	43,500 lbs.

Gross Weight -- Refer bridge chart for number of axles and distance apart:

Maximum 5 axles @ 60 feet 85,500 lbs.

Maximum 6 axles @ 60 feet 90,000 lbs.

Maximum 7 axles @ 60 feet 95,000 lbs.

Seasonal harvest overweight permits are available for hauling out of the field and are valid for 30 days. Call the Department of Roads Permit Office (402)471-0034 in Lincoln or one of the District Offices listed on page 19.

Permits

72-hour Prorate Trip Permits -- May be required if not apportioned.

72-hour Fuel Trip Permits -- Shall be required if not in possession of an IFTA permit.

Trip permits are available through the wire services (Transceiver, Trans Mid-America) or truck permit stations (designated truck stops). Permit stations listings available at:

www.dmv.state.ne.us/mcs

Trip permit costs are: Prorate \$25.00, Fuel \$20.00.

See Page 14 regarding operating authority.

Non-Resident Grain Haulers Permit

A truck, truck-tractor, semi-trailer or trailer lawfully licensed in another state or province, not apportion licensed, and is engaged in hauling grain or other seasonally harvested products from the field where they are harvested to storage or market must obtain a non-resident grain haulers permit. This permit is valid for 90 days from the time of purchase between June 1 and December 15 and may be purchased from the County Treasurer of the county in which the grain first is hauled. The cost of the permit is \$20 for a straight truck and \$150 for combination units (truck and trailer or truck-tractor semi-trailer, or any type combination).

General Regulations

All trucks must stop at our weigh stations: exceptions are recreation vehicles and pickups with 1-ton or less factory rated capacity.

Pickups towing trailers must stop –

Load projecting to rear; red flag, red light required. Whenever the load on any vehicle extends more than four feet beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than twelve inches both in length and width, except that between sunset and sunrise there shall be displayed at the end of any such load a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

Splash aprons; requirements; violation; penalty. Every new motor vehicle or semitrailer purchased after January 1, 1956, and operated on any highway in this state shall be equipped with fenders, covers, or devices, including flaps or splash aprons, unless the body of the vehicle affords adequate protection to effectively minimize the spray or splash

of water or mud to the rear of the motor vehicle or semitrailer. Any person violating the provisions of this section shall, upon conviction thereof, be fined in a sum not less than ten dollars or no more than one hundred dollars.

Transportation of sand, gravel, rock; material covered with canvas; penalty.

No person shall transport any sand, gravel, rock less than two inches in diameter, or refuse in any motor vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering. Any person who shall violate any of the provisions of this section shall be guilty of a Class IV misdemeanor.

Load Securement. No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be either tie downs and tie down assemblies of adequate strength or sides, sideboards, or stakes and a rear endgate, endboard, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle.

Disabled vehicles, length and load limit exception. The length limitations of Section 60-6,290 and weight limitation of Section 60-6,294 shall not apply when a disabled combination of vehicles is towed if the combination of vehicles, together with the wrecker or tow truck, does not exceed one hundred thirty feet, inclusive of front and rear bumpers including load. Such exception shall apply only if the disabled combination of vehicles is being towed directly to the nearest place of secure safekeeping. The towing vehicle shall be connected with the air brakes and brake lights of the towed vehicle.

Towing; draw bars, other connections; length; red flag required, when. The draw bar or other connection between any two vehicles, one of which is towing or drawing the other on a highway, shall not exceed fifteen feet in length from one vehicle to the other, except a vehicle being towed with a connection device that is an integral component of the vehicle and is designed to attach to a lead unit with construction in such a manner as to allow articulation at the attachment point on the chassis of the towed vehicle but not to allow lateral or side-to-side movement. Such connecting device shall meet the safety standards for towbar failure or disconnection that are in effect on March 28, 1980, in the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation of the United States Government and shall have displayed at approximately the halfway point between the towing vehicle and the towed vehicle on the connecting mechanism a red flag or other signal or cloth not less than twelve inches both in length and width that shall be at least five feet and not more than ten feet from the level of the paving and shall be displayed along the outside line on both sides of the towing and towed vehicles. Whenever such connection consists of a chain, rope or cable, there shall be displayed upon such connection a red flag or other signal or cloth not less than twelve inches both in length and width.

Trucks; rear-view mirror. Each truck shall be equipped with a rear-view mirror which shall be kept clean, repaired and installed according to the official highway rules.

Oversized loads; mirrors.

Outside mirrors must reflect a view of the highway behind the vehicle to a distance of at least 200 feet.

Truck-trailer combination; warning decal, when. A warning decal shall be attached to every truck-trailer combination, except trailers subject to Section 60-6,243, having a connection device between such vehicles which is more than twelve feet in length. Such decal shall be made of red reflectorized material and contain the words "Long Vehicle - Pass With Care." The letters shall be of white reflectorized material and shall be not less than three inches in height. The decal shall be affixed to the sides and rear parts of the trailer at a height of not less than forty-eight inches or no more than seventy-four inches from the ground level.

Brakes; requirements.

(1) Every motor vehicle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels and so constructed that no part which is liable to failure shall be common to the two, except that a motorcycle need be equipped with only one brake. All such brakes shall be maintained at all times in good working order.

(2) It shall be unlawful for any owner or operator of any motor vehicle, other than a motorcycle, to operate such motor vehicle upon a highway unless the brake equipment thereon qualifies in the following respects with regard to maximum stopping distances from a speed of twenty miles per hour on dry asphalt or concrete pavement free from loose materials as hereinafter set forth:

(a) Two wheel brakes, maximum stopping distance, forty feet; (b) Four or more wheel brakes, vehicles up to seven thousand pounds, gross weight, maximum stopping distance, thirty feet; (c) Four or more wheel brakes, vehicles over seven thousand pounds gross weight, maximum stopping distance, thirty-five feet; (d) All hand, parking or emergency brakes, vehicles up to seven thousand pounds gross weight, maximum stopping distance, fifty-five feet; and (e) All hand, parking or emergency brakes, vehicles over seven thousand pounds gross weight, maximum stopping distance, sixty-five feet.

(3) All braking distances specified in subsection (2) above shall apply to all vehicles whether unloaded or loaded to the maximum capacity permitted by law.

(4) The retarding force of one side of the vehicle shall not exceed the retarding force on the opposite side so as to prevent the vehicle stopping in a straight line.

Trailers; brake requirements; safety chains; when required.

(1) Trailers subject to the Federal Motor Carrier Safety regulations as adopted by Nebraska Statute 75-363 must have brakes as specified in 49 CFR 393.

(2) All other commercial trailers with a gross vehicle weight rating of more than ten thousand pounds and semitrailers shall be equipped on each wheel with brakes that can be operated from the driving position of the towing vehicle.

(3) Cabin trailers as defined in Sections 39-602 and 71-4,603 and recreational trailers having a gross loaded weight of three thousand pounds or more but less than six thousand five hundred pounds shall be equipped with brakes on at least two wheels, and such trailers with a gross loaded weight of six thousand five hundred pounds or more shall be equipped with brakes on each wheel. The brakes shall be operable from the driving position of the towing vehicle. Such trailers shall also be equipped with a breakaway, surge, or impulse switch on the trailer so that the trailer brakes are activated if the trailer becomes disengaged from the towing vehicle.

(4) Cabin trailers, recreational trailers, and utility trailers as defined in Section 60-301, when being towed upon a highway, shall be securely connected to the towing vehicle by

means of two safety chains or safety cables in addition to the hitch or other primary connecting device. Such safety chains or safety cables shall be so attached and shall be of sufficient breaking load strength so as to prevent any portion of such trailer drawbar from touching the roadway if the hitch or other primary connecting device becomes disengaged from the towing vehicle.

Federal Motor Carrier Safety Regulations

Applicability

Interstate Motor Carriers

The safety regulations are applicable to all motor carriers, drivers and vehicles which transport property or passengers in interstate commerce when the vehicle:

- (1) Has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight of 10,001 pounds or more whichever is greater; or
- (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- (3) Is designed or used to transport more than 15 passengers, including the driver; and is not used to transport passengers for compensation; or
- (4) Is used in transporting material found to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, Subtitle B, Chapter I, Subchapter C.

Intrastate Motor Carriers

The safety regulations are applicable to all motor carriers transporting persons or property in intrastate commerce to include:

- (1) All vehicles of such motor carriers with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight over 10,000 lbs;
- (2) All vehicles of such motor carriers designed or used to transport more than 8 passengers, including the driver, for compensation, or designed or used to transport more than 15 passengers, including the driver, and not used to transport passengers for compensation;
- (3) All vehicles of such motor carriers transporting hazardous materials required to be placarded pursuant to section 75-364: and
- (4) All drivers of such motor carriers if the drivers are operating a commercial motor vehicle as defined in section 60-465 which requires a commercial driver's license.
- (5) Part 395 – The following hours of service regulations apply to CDL drivers operating in intrastate commerce:
 - 12 hours driving after 8 consecutive hours off duty
 - 16 hours on duty after 8 consecutive hours off duty
 - 70 hours maximum on duty in 7 consecutive days or 80 hours maximum on duty in 8 consecutive days.
- (6) Hours of service regulations do not apply to drivers transporting agricultural commodities and/or farm supplies for agricultural purposes when the transportation occurs within a 100 air-mile radius of the source or distribution point of the commodities and/or supplies and the transportation occurs from February 15 through December 15 each year.
- (7) Physical Qualifications and Examinations of Drivers do not apply to any driver who operates a commercial motor vehicle exclusively in intrastate commerce and holds, or has held, a CDL issued by Nebraska prior to July 30, 1996. Drivers applying for their first CDL license after July 30, 1996 are required to meet the physical qualification requirements of 49 CFR Part 391.

Exemptions for Motor Carriers

Driver qualification applicability for Interstate farm Operations (*Across State Lines*)

Vehicle	Distance from Farm	Age Requirement	Exemption Granted
Farm vehicle less than 10,000 lbs. gross weight rating	No Limit	None	Exempt from all federal driver requirements.
Farm straight trucks with gross weight rating over 10,000 lbs.	150 miles or less	None	Exempt from FMCSR driver requirements, Part 391
Farm combination vehicle with 10,001 lbs. or more gross vehicle rating	150 miles or less	18 years old or older	Minimum age requirement (<i>21 years old</i>). Background and character checks. Written and road tests. Record keeping requirements.
Beekeeper's vehicle engaged in seasonal transportation of bees.	No Limit	None	Exempt from all federal driver requirements, Part 391
Custom harvesting vehicle	No Limit	None	Exempt from all federal driver requirements, Part 391

Intrastate (*within Nebraska only*) vehicles exempt from safety regulations:

- (1) Farm trucks registered for 16 tons or less.
- (2) Fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity of 3,500 gallons or less if the equipment is not required to be placarded for hazardous materials.
- (3) Trucks operated by any motor carrier excepted from the Federal Motor Carrier Safety Regulations by Section 390.3(f) of Part 390 or any nonprofit entity, operating solely in intrastate commerce, organized for the purpose of furnishing utility services.
- (4) Nebraska licensed farm trucks registered for more than 16 tons are subject to: Part 390 - Federal Motor Carrier Safety Regulations: General. Part 393 - Parts and Accessories necessary for safe operation. Part 396 - Inspection, repair, and maintenance. Part 397 - Transportation of Hazardous Materials, driving and parking rules. Nebraska licensed farm trucks registered 16 tons and under are exempt from all safety regulations in normal farming or ranching operations.

Intrastate drivers exempt from safety regulations

- (1) Driver of farm trucks.
- (2) Drivers exempted from the Federal Motor Carrier Safety Regulations by Section 390.(f) of Part 390 or any non-profit entity, operating solely in intrastate commerce organized for the purpose of furnishing electric service.
- (3) All Nebraska licensed farm truck drivers operating only in Nebraska are exempt from Part 391 – qualifications of driver, section 395.8 of Part 395 – record of duty status, section 396.11 of Part 396 – driver vehicle inspection reports.

Federal Motor Carrier Safety Regulations Parts

Part 382 - Controlled Substances and Alcohol Use and Testing

This part establishes programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. It applies to every person and to all employers of such persons who operate a commercial motor vehicle in commerce and is subject to the commercial driver's license requirements.

Part 383 - Commercial Driver's License Standards: Requirements and Penalties

The standards in Part 383 help reduce or prevent truck and bus accidents, fatalities, and injuries by requiring that no driver have more than one driver's license and by disqualifying drivers who do not safely operate commercial motor vehicles.

Part 385 - Safety Fitness Procedures

This part establishes the FMCSA's procedures to determine the safety fitness of motor carriers, to assign safety ratings, to direct motor carriers to take remedial action when required, and to prohibit motor carriers receiving a safety rating of "unsatisfactory" from operating a CMV.

Part 387 - Minimum Levels of Financial Responsibility for Motor Carriers

Motor carriers of property operating commercial vehicles in interstate, foreign, or intrastate commerce, and for hire carriers of passengers operating in interstate or foreign commerce must have a minimum amount of insurance.

Part 390 – General

The Federal Motor Carrier Safety Regulations (FMCSR) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce. This includes 390.15 accident register and 390.21 DOT markings.

Part 391 - Qualifications of Drivers

Drivers of commercial motor vehicles must be qualified. This part also explains what a motor carrier must do to qualify drivers.

Part 392 - Driving of Motor Vehicles

Every motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration's regulation must be complied with.

Part 393 - Parts and Accessories Necessary for Safe Operation

Every motor carrier, its officers, agents, drivers, representatives, and employees involved with the maintenance of equipment must understand and obey the rules of this part. A motor carrier cannot operate any commercial motor vehicle unless it is properly equipped.

Part 395 - Hours of Service of Drivers

The purpose of the hours-of-service regulations is to keep fatigued drivers off the highway. A motor carrier shall not permit or require any driver used by it to drive any commercial motor vehicle, nor shall any such driver drive any commercial motor vehicle more than the number of hours specified. Every driver who operates a commercial motor vehicle shall record his/her duty status.

Part 396 - Inspection, Repair, and Maintenance. Every motor carrier must insure that all its vehicles are regularly inspected, repaired, and maintained. All vehicle parts and accessories must be in a safe and proper working order at all times. Generally, motor carriers must see that the maintenance records are kept on each commercial motor vehicle.

Part 397 - Transportation of Hazardous Materials. Driving and Parking Rules

The rules in Part 397 apply to each carrier transporting hazardous materials by a commercial motor vehicle that must be marked or placarded in accordance with 49 CFR 177.823.

Part 177 - Carriage by Public Highway

To promote the uniform enforcement of law and to minimize the dangers to life and property incident to the transportation of hazardous materials, by private, common and contract carriers, by motor vehicles engaged in intrastate, interstate, or foreign commerce, the regulations in Parts 171-180 of this subchapter are prescribed to define these articles for motor vehicle transportation purposes, and to state the precautions that must be observed by the carrier in handling them while in transit. It is the duty of each such carrier to make the prescribed regulations effective and to thoroughly instruct employees in relation thereto.

Hazardous Materials Transportation

The following parts of the Federal Hazardous Material Regulations, 49 CFR, are adopted as Nebraska law with exceptions and are applicable to all motor vehicle carriers, drivers of such carriers, and vehicles of such carriers whether engaged in interstate or intrastate commerce:

- (a) Part 107 – Hazardous Materials Program Procedures, subpart F – Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufactures, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers;
 - (b) Part 107 – Hazardous Materials Program Procedures, subpart G – Registration of Persons Who Offer or Transport Hazardous Materials;
 - (c) Part 171 -General Information, Regulations and Definitions;
 - (d) Part 172 -Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements;
 - (e) Part 173 -Shippers-General Requirements for Shipments and Packaging;
 - (f) Part 177 -Carriage by Public Highway;
 - (g) Part 178 -Specifications for Packaging; and
 - (h) Part 180 -Continuing Qualification and Maintenance of Packaging.
- (2) Agricultural operations exceptions:
- (a) The transportation of an agricultural product other than a Class 2 material (Compresses Gases), as defined in 49 CFR 171.8 over roads, other than the National System of Interstate and Defense Highways, between fields of the same farm, is excepted when:
 - i. The agricultural product is transported by a farmer who is an intrastate private motor carrier; and
 - ii. The movement of the agricultural product conforms to all other laws in effect on or before July 1, 1998, and 49 CFR 173.24, 173.24a and 173.24b;
 - (b) The transportation of an agricultural product to or from a farm, within one hundred fifty (150) miles of the farm, is excepted from the requirements in 49 CFR 172 Subpart G (emergency response information) and 49 CFR 172 Subpart H (*training requirements*) and from the specific packaging requirements when:
 - i. The agricultural product is transported by a farmer who is an intrastate private motor carrier;
 - ii. The total amount of agricultural product being transported on a single vehicle does not exceed:
 - (A) Sixteen thousand ninety-four pounds of ammonium nitrate fertilizer properly classed as Division 5.1, PGIII, in bulk packaging; or
 - (B) Five hundred two gallons for liquids or gases, or five thousand seventy pounds for solids, of any other agricultural product;
 - iii. The packaging conforms to the requirements of state law and is specifically authorized for transportation of the agricultural product by state law and such state law has been in effect on or before July 1, 1998; and
 - iv. Each person having any responsibility for transporting the agricultural product or preparing the agricultural product for shipment has been instructed in the applicable requirements of the parts, subparts, and sections of 49 CFR adopted in this section. ; and
 - (c) Formulated liquid agricultural products in specification packagings of fifty-eight gallon capacity or less, with closures manifolded to a closed mixing system and equipped with positive dry disconnect devices, may be transported by a private motor carrier between a final distribution point and an ultimate point of application or for loading aboard an airplane for aerial application.

- (3) Exceptions for non-specification packagings used in intrastate transportation:
 - (a) Non-specification cargo tanks for petroleum products: Notwithstanding requirements for specification packaging in 49 CFR Part 173 Subpart F, and 49 CFR Parts 178 and 180, a nonspecification metal tank permanently secured to a transport vehicle and protected against leakage or damage in the event of a turnover, having a capacity of less than 3,500 gallons, may be used by an intrastate motor carrier for transportation of a flammable liquid petroleum product in accordance with subdivision (c) of this subsection:
 - (b) Permanently secured nonbulk tanks for petroleum products: Notwithstanding the requirements for specification packaging in 49 CFR Part 173 Subpart F, and 49 CFR Parts 178 and 180, a nonspecification metal tank permanently secured to a transport vehicle and protected against leakage or damage in the event of a turnover, having a capacity of less than one hundred nineteen gallons, may be used by an intrastate motor carrier for transportation of a flammable liquid petroleum product in accordance with subdivision (c) of this subsection; and
 - (c) Additional requirements: A packaging used pursuant to subdivision (a) or (b) of this subsection must:
 - (i) Be operated by an intrastate motor carrier and in use as a packaging for hazardous material before July 1, 1998;
 - (ii) Be operated in conformance with the requirements of the State of Nebraska;
 - (iii) Be specifically authorized by state law in effect before July 1, 1998, for use as a packaging for the hazardous material being transported and by 49 CFR 173.24, 173.24a, and 173.24b;
 - (iv) Be offered for transportation and transported in conformance with all other applicable requirements of the hazardous material regulations;
 - (v) Not be used to transport a flammable cryogenic liquid, hazardous substance, hazardous waste, or marine pollutant as defined in 171.8; and
 - (vi) On and after July 1, 2000, for a tank authorized under subdivision (a) or (b) of this subsection, conform to all requirements in 49 CFR Part 180, except for 49 CFR 180.405(g), in the same manner as required for a United States Department of Transportation specification MC306 cargo tank motor vehicle.

For purposes of this section:

- (a) Agricultural product means a hazardous material, other than a hazardous waste, whose end use directly supports the production of an agricultural commodity, including, but not limited to, a fertilizer, pesticide, soil amendment, or fuel. An agricultural product is limited to a material in Class 3 (*Flammable Liquids*), Class 8 (*Corrosives*), or Class 9 (*Miscellaneous*), Division 2.1 (*Flammable Gas*), Division 2.2 (*Nonflammable Gas*), Division 5.1 (*Oxidizers*), or 6.1 (*Poisons*), or an ORM-D (*Consumer Commodity defined in 49 CFR 171.8*);
- (b) Bulk package means a packaging, including a transport vehicle or freight container, in which hazardous materials are loaded with no other intermediate form of containment and which has:
 - (i) A maximum capacity greater than one hundred nineteen gallons as a receptacle for a liquid;
 - (ii) A maximum net mass greater than eight hundred eighty-two pounds and a maximum capacity greater than one hundred nineteen gallons as a receptacle for a solid; or
 - (iii) A water capacity greater than one thousand pounds as a receptacle for a gas as defined in 49 CFR 173.115;

- (c) Farmer means a person engaged in the production of raising of crops, poultry, or livestock; and
- (d) Private motor carrier means a person or persons engaged in the transportation of persons or product while in commerce, but not for hire.

Hazardous Materials Regulations

Hazardous Material - A substance or material that the U.S. Secretary of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and has been designated as hazardous under Section 5103 of Federal hazardous materials transportation law (49 U.S.C. 5103). The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (see 49 CFR 172.101), and materials that meet the defining criteria for hazard classes and divisions in 49 CFR Part 173.

Hazardous Substance - A material, including its mixtures and solutions, that, when listed in appendix A to 171.101 Title 49 Code of Federal Regulations, is in a quantity, in one package, which equals or exceeds the reportable quantity (RQ) listed in the regulations, and when in a mixture or solution, is in a concentration by weight which equals or exceeds the concentration corresponding to the RQ of the material. This definition does not apply to petroleum products that are lubricants or fuels.

Hazardous Waste - Is defined as any material that is subject to the Hazardous Waste Manifest requirements of the U.S. Environmental Protection Agency specified in 40 CFR Part 262.

Shipping Papers - Every shipment of hazardous materials must be accompanied by a properly prepared shipping paper carried in the cab of the power unit, accessible to law enforcement or emergency response personnel. Exceptions: Shipments designated as Other Regulated Material-D (ORM-D) do not require shipping papers meeting the requirements of the Hazardous Material Regulations when moved solely by truck. Copies of the hazardous material shipping papers must be retained for 1 year. For a hazardous waste, the shipping paper copy must be retained for three years. Refer to 49 CFR 177.817(f) for additional information on the retention of shipping papers.

Marking Requirements - Marking is generally the responsibility of the shipper. Required markings must be legible, in English and printed on or attached to packages. They must not be obscured by labels or attachments and must be clear of other markings that might reduce their effectiveness. The proper shipping name of the hazardous material must be marked on each package. ORM's for shipment solely by motor carrier, no special action is required for shipments marked ORM-D.

General Labeling Requirements - Labeling is the primary responsibility of the shipper. Labels on packages must indicate the nature of the hazard of the contents. Labels must be placed near the marked proper shipping name of the package contents. If multiple labels are required, they must be next to each other. It is recommended motor carriers keep a supply of labels on hand to replace those that may be lost or damaged in transit. Carriers should not accept packages bearing other markings or labels which might be confused with the prescribed labels for hazardous materials.

General Placarding Requirements - Placards must not be displayed on a vehicle unless the vehicle contains hazardous materials and the placard represents a hazard of the material contained. No placards are required for the following hazardous materials: limited quantities when so noted on the shipping paper, materials classed as ORM-D, combustible liquids when in packages of 119 gallons or less, or shipments of Division 6.2 materials.

Placard requirements are governed by the hazard class of the material, quantity, and by certain special requirements as outlined in Federal Hazardous Material Regulations 49 CFR 172.504. When placarding of the vehicle is required, such placarding must be displayed in addition to any other placarding required. Regulations require the shipper furnish the required placards for its shipment prior to, or at the time the vehicle is loaded, unless the vehicle is already properly placarded. Freight containers having a capacity of 640 cubic feet or more, and portable tanks having a capacity of 1,000 gallons or more, must be placarded. Smaller freight containers and portable tanks may be placarded in lieu of being labeled. Placards should be placed on each side and each end free of accessories and/or appurtenances that would tend to obscure it, be displayed square on point and maintained in a legible condition during transportation.

Hazardous Materials Accidents or Spills - Carriers involved in accidents where hazardous materials, hazardous substances, or hazardous wastes all spilled and are required to be reported to the National Response Center (1-800-424-8802), (202) 267-2675, can also call the Nebraska State Patrol (1-800-525-5555 or 471-4545) for assistance.

In accordance with Nebraska State Statute 60-6,173, drivers of vehicles required to be placarded pursuant to Section 75-364 must stop at railroad crossings, except for those abandoned or marked exempt.

This material is intended to be used as guidelines only. Compliance and applicability should be checked for each product separately before transportation.

Hazardous Material Safety Permits

Who must hold a safety permit: (Part 385.403)

A motor carrier is required to file a Motor Carrier Identification Report Form (MCS-150) according to the schedule set forth in 390.19(a) of the Federal Motor Carrier Safety Regulations. The motor carrier may not transport in interstate or intrastate commerce any of the following hazardous materials, in the quantity indicated for each, unless the motor carrier holds a safety permit or temporary safety permit:

1. **Radioactive Materials:** A highway route-controlled quantity of Class 7 material, as defined in 49 CFR 173.403.
2. **Explosives:** More than 55 pounds of a Division 1.1, 1.2 or 1.3 material, or an amount of a Division 1.5 material requiring placards under 49 CFR 172 Subpart F.
3. **Toxic by Inhalation Materials:**
 - Hazard Zone A:** More than one liter (1.08 quarts) per package of a "material poisonous by inhalation," as defined in 49 CFR 171.8, that meets the criteria for "Hazard Zone A," as specified in 49 CFR 173.116(a) or 173.133(a).
 - Hazard Zone B:** A "material poisonous by inhalation," as defined in 49 CFR 171.8 of this title, that meets the criteria for "Hazard Zone B," as specified in 49 CFR 173.116(a) or 173.133(a) in a bulk packaging (capacity greater than 119 gallons).
 - Hazard Zone C & D:** A "material poisonous by inhalation," (*including Anhydrous Ammonia*) as defined in 171.8 of this title, that meets the criteria for "Hazard Zone C," or "Hazard Zone D," as specified in 173.116(a) of this title, in a packaging having a capacity equal to or greater than 3,500 gallons.
4. **Methane:** A shipment of compressed or refrigerated liquefied methane or liquefied natural gas or other liquefied gas with a methane content of at least 85% in a bulk packaging having a capacity equal to or greater than 3,500 gallons.

Additional information may be found on FMCSA's website: www.fmcsa.dot.gov

Intrastate Vehicle Marking

And DOT Numbers

All vehicles of such motor carriers with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight over ten thousand pounds:

- (a) In adopting 49 CFR 390.21 – Marking Commercial Motor Vehicles as regulation incorporated under State Statute 75-363, the following policy is established for compliance with Part 390.21.
- (b) Nature of marking. The marking must display the following information:
 - (1) The legal name or a single trade name of the motor carrier as listed on the motor carrier identification report operating the self-propelled commercial motor vehicle.
 - (2) The intrastate motor carrier identification number, issued by the FMCSA, preceded by the letters “USDOT” (*numerical assignment*) and NE suffix.
 - (3) If the name of any person other than the operating carrier appears on the commercial motor vehicle operated under its own power, either alone or in combination, the name of the operating carrier shall be followed by the information required by paragraphs (b)(1) and (2) of this section, and be preceded by the words “operated by.”
 - (4) Other identifying information may be displayed on the commercial motor vehicle if it is not inconsistent with the information required by this paragraph.
- (c) Size, shape, location, and color of marking. The marking must:
 - (1) Appear on both sides of the self-propelled commercial motor vehicle;
 - (2) Be in letters that contrast sharply in color with the background on which the letters are placed;
 - (3) Be readily legible, during daylight hours, from a distance of 50 feet while the commercial motor vehicle is stationary; and
 - (4) Be kept and maintained in a manner that retains the legibility required by paragraph (c)(3) of this section.
- (d) Construction and durability. The marking may be painted on the commercial motor vehicle or may consist of a removable device, if that device meets the identification and legibility requirements of this section, and such marking shall be maintained in such a manner as to remain legible as required by this section.
- (e) Rented commercial motor vehicles. A motor carrier operating a self-propelled commercial vehicle under a rental agreement having a term not in excess of 30 calendar days may meet the requirements of this section in either one of two ways:
 - (1) The commercial motor vehicle is marked in accordance with the provisions of paragraphs (b) through (d) of this section; or
 - (2) The commercial motor vehicle is marked as set forth below:
 - (i) The name or trade name of the lessor is displayed in accordance with paragraphs (c) and (d) of this section;
 - (ii) The city or community and state (*name abbreviated*), in which the lessor maintains its principal place of business or in which the commercial motor vehicle is customarily based is displayed in accordance with paragraphs (c) and (d) of this section;

- (iii) The lessor’s identification number, issued by the FMCSA, preceded by the letters “USDOT” is displayed in accordance with paragraphs (c) and (d) of this section; and
- (iv) The rental agreement entered into by the lessor and the renting motor carrier conspicuously contains the following information:
 - (A) The name and complete physical address of the principal place of business of the renting motor carrier;
 - (B) The identification number issued the renting motor carrier by the FMCSA, preceded by the letters “USDOT,” if the motor carrier has been issued such a number. In lieu of the identification number required in this paragraph, the following may be shown:
 - (1) Information which will indicate if the motor carrier is engaged in “interstate” or “intrastate” commerce; and
 - (2) Information which will indicate if the renting motor carrier is transporting hazardous materials in the rented commercial motor vehicle;
 - (3) The sentence: “This lessor cooperates with all federal, state, and local law enforcement officials nationwide to provide the identity of customers who operate this rental commercial motor vehicle,” and
- (v) The rental agreement entered into by the lessor and the renting motor carrier is carried on the rental commercial motor vehicle during the full term of the rental agreement.

NOTE* The marking and DOT number requirements set forth do not apply to Commercial Motor Vehicles registered as Nebraska farm trucks and operated solely in Intrastate Commerce.

Intrastate DOT Applications are available at: www.nsp.state.ne.us
Interstate DOT Applications are available at: www.fmcsa.dot.gov