

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 174

Introduced by Mello, 5.

Read first time January 14, 2013

Committee:

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend
2 section 60-6,304, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to load contents and
4 spillage; to provide a penalty; to harmonize provisions;
5 and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,304, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,304 ~~(1)~~ No (1)(a) Except as provided in subsection
4 (2) of this section for a vehicle that contained livestock, but still
5 contains the manure or urine of such livestock, no vehicle shall be
6 driven or moved on any highway unless the vehicle is so constructed
7 or loaded as to prevent its contents from dropping, sifting, leaking,
8 or otherwise escaping from the vehicle.

9 ~~(2)~~ No (b) Except as provided in subsection (2) of this
10 section for a vehicle that contained livestock, but still contains
11 the manure or urine of such livestock, no person shall transport any
12 sand, gravel, rock less than two inches in diameter, or refuse in any
13 vehicle on any hard-surfaced state highway if such material protrudes
14 above the sides of that part of the vehicle in which it is being
15 transported unless such material is enclosed or completely covered
16 with canvas or similar covering.

17 ~~(3)~~ (c) No person shall drive or move a motor vehicle,
18 trailer, or semitrailer upon any highway unless the cargo or contents
19 carried by the motor vehicle, trailer, or semitrailer are properly
20 distributed and adequately secured to prevent the falling of cargo or
21 contents from the vehicle. The tailgate, doors, tarpaulins, and any
22 other equipment used in the operation of the motor vehicle, trailer,
23 or semitrailer or in the distributing or securing of the cargo or
24 contents carried by the motor vehicle, trailer, or semitrailer shall
25 be secured to prevent cargo or contents falling from the vehicle. The

1 means of securement to the motor vehicle, trailer, or semitrailer
2 must be either tiedowns and tiedown assemblies of adequate strength
3 or sides, sideboards, or stakes and a rear endgate, endboard, or
4 stakes strong enough and high enough to assure that cargo or contents
5 will not fall from the vehicle.

6 ~~(4)-(d)~~ Any person who violates any provision of this
7 ~~section shall be subsection is~~ guilty of a Class IV misdemeanor.

8 (2)(a) No person operating any vehicle that contained
9 livestock, but still contains the manure or urine of livestock, on
10 any highway located within the corporate limits of a city of the
11 metropolitan class, shall spill manure or urine from the vehicle.

12 (b) Any person who violates this subsection is guilty of
13 a Class IV misdemeanor and shall be assessed a minimum fine of at
14 least two hundred fifty dollars.

15 Sec. 2. Original section 60-6,304, Reissue Revised
16 Statutes of Nebraska, is repealed.