

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 922**

Introduced by Mello, 5.

Read first time January 10, 2012

Committee: Transportation and Telecommunications

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 vehicles containing live livestock, no  
5 vehicle shall be driven or moved on any highway unless the vehicle is  
6 so constructed or loaded as to prevent its contents from dropping,  
7 sifting, leaking, or otherwise escaping from the vehicle.

8                   ~~(2)~~ (b) No person shall transport any sand, gravel, rock  
9 less than two inches in diameter, or refuse in any vehicle on any  
10 hard-surfaced state highway if such material protrudes above the  
11 sides of that part of the vehicle in which it is being transported  
12 unless such material is enclosed or completely covered with canvas or  
13 similar covering.

14                   ~~(3)~~ (c) No person shall drive or move a motor vehicle,  
15 trailer, or semitrailer upon any highway unless the cargo or contents  
16 carried by the motor vehicle, trailer, or semitrailer are properly  
17 distributed and adequately secured to prevent the falling of cargo or  
18 contents from the vehicle. The tailgate, doors, tarpaulins, and any  
19 other equipment used in the operation of the motor vehicle, trailer,  
20 or semitrailer or in the distributing or securing of the cargo or  
21 contents carried by the motor vehicle, trailer, or semitrailer shall  
22 be secured to prevent cargo or contents falling from the vehicle. The  
23 means of securement to the motor vehicle, trailer, or semitrailer  
24 must be either tiedowns and tiedown assemblies of adequate strength  
25 or sides, sideboards, or stakes and a rear endgate, endboard, or

1 stakes strong enough and high enough to assure that cargo or contents  
2 will not fall from the vehicle.

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

5 (2)(a) No person shall operate on the highways of this  
6 state any vehicle containing livestock, or containing the manure or  
7 urine of livestock, unless all door and other opening seals or  
8 gaskets, and all other seals, gaskets, and seams, are maintained in  
9 proper condition and all such doors or openings are firmly closed,  
10 including any manure trap, drains, or washout openings. It shall be a  
11 violation of this subdivision whether or not any manure or urine has  
12 spilled or escaped from the vehicle.

13 (b) No person operating on the highways of this state any  
14 vehicle containing livestock, or containing the manure or urine of  
15 livestock, shall spill or allow to escape manure or urine from the  
16 vehicle.

17 (c) Any person who violates any provision of this  
18 subsection is guilty of a Class IV misdemeanor and shall be assessed  
19 a minimum fine of at least two hundred fifty dollars.

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