

## LEGISLATIVE BILL 398

Approved by the Governor March 20, 2013

Introduced by Brasch, 16.

FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,300, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to certain excessively loaded vehicles; and to repeal the original section.

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

Section 1. Section 60-6,300, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,300 (1) It shall be unlawful to operate upon the public highways of this state any truck, truck-tractor, or trailer that weighs in excess of the gross weight for which the registration fee on such vehicle has been paid plus one thousand pounds, but this section shall not apply to any truck, truck-tractor, or trailer being operated under a special permit issued pursuant to section 60-6,298 if the vehicle is properly registered pursuant to such section.

Any owner of such a vehicle who permits operation of the vehicle in violation of this section (2)(a) Any person operating any truck, truck-tractor, or trailer in violation of this section shall be guilty of a traffic infraction and shall, upon conviction, be fined twenty-five dollars for each one thousand pounds or fraction thereof in excess of the weight allowed to be carried under this section with tolerance.

(b) In lieu of issuing a citation to an operator under subdivision (2)(a) of this section, the Superintendent of Law Enforcement and Public Safety may assess the owner of the vehicle a civil penalty for each violation of this section in an amount equal to twenty-five dollars for each one thousand pounds or fraction thereof in excess of the gross weight for which the registration fee on such vehicle has been paid plus one thousand pounds. The superintendent shall issue an order imposing a penalty under this subdivision in the same manner as an order issued under section 75-369.04 and any rules and regulations adopted and promulgated under section 75-368 and any applicable federal rules and regulations.

Sec. 2. Original section 60-6,300, Reissue Revised Statutes of Nebraska, is repealed.