

E AND R AMENDMENTS TO LB 973

Introduced by Hansen, 26, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 48-437, Revised Statutes Cumulative Supplement,
4 2014, is amended to read:

5 48-437 (1) No person, firm, or corporation, or agent of such person,
6 firm, or corporation, shall require or permit any employee, except an
7 authorized and qualified person, to perform and no person, except an
8 authorized and qualified person, shall perform any function within the
9 distances from overhead high voltage conductors prohibited by sections
10 48-436 to 48-442; or enter upon any land, building, or other premises,
11 and there to engage in any excavation, demolition, construction, repair,
12 or other operations, or to erect, install, operate, or store in or upon
13 such premises any tools, machinery, equipment, materials, or structures,
14 including house-moving, well-drilling, pile-driving, or hoisting
15 equipment, within the distances from overhead high voltage conductors
16 prohibited by sections 48-436 to 48-442, unless and until danger from
17 accidental contact with such high voltage conductors has been effectively
18 guarded against in the manner prescribed in sections 48-436 to 48-442.

19 (2)(a) No person except an authorized and qualified person shall
20 manipulate overhead high voltage conductors or other components,
21 including the poles and other structures, of an electric utility. Under
22 no circumstances shall an authorized and qualified person work on the
23 electrical system of an electric utility that he or she is not employed
24 by unless written authorization has been obtained from such electric
25 utility. This subsection shall not be construed to apply to activities
26 performed by an authorized and qualified person employed by an electric
27 utility on the electrical system of another electric utility when the

1 nonowning or nonoperating electric utility has a written agreement with
2 the owning and operating electric utility (i) ~~(a)~~ providing for the joint
3 use of or interconnection of the electrical systems of both the electric
4 utilities or (ii) ~~(b)~~ approving authorized and qualified persons employed
5 by the nonowning or nonoperating electric utility to work on the
6 electrical system of the owning or operating electric utility on an
7 ongoing basis.

8 (b) Any person, firm, or corporation, or any employee thereof,
9 violating any provisions of this subsection shall be guilty of a Class II
10 misdemeanor.

11 Sec. 2. Section 48-442, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 48-442 Except as provided in subdivision (2)(b) of section 48-437,
14 any Any person, firm, or corporation, or any employee thereof, violating
15 any provisions of sections 48-436 to 48-442 shall be guilty of a Class V
16 misdemeanor. Each day's failure to comply with any of the provisions of
17 sections 48-436 to 48-442 shall constitute a separate violation.

18 Sec. 3. Section 60-6,288.01, Revised Statutes Cumulative Supplement,
19 2014, is amended to read:

20 60-6,288.01 (1) Any person moving a building or an object that, in
21 combination with the transporting vehicle, is over fifteen feet, six
22 inches high or wider than the roadway on a county or township road shall
23 notify the local authority and the electric utility responsible for the
24 infrastructure, including poles, wires, substations, and underground
25 residential distribution cable boxes adjacent to or crossing the roadway
26 along the route over which such building or object is being transported.
27 Notification shall be made at least ten days prior to the move.
28 Notification shall specifically describe the transporting vehicle, the
29 width, length, height, and weight of the building or object to be moved,
30 the route to be used, and the date and hours during which the building or
31 object will be transported. Complying with the notification requirement

1 of this section does not exempt the person from complying with any other
2 federal, state, or local authority permit or notification requirements.

3 (2) Proof of the notification required under subsection (1) of this
4 section must be carried by any person moving a building or an object as
5 described in this section.

6 (3) Any person who fails to comply with the notification
7 requirements of this section shall be guilty of a Class II misdemeanor.

8 Sec. 4. Section 60-6,291, Revised Statutes Cumulative Supplement,
9 2014, is amended to read:

10 60-6,291 Except as provided in subsection (3) of section
11 60-6,288.01, any Any person who violates any provision of sections
12 60-6,288 to 60-6,290 or who drives, moves, causes, or knowingly permits
13 to be moved on any highway any vehicle or vehicles which exceed the
14 limitations as to width, length, or height as provided in such sections
15 for which a penalty is not elsewhere provided shall be guilty of a Class
16 III misdemeanor.

17 Sec. 5. Section 60-6,299, Revised Statutes Cumulative Supplement,
18 2014, is amended to read:

19 60-6,299 (1) The Department of Roads may issue permits for vehicles
20 moving a building or objects requiring specialized moving dollies. Such
21 permits shall allow the vehicles transporting buildings or objects
22 requiring specialized dollies to operate on highways under the
23 jurisdiction of the department, excluding any portion of the National
24 System of Interstate and Defense Highways. Such permit shall specify the
25 maximum allowable width, length, height, and weight of the building to be
26 transported, the route to be used, and the hours during which such
27 building or object may be transported. Such permit shall clearly state
28 that the applicant is not authorized to manipulate overhead high voltage
29 lines or conductors or other such components, including electric utility
30 poles, and that the applicant shall be guilty of a Class II misdemeanor
31 for any violation of this section or of the notification requirements of

1 section 60-6,288.01. Any vehicle moving a building or object requiring
2 specialized moving dollies shall be escorted by another vehicle or
3 vehicles in the manner determined by the department. Such vehicles shall
4 travel at a speed which is not in excess of five miles per hour when
5 carrying loads which are in excess of the maximum gross weight specified
6 by law by more than twenty-five percent. The permit shall not be issued
7 for travel on a state highway containing a bridge or structure which is
8 structurally inadequate to carry such building or object as determined by
9 the department. The department may prescribe conditions of operation of
10 such vehicle when necessary to assure against damage to the road
11 foundations, surfaces, or structures and require such security as may be
12 deemed necessary to compensate for any injury to any roadway or road
13 structure.

14 (2) The application for any such permit shall (a) specifically
15 describe the vehicle, (b) specifically describe the load to be moved, (c)
16 include a signed affirmation under oath that, for any load sixteen feet
17 high or higher, the applicant has contacted any and all electric
18 utilities that have high voltage conductors and infrastructure that cross
19 over the roadway affected by the move and made arrangements with such
20 electric utilities for the safe movement of the load under any high
21 voltage conductors owned by such electric utilities, and (d) whenever
22 possible, describe the particular highways for which the permit is
23 requested. The company or individual shall maintain a copy of the permit
24 in each vehicle moving a building or object requiring specialized moving
25 dollies which shall be open to inspection by any peace officer, carrier
26 enforcement officer, or authorized agent of any authority granting such
27 permit. The fee for such permit shall be ten dollars.

28 (3) The department shall adopt and promulgate rules and regulations
29 governing the issuance of the permits. Such rules and regulations shall
30 include, but not be limited to, driver qualifications, equipment
31 selection, hours of operation, weather conditions, road conditions,

1 determination of any damage caused to highways or bridges, cutting or
2 trimming of trees, removal or relocation of signs or other property of
3 the state, raising or lowering of electric supply and communication
4 lines, and such other safety considerations as the department deems
5 necessary.

6 (4) Any person who violates the terms of a permit issued pursuant to
7 this section or otherwise violates this section shall be guilty of a
8 Class II ~~III~~ misdemeanor.

9 Sec. 6. Original section 48-442, Reissue Revised Statutes of
10 Nebraska, and sections 48-437, 60-6,288.01, 60-6,291, and 60-6,299,
11 Revised Statutes Cumulative Supplement, 2014, are repealed.

12 2. On page 1, line 3, before "and" insert "60-6,291,"; in line 5
13 after "permits" insert "and notification requirements"; and in line 7
14 after the semicolon insert "to harmonize provisions;".