

LEGISLATIVE BILL 762

Approved by the Governor February 18, 1974

Introduced by Clark, 47

AN ACT to amend section 75-303, Revised Statutes Supplement, 1973, relating to motor carriers; to exempt governmental subdivisions when engaged in the transportation of persons sixty years of age and older, their spouses and dependents, and the handicapped; to repeal the original section; and to declare an emergency. Be it enacted by the people of the State of Nebraska,

Section 1. That section 75-303, Revised Statutes Supplement, 1973, be amended to read as follows:

75-303. The provisions of sections 75-301 to 75-322.01 shall apply to the transportation of passengers or property by motor carriers for hire engaged in intrastate commerce except:

(1) A motor carrier for hire engaged in the transportation of school children and teachers to and from school;

(2) A motor carrier for hire operated in connection with a part of a streetcar system;

(3) A motor carrier for hire engaged in the transportation of newspapers under a contract with the publisher or a distributor thereof if no other property or person is being transported for hire on the same load with such newspapers;

(4) The operation of any motor carrier owned in any city or village of this state engaged in the transportation of property within such city or village or within a radius of five miles beyond the corporate limits thereof;

(5) To ranch, dairy, or farm products, including livestock, being transported by motor vehicle from or to any ranch, dairy, farm, feedlot or any market;

(6) To supplies or merchandise being transported by motor vehicle from or to any ranch, dairy, feedlot or farm for use thereon when originating at or destined to a neighboring trading point or points;

(7) To ambulances or their owners or to hearses, or to automobiles used exclusively as an incident to conducting a funeral;

(8) To motor vehicles owned and operated by any industrial, processing or manufacturing plant when used by such plant in the transportation of raw materials and supplies to its plant or plants, or in the delivery of its products, supplies, or raw materials to purchasers thereof, when not for hire;

(9) To star route carriers employed by the post-office department of the United States while operating a motor vehicle not exceeding one half ton manufacturer's rated capacity on their regular routes;

(10) To wrecked or disabled motor vehicles being transported by winch or tow truck;

(11) To a motor carrier exempt by the provisions of subdivision (1) of this section who hauls for hire, (a) persons of a religious, fraternal, educational, or charitable organization, (b) pupils of a school to athletic events, and (c) players of American Legion baseball teams when the point of origin or termination is within five miles of the domicile of the carrier;

(12) To motor vehicles, owned and operated by farmers or ranchers, when hauling gravel or other road building material by agreement with the county board of the county in which their farms or ranches are situated for use upon the public roads within such county, and where the compensation for the use of such motor vehicles shall not exceed the reimbursement for the motor vehicle fuel used during such hauling;

(13) A motor carrier operated by a city and engaged in the transportation of passengers and such exempt operations shall be no broader than those authorized in intrastate commerce at the time the city or other political subdivision assumed ownership of the operation;

(14) Motor vehicles owned and operated by a nonprofit organization which has been exempted from the payment of federal income taxes, as provided by section 501 (c) (4), Internal Revenue Code of 1954, or by any governmental subdivision of this state, transporting solely those persons over age sixty, those persons who are spouses and dependents of persons over age sixty, and the handicapped; ~~from areas without public transportation;~~ and

(15) A motor carrier engaged in the transportation of passengers operated by a transit authority created under and acting pursuant to the laws of the State of Nebraska.

Sec. 2. That original section 75-303, Revised Statutes Supplement, 1973, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.