

LEGISLATIVE BILL 28

Approved by the Governor March 3, 1994

Introduced by Hohenstein, 17; Bernard-Stevens, 42; Schmitt, 41

AN ACT relating to carrier enforcement officers; to amend section 60-1306, Revised Statutes Supplement, 1992; to change arrest powers; to provide for funding to arm officers; and to repeal the original section.

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

Section 1. That section 60-1306, Revised Statutes Supplement, 1992, be amended to read as follows:

60-1306. The carrier enforcement officers shall have the power (1) of peace officers solely for the purpose of enforcing the laws relating to the trip permits provided for in section 66-492 and the Interstate Motor Carriers Base State Fuel Tax Compact Act and the laws relating to the size, weight, load, and registration of buses, motor trucks, truck-tractors, semitrailers, trailers, and towed vehicles, (2) when in uniform, to require the driver thereof to stop and exhibit his or her operator's license and registration issued for the vehicle and submit to an inspection of such vehicle, the plates, the registration thereon, and licenses and permits required under the motor fuel laws, and (3) to make arrests upon view and without warrant for any violation committed in their presence of the laws provisions of the Motor Vehicle Operator's License Act or of any other law regulating the operation of vehicles or the use of the highways while in the performance of their duties referred to in subdivisions (1) and (2) of this section and of sections 60-305.12, 60-1308, 60-1309, and 75-363 to 75-368, (4) to make arrests upon view and without warrant for any violation committed in their presence which is a misdemeanor or felony under the laws of this state while in the performance of their duties referred to in subdivisions (1) and (2) of this section and of sections 60-305.12, 60-1308, 60-1309, and 75-363 to 75-368, and (5) to make arrests on warrant for any violation which is a misdemeanor or felony under the laws of this state while in the performance of their duties referred to in subdivisions (1) and (2) of this section and of sections 60-305.12, 60-1308, 60-1309, and 75-363 to 75-368.

Any funds used to arm carrier enforcement officers shall be paid solely from the Carrier Enforcement Cash Fund. The amount of funds shall be determined by the Superintendent of Law Enforcement and Public Safety.

Sec. 2. That original section 60-1306, Revised Statutes Supplement, 1992, is repealed.