

Nebraska Truck Information Guide



*Carrier Enforcement
2009-2010*



Pro Bono Publico

"for the good of the public"



Dear Motor Carriers and Agricultural Operators,

Welcome to the newly revised and expanded version of the Nebraska Truck Information Guide. This guide summarizes many of the state laws (weights and measures, permits, registrations, etc.) and Federal Motor Carrier Safety Regulations (CDL requirements, hours of service limitations, vehicle maintenance and inspections, etc.) that regulate the operation of commercial and agricultural vehicles within the state of Nebraska.

The Nebraska State Patrol continually strives to reduce the number of commercial motor vehicle related accidents and fatalities. There is no commodity more valuable than your life, and the lives of your family, friends, and fellow citizens. Please utilize this guide book and the educational and technical assistance it provides to its fullest potential.

Join us in making Nebraska the safest place to travel by obeying all traffic laws, practicing safe driving techniques and keeping your vehicle in optimal operating condition.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Tuma".

Bryan Tuma, Colonel
Superintendent of Law Enforcement and Public Safety
Nebraska State Patrol

INTRODUCTION

In order to make your travels into and through our state safer and less complicated, the Nebraska State Patrol, Carrier Enforcement Division is pleased to provide this information guide which summarizes many of the rules and regulations concerning the operation of any freight carrying vehicle, truck, truck-tractor or trailer and passenger carrying bus.

This booklet is a guide to help you travel legally in Nebraska. However, it does not contain every rule; if you need more detailed information please contact the agencies shown on page 1.

Disclaimer

*This manual is intended for information only.
It is not a thorough listing of all applicable
state statutes and is not intended to be a
substitute for applicable state statutes.*



Welcome to Nebraska
(402)471-4545

Carrier Enforcement
(402)471-0105
Fax (402)471-3295
www.nsp.state.ne.us

TABLE OF CONTENTS

Contact Information	1-3
Nebraska State Patrol.....	1
State and Federal Agencies and Telephone Numbers	2-3
Nebraska Commercial Driver's License	4-9
Who must have a CDL?.....	4
Restricted CDLs.....	5
CDL Endorsements.....	6
CDL Restrictions	7
Testing and Renewal.....	7
CDL Disqualifications	8-9
Size and Weight.....	10-19
Weights	10
Bridge Chart.....	11
Measuring Groups of Axles	12-13
Dimensions	14-16
Overdimensional-Overweight Permits.....	16-17
Custom Harvest Information.....	18-19
Registration and Licensing.....	20-22
International Registration Plan (IRP).....	20
Nebraska Vehicle Registration.....	21
Operating Authority	21
Uniform Carrier Registration.....	22
Fuel and Fuel Permit Requirements.....	23
International Fuel Tax Agreement (IFTA).....	23
Untaxed/Dyed Fuel.....	23
Prorate and Fuel Permit Stations	24-26
List of Permit Station Locations	24-25
Nebraska Permit Station Map	26
General Nebraska Regulations	27-29
Regulations for Specific Groups	30-32
Rules and Regulations for Nebraska Farmers	30
Requirements: When Required	31
Other Activities That May Be Subject to Federal Safety Regulations	32
Federal Motor Carrier Safety Regulations	33-37
Interstate/Intrastate Carriers	33-34
Markings on Commercial Motor Vehicles.....	34-35
Regulations Parts	35-37
Hazardous Materials Safety Regulations.....	38-43
Hazardous Materials Regulations Parts	38
Hazardous Materials Transportation	38-40
Hazardous Materials Requirements	40-43
Hazardous Materials Safety Permit.....	43
Weigh in Motion and Prepass Systems	44
Glossary of Terms	45-52
General.....	45-48
Hazardous Materials	49-52
Notes.....	53-54

Nebraska State Patrol Offices

STATE HEADQUARTERS

PO Box 94907
1600 Highway 2
Lincoln, NE 68509
(402) 471-4545

Carrier Enforcement
3920 W. Kearney St.
Lincoln, NE 68524
(402) 471-0105
Fax (402)471-3295

Nebraska State Patrol

www.nsp.state.ne.us

Emergency Help Line **only** 1-800-525-5555

Or * 55 on cellular phone

TROOP AREA HEADQUARTERS

TROOP H

4130 NW 37th
Lincoln, NE 68524
(402)471-4680

TROOP C

3431 West Old Potash Hwy.
Grand Island, NE 68801
(308)385-6000

TROOP A

4411 S. 108th St.
Omaha, NE 68137
(402)331-3333

TROOP D

300 W South River Rd
North Platte, Ne 69101
(308)535-8047

TROOP B

1401 Eisenhower Ave.
Norfolk, NE 68701
(402)370-3456

TROOP E

4500 Avenue I
Scottsbluff, NE 69363
(308)632-1211

Nebraska Road Conditions

Dial 511

or

www.511nebraska.org

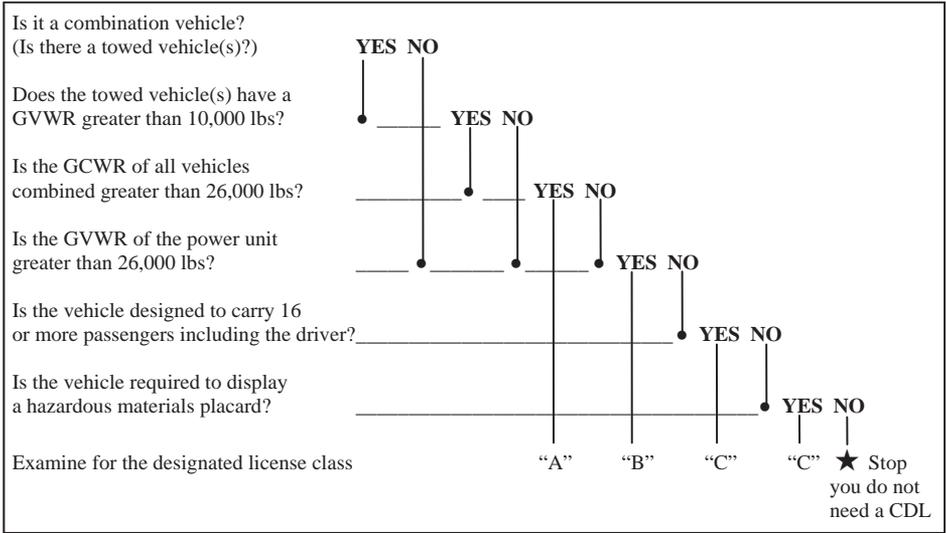
AGENCY**CONTACT INFORMATION****SERVICES PROVIDED**

<p>Federal Motor Carrier Safety Administration (FMCSA)</p>	<p>Federal Office 1200 New Jersey Ave., SE Washington, DC 20590 800-832-5660 www.fmcsa.dot.gov</p> <p>Nebraska Division Office 100 Centennial Mall North Room 406 Lincoln, NE 68508 (402) 437-5986</p>	<p>Interstate USDOT Number New Entrant Program/Compliance Reviews Operating Authority Federal Motor Carrier Safety Regulations Hazardous Materials Regulations</p>
<p>Safety & Fitness Electronic Records System (SAFER)</p>	<p>www.safer.fmcsa.dot.gov</p>	<p>Company Snapshot (free) Company Profile (fees assessed)</p>
<p>Internal Revenue Service (IRS)</p>	<p>Offices in: Lincoln (402) 437-5060 Norfolk (402) 371-1503 North Platte (308) 532-8810 http://www.irs.gov</p>	<p>Federal Heavy Vehicle Use Tax (Form 2290) Dyed Fuel Information</p>
<p>Pipeline and Hazardous Materials Safety Administration (PHMSA)</p>	<p>East Building, 2nd Floor 1200 New Jersey Ave., SE Washington, DC 20590 202-366-4433 www.phmsa.dot.gov/hazmat</p>	<p>Hazardous Materials Regulations Hazardous Materials Registrations Hazardous Materials Special Permits</p>
<p>Transportation Security Administration (TSA)</p>	<p>Transportation Security Administration 601 South 12th Street Arlington, VA 20598 866-289-9673 www.tsa.gov</p>	<p>Transportation Worker Identification Card (TWIC) Hazardous Materials Endorsement Threat Assessment Program (HTAP)</p>
<p>Nebraska State Patrol Carrier Enforcement Division</p>	<p>3920 W Kearney St Lincoln, NE 68524 (402) 471-0105 Fax - (402) 471-3295 www.nsp.state.ne.us</p>	<p>Enforcement Prorate & Fuel Permit Information Dyed Fuel Information Hazardous Material & Safety Regulations Interstate USDOT Numbers New Entrant Program/Compliance Reviews</p>

AGENCY	CONTACT INFORMATION	SERVICES PROVIDED
Nebraska Department of Motor Vehicles Driver Licensing Services	301 Centennial Mall South – PO Box 94726 Lincoln, NE 68509 (402) 471-3861 www.dmv.ne.gov	Commercial Driver's Licensing (CDL) Link to Haz-Mat Fingerprint Locations
Nebraska Department of Motor Vehicles Division of Motor Carrier Services	301 Centennial Mall South – PO Box 94729 Lincoln, NE 68509 Toll Free - 888-622-1222 Local - (402) 471-4435 www.dmv.ne.gov/mcs	International Registration Plan (IRP) International Fuel Tax Agreement (IFTA) Unified Carrier Registration (UCR)
Nebraska Department of Revenue Taxpayer Assistance Office	301 Centennial Mall South – PO Box 98904 Lincoln, NE 68509 Toll Free - 800-554-3835 Local - (402) 471-5730 www.revenue.ne.gov/fuels	Motor Fuel Tax - Non IFTA Related Questions Dyed Fuel Information
Nebraska Department of Roads	1500 Highway 2—PO Box 94759 Lincoln, NE 68509 (402)471-4567 Fax - (402)471-4325 www.nebraskatransportation.org	Road Closures 511—Weather Conditions Nebraska Maps Road Construction
Nebraska Department of Roads Permit Office	1400 Hwy 2 Room 123A Lincoln, NE 68509 (402) 471-0034 www.nebraskatransportation.org	Overdimensional/Overweight Permits Conditional Interstate Use Permits
Nebraska Public Service Commission	1200 N Street Suite 300 Lincoln, NE 68509 (402) 471-3101 800-526-0017 (Toll-free NE Only) www.psc.state.ne.us	Operating Authority for Carriers of Passengers and Household Goods (Intrastate Only)

NEBRASKA COMMERCIAL DRIVER'S LICENSE

A commercial driver's license (CDL) shall mean an operator's license issued in accordance with the requirements of the Motor Vehicle Operator's License Act to an individual which authorizes such individual to drive a class of commercial motor vehicle. To determine which class CDL is required, follow the flow chart below.



Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single motor vehicle. The gross combination weight rating (GCWR) of a vehicle shall be the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified for the towed unit or units by the manufacturer, the GVWR of a combination or articulated vehicle shall be the GVWR of the power unit plus the total weight of the towed unit or units and the loads on such towed unit or units.

VEHICLES EXEMPT FROM CDL:

1. Farm-plated trucks, except for farm-plated tractor trailers, within 150 miles of the registered owner's farm or ranch. *(If crossing state lines, check with neighboring states.)*
2. Recreational vehicles, per NE statute 60-347.
3. Emergency vehicles operated by a public or volunteer fire department.
4. Military vehicles driven by active-duty military personnel.
5. Vehicles driven by members of the military reserves, other than military technicians.
6. Vehicles driven by active-duty Coast Guard personnel.
7. Vehicles driven by members of the National Guard on active-duty including:
 - a) Personnel on full-time National Guard duty;
 - b) Personnel on part-time National Guard training; and
 - c) National Guard Military Technicians required to wear military uniforms.

Class	Description	Examples
A	<ul style="list-style-type: none"> Combination vehicle GCWR over 26,000 lbs Towed unit(s) GVWR over 10,000 lbs Includes class B, C and O vehicles 	
B	<ul style="list-style-type: none"> Single vehicle with a GVWR over 26,000 lbs Towed unit(s) GVWR not exceeding 10,000 lbs Includes class C and O vehicles 	
C	<ul style="list-style-type: none"> Single vehicle with a GVWR less than 26,001 lbs Towed unit(s) GVWR not exceeding 10,000 lbs Designed to transport 16 or more persons including driver Hauling haz-mat which requires a placard 	
O	<ul style="list-style-type: none"> Any non-commercial vehicle except motorcycle. 	
M	<ul style="list-style-type: none"> Any motorcycle 	

Age Intrastate (within Nebraska)
Interstate (across state lines)

Class "A", "B" or "C" — 18 years of age
Class "A", "B" or "C" — 21 years of age

RESTRICTED COMMERCIAL DRIVER'S LICENSE

The Restricted Commercial Driver's License (RCDL), when accompanied by a Seasonal Permit (SEP), allows Nebraska residents 18 years of age or older to drive Class "B" or "C" Commercial Motor Vehicle (CMV) for purposes of farm-related or ranch-related service industries within 150 miles of the employer's place of business or the farm or ranch currently being served.

RCDL holders may only transport hazardous materials requiring placards when transporting:

1. Diesel fuel in quantities of 1,000 gallons or less or;
2. Liquid fertilizers in vehicles or implements of husbandry with total capacities of 3,000 gallons or less or;
3. Solid fertilizers not transported or mixed with any organic substance.

Applicants must hold a valid operator's license for at least one year prior to application. No knowledge or skills tests are required. Two separate license documents will be issued: A RCDL and a SEP. Individuals may operate commercial motor vehicles when both documents are valid. Individuals may operate a car when the RCDL is valid without the SEP. The SEP is good for 180 consecutive days in any 12-month period.

ENDORSEMENTS

CODE	ENDORSEMENT
H	Hazardous Material
N	Tank Vehicle
M	Motorcycle
P	Passenger
S	School Bus
T	Double/Triple Trailer
X	Combination Tank/HM

SCHOOL BUS ENDORSEMENT

School bus drivers who are required to hold a CDL must also have a Passenger (P) and School Bus (S) endorsement. The (P) and (S) endorsements require a written and a skills test.

HAZARDOUS MATERIALS ENDORSEMENT - SECURITY THREAT ASSESSMENT

Prior to the issuance of a Nebraska CDL with the hazardous materials endorsement, individuals will be required as per the USA PATRIOT Act to have a Transportation Security Administration (TSA) security threat assessment completed. The security threat assessment procedures require individuals to complete a hazardous materials application and be fingerprinted—a fee will be charged. This process will be handled by a TSA third party agent—*not* the Nebraska DMV.

To complete the hazardous materials endorsement application go to www.hazprints.com
For question regarding the application contact the TSA toll free at 1-877-429-7746.

Fingerprint locations can be found on the Nebraska DMV website:

<http://www.dmv.ne.gov/examining/patriotact-hazmat.html>

The hazardous materials application must be completed before going to a fingerprint collection location.

TANK ENDORSEMENT

Tank vehicle means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. Such vehicle includes, but is not limited to, a cargo tank and a portable tank, as defined in 49 C.F.R. 171. However, this definition does not include a portable tank that has a rated capacity under one thousand gallons. A commercial motor vehicle hauling any portable tank with a maximum capacity greater than 119 gallons that is not permanently attached to a vehicle, but is loaded and unloaded without being removed from the vehicle is to be treated the same as if it were a permanently attached cargo tank. In these instances, the exception for portable tanks with capacities less than one thousand gallons would **not** apply and the tank endorsement would be required. A commercial motor vehicle hauling a portable tank having a rated capacity under one thousand gallons does **not** need the tank endorsement, provided the tank is filled before being loaded on the truck and then emptied after being unloaded from the truck.

RESTRICTIONS

CODE	RESTRICTION
B	Corrective Lenses
C	Mechanical Aids on Vehicle
E	Automatic Transmission
F	Outside Mirrors
G	Limited to Daylight Only
I	Impaired - Intrastate Only
K	Intrastate Only
L	Vehicle Without Air Brakes
M	Except Class A Bus

CODE	RESTRICTION
N	Except Class A & B Bus
O	Except Tractor Trailer
Q	No Interstate Driving
U	Automatic Turn Signals Req'd
V	Geographical Area (Specify)
W	No One Way Streets/Roadways
X	Maximum Speed Restriction
Y	2 Lane, 2 Way Traffic Only
Z	Special, as Specified by DMV

TESTING AND RENEWAL

Significant driver's license security initiatives have been implemented at the Department of Motor Vehicle offices statewide which affect how licenses are issued.

Individuals applying for an original (first time) CDL will be required to pass the knowledge and skills tests. Individuals renewing their Nebraska CDL will not be required to take the knowledge tests, except for the hazardous materials portion, if the renewal is for the same class of commercial motor vehicle. The knowledge and skills tests, except for the hazardous material test, may be waived if the applicant surrenders to Nebraska a valid CDL from another state and is applying for the same class of license. Skills tests are given on an appointment only basis.

A knowledge test is required for:

- the class of vehicle
- each endorsement
- removing the air brake restriction
- pre-trip vehicle inspection

For further information contact:

Department of Motor Vehicles at (402)471-3861 or <http://www.dmv.ne.gov>

CDL manual available at <http://www.dmv.ne.gov/examining/pdf/cdlmanual.pdf>

Other licensing manuals available at <http://www.dmv.ne.gov/examining/index.html>

- Pupil Transportation - manual for school bus drivers to study in preparation for the School Bus Driver's permit test
- Driver's License
- Motorcycle

CDL DISQUALIFICATIONS

Disqualification is the loss of your CDL that will occur if you lose any driving privilege in this or any other state through suspension, revocation, cancellation, administrative determination or upon conviction of certain offenses. *Refer to following sections.*

MAJOR OFFENSES

Any CDL holder convicted of using ANY motor vehicle in the commission of a felony involving the manufacture, distributing or dispensing of a controlled substance will be disqualified for life.

Operating Any Motor Vehicle (Not Limited to Operation of a CMV)		Operating a CMV (Which Requires a CDL)
Refusing to submit to an alcohol or drug test while operating ANY motor vehicle.		Driving a CMV while the driver's alcohol level is 0.04% or more.
Driving ANY motor vehicle under the influence of alcohol or a controlled substance.		Driving a CMV after the driver's CDL has been suspended, revoked, cancelled or the driver is disqualified from driving a CMV.
Leaving the scene of an accident driving ANY motor vehicle.		Causing a fatality through the negligent or criminal operation of a CMV.
Using ANY motor vehicle in the commission of a felony.		
Major Traffic Offenses	Disqualification	Disqualification Operating CMV Requiring HM Placards
1st conviction	1 year	3 years
2nd conviction	Lifetime	Lifetime

SERIOUS TRAFFIC OFFENSES

When applicable, if any of the below offenses occur while the CDL holder is operating a *non-CMV* and the *court conviction results in the license being revoked, cancelled, suspended or impounded by the court*, it will be considered a serious offense and count towards disqualification.

Operating <u>ANY</u> CMV	
Speeding at or in excess of 15 miles per hour over the posted speed limit.	Driving a CMV without a current CDL in driver's possession.
Making improper or erratic lane changes.	Driving a CMV without obtaining a CDL.
Any violation of any law or ordinance related to motor vehicle traffic control arising in connection with an accident or collision resulting in a fatality.	Driving a CMV without the proper class or endorsement for the specific vehicle being operated.
Willful reckless or reckless driving .	Following the vehicle ahead too closely.
Serious Traffic Offenses Within 3 Years	Disqualification
2nd conviction	60 days
3rd or subsequent conviction	120 days

OUT-OF-SERVICE ORDERS

Disqualification following conviction during any 10-year period for violating an out-of-service order while operating a CMV:

Out-of-Service Violation	Disqualification	Disqualification Operating CMV Requiring HM Placards
1st conviction	180 days, not more than 1 year	180 days, not more than 2 years
2nd conviction	2 years, not more than 5 years	3 years, not more than 5 years
3rd or subsequent conviction	3 years, not more than 5 years	3 years, not more than 5 years

RAILROAD GRADE CROSSING VIOLATIONS

Conviction during any 3-year period for operating a CMV in violation of the following:

For Drivers <u>Not Always</u> Required to Stop	For Drivers <u>Always</u> Required to Stop	For <u>All</u> Drivers
Failing to slow down and check that tracks are clear.	Failing to stop before driving into the crossing.	Failing to have sufficient space to drive completely through the crossing without stopping.
Failing to stop before reaching crossing if tracks are not clear.		Failing to obey a traffic control device or the directions of an enforcement official at the crossing.
		Failing to negotiate a crossing because of insufficient undercarriage clearance.

Railroad Grade Crossing Violation	Disqualification
1st conviction	Not less than 60 days
2nd conviction within 3 years	Not less than 120 days
3rd or subsequent conviction within 3 years	Not less than 1 year.

The following vehicles are *always* required to stop at railroad grade crossings:

- Buses transporting passengers for-hire and **ANY** school bus
 - Exceptions include: a peace officer or flag-person directing traffic to proceed,
 - Or an abandoned or exempt crossing when it is clearly marked.
- Vehicles required to display hazardous materials placards
 - Exceptions include: a peace officer or flag-person directing traffic to proceed,
 - Or an abandoned or exempt crossing when it is clearly marked.
- Heavy Equipment including: crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed 10 mph or less or a vertical body or load clearance of less than 1/2" per foot of the distance between any 2 adjacent axles or in any event of less than 9", measured above the level surface of a roadway.
 - Exception: if a flag-person is provided by the railroad, movement over the crossing shall be under his or her direction.

SIZE AND WEIGHT

WEIGHTS

Maximum allowable weights:

Any Single Axle - 20,000 Lbs.

Any Tandem Axle - 34,000 Lbs.

Maximum Weight on State Highways - 95,000 Lbs.

(refer to bridge chart)

Maximum Weight on Interstate - 80,000 Lbs.

95,000 Lbs. with Conditional Interstate Use Permit

(refer to bridge chart)

A **Tandem Axle** is defined as any two consecutive axles whose centers are more than 40" and not more than 96" apart, measured to the nearest inch between any two adjacent axles in the series.

The maximum gross load on any group of two axles, the distance between the extremes of which is more than 8' but less than 8'6", shall be 38,000 pounds.

The distance between axles shall be measured to the nearest foot. When a fraction is exactly one-half foot, the next larger whole number shall be used, except that any group of 3 axles shall be restricted to a maximum load of 34,000 pounds unless the distance between the extremes of the first and third axle is at least 96" in fact.

In all cases gross weights are subject to all wheel and axle load restrictions indicated in the table on the following page, except if you have two consecutive sets of tandem axles that measure a minimum of 36', 37', or 38', you may carry 34,000 pounds each on such consecutive sets of tandem axles.

Sliding Fifth-Wheel: It shall be unlawful to reposition the fifth-wheel connection device of a truck-tractor and semitrailer combination which is carrying cargo and on the state highway system, except for fifth-wheel repositioning done pursuant to Section 60-6,301 of the State Statutes.

Weight Tolerance: None. There is a 5% weight shift if overweight on only one axle, one tandem axle, or one group of axles when the distance between the first and last axle of such group of axles is 12' or less.

Dummy Axles shall be disregarded in determining the legal weight of a vehicle or combination of vehicles if the dummy axle does not carry the lesser of 8,000 lbs or 8% of the gross weight of the vehicle, or vehicle combination including the load.

Idle Reduction Technology or APU: The maximum gross weight limit and the axle weight limit for any vehicle or combination of vehicles equipped with an APU may be increased by an amount necessary to cover the additional weight of the APU. The additional weight shall not exceed 400 lbs and shall not be in addition to the 5% shift tolerance.

Distance in feet
between the
extremes of
any group of
two or more
consecutive axles

BRIDGE CHART

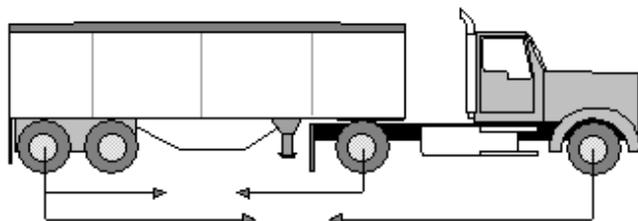
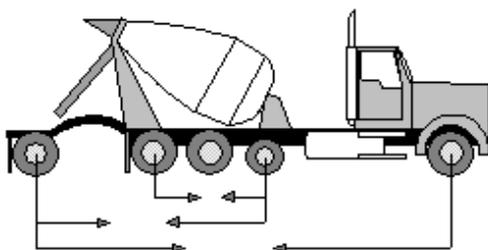
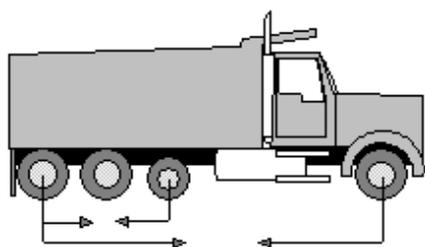
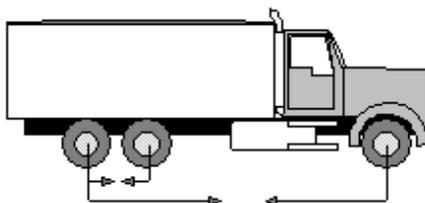
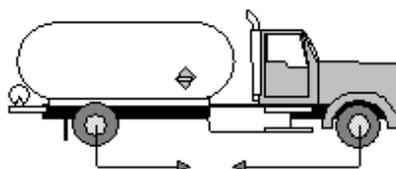
Maximum load in pounds carried on any group
of two or more consecutive axles

<u>consecutive axles</u>	<u>2 Axles</u>	<u>3 Axles</u>	<u>4 Axles</u>	<u>5 Axles</u>	<u>6 Axles</u>	<u>7 Axles</u>
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		
18		49,500	54,000	59,000		
19		50,000	54,500	60,000		
20		51,000	55,500	60,500		
21		51,500	56,000	61,000		
22		52,500	56,500	61,500		
23		53,000	57,500	62,500		
24		54,000	58,000	63,000		
25		54,500	58,500	63,500	69,000	
26		55,500	59,500	64,000	69,500	
27		56,000	60,000	65,000	70,000	
28		57,000	60,500	65,500	71,000	
29		57,500	61,500	66,000	71,500	
30		58,500	62,000	66,500	72,000	
31		59,000	62,500	67,500	72,500	
32		60,000	63,500	68,000	73,000	
33			64,000	68,500	74,000	
34			64,500	69,000	74,500	
35			65,500	70,000	75,000	
36			66,000	70,500	75,500	
37			66,500	71,000	76,000	81,500
38			67,500	72,000	77,000	82,000
39			68,000	72,500	77,500	82,500
40			68,500	73,000	78,000	83,500
41			69,500	73,500	78,500	84,000
42			70,000	74,000	79,000	84,500
43			70,500	75,000	80,000	85,000
44			71,500	75,500	80,500	85,500
45			72,000	76,000	81,000	86,000
46			72,500	76,500	81,500	87,000
47			73,500	77,500	82,000	87,500
48			74,000	78,000	83,000	88,000
49			74,500	78,500	83,500	88,500
50			75,500	79,000	84,000	89,000
51			76,000	80,000	84,500	89,500
52			76,500	80,500	85,500	90,500
53			77,500	81,000	86,000	91,000
54			78,000	81,500	86,500	91,500
55			78,500	82,500	87,000	92,000
56			79,500	83,000	87,500	92,500
57			80,000	83,500	88,000	93,000
58				84,000	89,000	94,000
59				85,000	89,500	94,500
60				85,500	90,000	95,000

Correct Method for Measuring Groups of Axles

(Refer to bridge chart page 11)

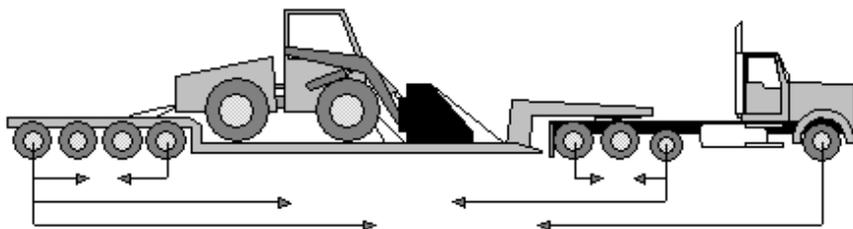
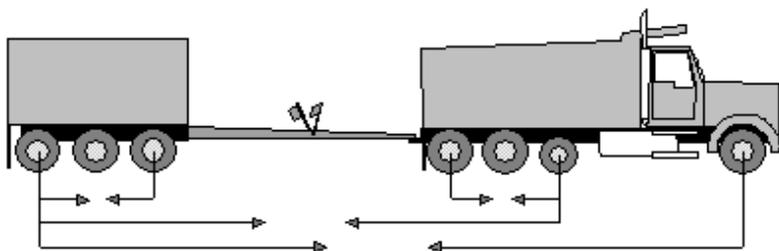
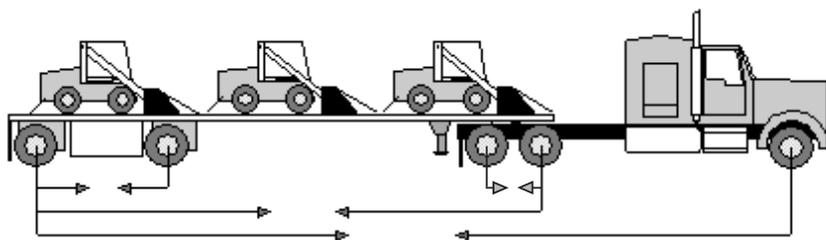
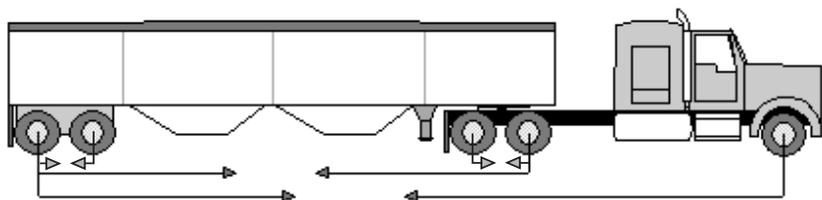
(Not all measurements shown on all combinations)



Correct Method for Measuring Groups of Axles

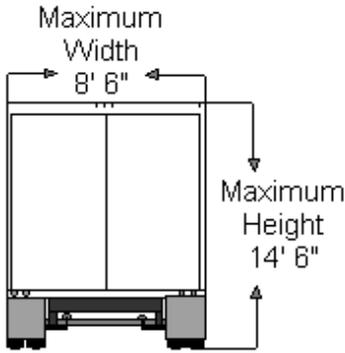
(Refer to bridge chart page 11)

(Not all measurements shown on all combinations)

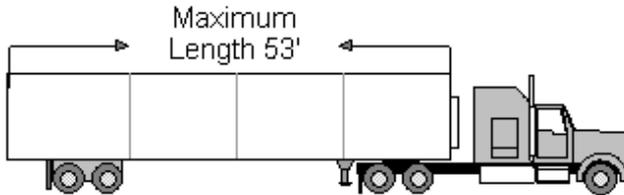
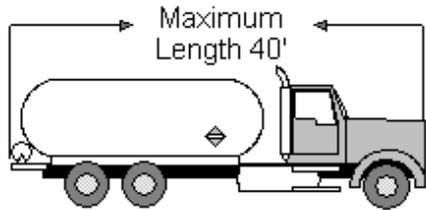


DIMENSIONS

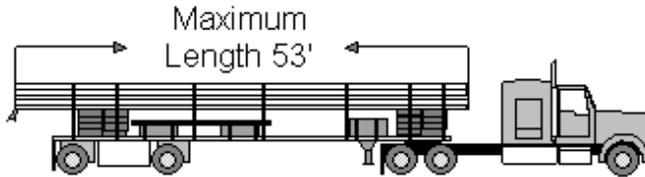
All dimension measurements include load.



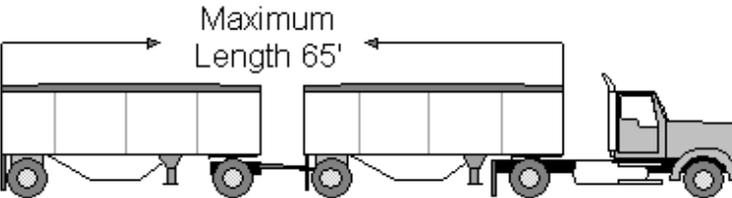
Width 8' 6" (including load)
 Height 14' 6" (including load)
 Length - single vehicle 40' (including load)
 Exceptions may apply



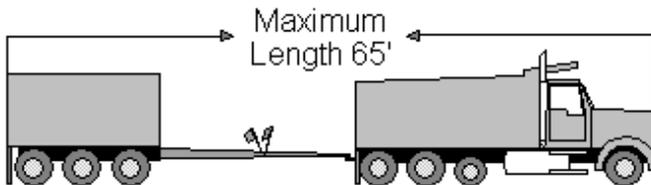
Maximum overall length semi-trailer 53' (including load, excluding truck-tractor)



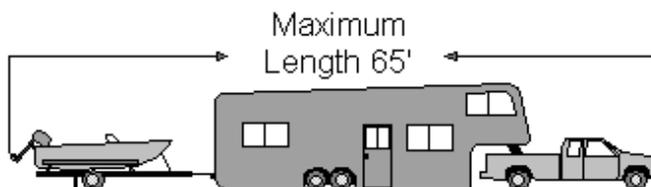
Maximum overall length semi-trailer 53' (including load, excluding truck-tractor)



Maximum overall length semi-trailer and trailer 65' (including load and connecting devices, excluding truck-tractor)



Maximum overall length for any other Combination 65' (including load)



Maximum overall length for any other combination 65' (including load)

Width - Maximum Legal Width on All Highways - 8'6"

Exceptions for width only: (*exceptions do not apply to Interstate Highway System*)

1. Farm equipment in temporary movement during daylight hours, or hours of darkness when the clearance light requirements are complied with in the normal course of farm operations.
2. Combines 18' or less in width, while in the normal course of farm operations and while being driven during daylight hours or during hours of darkness when the clearance light requirements are fully complied with.
3. Combines in excess of 18' in width, while in the normal course of farm operations and while being driven during daylight hours for distance of 25 miles or less on highways and while preceded by a well-lighted pilot vehicle or flag person, and during hours of darkness when clearance light requirements are met.
4. Combines and vehicles used in transporting combines or other implements of husbandry, and only when transporting combines or other implements of husbandry, to be engaged in harvesting or other agricultural work, while being transported into or through the state during daylight hours, when the total width including the width of the combine or other implement of husbandry being transported does not exceed 15", except that vehicles used in transporting combines or other implements of husbandry can, when necessary to the harvesting operation or other agricultural work, travel unloaded for distances not to exceed 25 miles, while the combine or other implement of husbandry to be transported is engaged in a harvesting operation or other agricultural work.
5. Livestock forage vehicles loaded or unloaded that comply with livestock forage vehicle provisions of 60-6,305 (*not exceeding 65' length, 18' width, 18' height, and being operated only during hours of daylight*).
6. During daylight hours only, vehicles enroute to pickup, delivering or returning unloaded from delivery of baled livestock forage which, including the load if any, may be 12' in width.
7. Farm equipment dealers hauling, driving, delivering or picking up farm equipment or other implements of husbandry during daylight hours.

Height – Maximum Legal Height on All Highways – 14'6"

Exceptions for height only: (*exceptions do not apply to Interstate Highway System*)

1. Combines or vehicles used in transporting combines, to be engaged in harvesting within or out of the state, moving into or through the state during daylight hours when overall height does not exceed 15'6".
2. Farm equipment dealers hauling farm equipment shall not exceed overall height of 15'6".
3. Livestock forage vehicles with or without load that comply with subsection 2 of 60-6,305. (*Refer to #5 above for width*)
4. Owners, lessees and operators of a vehicle exceeding 12'6" in height shall assume the risk of loss to the vehicle or its load and shall be liable for any damages that result to overhead obstructions.

Length – Maximum Legal length on All Highways

Single Vehicles shall not exceed 40' length

Exceptions :

1. A truck-tractor.
2. A semitrailer operated in a truck-tractor single semitrailer combination.

Truck and Trailer combinations shall not exceed an overall length of 65', including front and rear bumpers and load.

Exceptions:

1. One truck and one trailer loaded or unloaded, used in transporting implements of husbandry to be engaged in harvesting, while being transported into or through the state during daylight hours if the total length does not exceed 75' including the load.
2. A truck-tractor single semitrailer combination.
3. A truck-tractor semitrailer-trailer combination, but the semitrailer-trailer portion shall not exceed 65' including connecting devices.
4. A driveaway saddlemount vehicle transporter combination and driveaway saddlemount with fullmount vehicle transporter combination, but the total overall length shall not exceed 97'.
5. The movement of public utility or other construction and maintenance material at any time.

The following overlength vehicles are not authorized to travel on the Interstate Highway System

1. Movement of unbaled livestock forage vehicles, loaded or unloaded.
2. The overhang of a combine to be engaged in harvesting, while being transported into or through the state driven during daylight hours by a truck-tractor semitrailer combination, but the length of the semitrailer including overhang shall not exceed 63' and the maximum semitrailer length shall not exceed 53'.
3. Farm equipment dealers hauling, driving, delivering or picking up farm equipment within the county in which the dealer maintains his place of business, or adjoining counties and return.
4. Temporary movement of farm machinery during daylight hours in normal farm operation.

Overdimensional-Overweight Permits

*A profile will be required before purchasing permits online and an application can be obtained online or by calling the Lincoln Permit Office
Mon.-Fri. during regular business hours.*

Permits may be obtained from the Department of Roads website
www.nebraskatransportation.org

Lincoln Permit Office
Nebraska Dept. of Roads
Permit Office - Room 123A
PO Box 94759
1400 Hwy 2
Lincoln, NE 68509
(402)471-0034
FAX: (402)479-3906

District 3 - Norfolk
408 North 13th St
Norfolk, NE 68702
(402)370-3470

District 6 - North Platte
1321 North Jeffers
North Platte, NE 69103
(308)535-8031

District 2 - Omaha
4452 South 108th St
Omaha, NE 68145
(402)595-2534

District 4 - Grand Island
211 North Tilden St
Grand Island, NE 68802
(308)385-6265

District 7 - McCook
619 Auditorium Dr
McCook, NE 69001
(308)345-8490

District 5 - Gering
140374 Rundell Rd
Gering, NE 69341
(308)436-6587

District 8 - Ainsworth
736 E 4th St
Ainsworth, NE 69210
(402)387-2471

Nebraska Department of Roads Permits

Single Trip	Over-Dimensional Only Over-Dimensional and Over-Weight Two Axle Flotation	Over-Weight Only Self Propelled Equipment
Manufactured Home	New/Dealer Pre-Owned	
Continuous	Statewide Envelope Vehicle Local Over-Dimensional Local Over-Dimensional/Over-Weight Interstate Self Propelled	Statewide Empty Semi-Trailer Local Over-Weight Local Self Propelled Flotation
Other	Conditional Interstate Use Garbage/Refuse Annual Implement of Husbandry for I-80 Only – <i>Dealers Only</i>	Building/Slow Moving Large Object Seasonally Harvested Products

Seasonal Harvest Overweight Permits

Seasonal harvest permits may be issued to carriers by the Nebraska Department of Roads Permit Offices for hauling grain or seasonally harvested products from the field where they are harvested to storage, market or stockpile in the field for a distance up to 120 miles. These carriers may be up to 15% greater than the maximum weight specified by law and up to 10% greater than the maximum length specified by law. The distance limitation may be waived for vehicles when carrying dry beans from the field where harvested to storage or market when dry beans are not normally stored, purchased, or used within the permittee's local area and must be transported more than 120 miles to an available marketing or storage destination.

Permits for grain or other seasonable harvested products shall be valid for 30 days or 60 days and renewable for a total number of days not to exceed 120 days per year. No permit shall authorize a weight greater than 20,000 lbs on any single axle.

In order for the permit to be valid, vehicle(s) must be registered for the maximum gross weight, according to 60-6,294 (see bridge chart page 11).

Overweight Exceptions for Seasonally Harvested Products:

No permit is required for carriers hauling grain or other seasonally harvested products operating from the field where such grain or products are harvested to storage, market, or stockpile in the field or from stockpile to market or factory up to 70 miles with a load that exceeds the maximum load permitted by section 60-6,294 by 15% on any tandem axle, group of axles and gross weight. A truck with no more than one single rear axle may also exceed the axle weight and gross weight by 15%. The owner or a representative of the owner of the agricultural product shall furnish the driver of the loaded vehicle a signed statement of origin and destination.

The provisions in these paragraphs do not apply to the National System of Interstate and Defense Highways.

Custom Harvest Information

Not authorized on the Interstate Highway System

Maximum Legal Width - 8'6"

Exception:

- Combines and vehicles used in transporting combines or other implements of husbandry, and only when transporting combines or other implements of husbandry, to be engaged in harvesting or other agricultural work, while being transported into or through the state during daylight hours, when the total width including the width of the combine or other implement of husbandry being transported does not exceed 15', except that vehicles used in transporting combines or other implements of husbandry may, when necessary to the harvesting operation or other agricultural work, travel unloaded for distances not to exceed 25 miles, while the combine or other implement of husbandry to be transported is engaged in a harvesting operation or other agricultural work.
- Mobile homes not exceeding 16' in width and with an outside tire width dimension not exceeding 120" and a length not exceeding 40' moving during daylight hours.

Maximum Legal Length of a Straight Truck-Trailer Combination - 65'

Overall Exceptions:

- One truck and one trailer, loaded or unloaded, used in transporting implements of husbandry to be engaged in harvesting, while being transported into or through the state during daylight hours if the total length does not exceed 75' including load.

Maximum legal length of Truck-Tractor Combinations

- Semi-trailer is 53' including load.
- Truck-tractor semi-trailer, trailer combination is 65' measuring the trailers only including the load.
- All other combinations (including B-Trains) 65' including load.
- Truck-tractor two trailer combination or a truck-tractor semitrailer-trailer combination used in transporting equipment utilized by custom harvesters under contract to agricultural producers to harvest wheat, soybeans, or milo during the months of April – November – the lengths of the property-carrying units (excluding load) shall not exceed 81'6".

Maximum Legal Height for a Vehicle Empty or Loaded - 14'6"

Exception:

- Combines or vehicles used in transporting combines, to be engaged in harvesting within or outside the state, moving into or through the state during daylight hours when the overall height does not exceed 15'6".
- Vehicles which have been issued an overdimensional permit.

Note: Owners, lessees and operators of a vehicle exceeding 12'6" in height shall assume the risk of loss to the vehicle or its load and shall be liable for any damages that result to overhead obstructions.

Weight

Maximum --	Single axle	20,000 lbs.
	Tandem axle	34,000 lbs.
	Triple axles @ 8 feet	42,000 lbs.
	Triple axles @ 9 feet	42,500 lbs.
	Triple axles @ 10 feet	43,500 lbs.

Gross Weight -- Refer to bridge chart for number of axles and distance apart:

Maximum 5 axles @ 60 feet	85,500 lbs.
Maximum 6 axles @ 60 feet	90,000 lbs.
Maximum 7 axles @ 60 feet	95,000 lbs.

Seasonal harvest overweight permits are available for hauling out of the field and are valid for 30 days. Call the Department of Roads Permit Office (402)471-0034 in Lincoln or one of the District Offices listed on page 16 for more information and issuance of permit.

Permits

72-hour prorate permits -- May be required if not apportioned.

72-hour fuel permits -- Shall be required if not in possession of an IFTA permit.

Prorate and fuel permits are available through the wire services (Transceiver, Trans Mid -America) or truck permit stations (designated truck stops).

See pages 24-26 for a list of permit stations.

Permit costs are: Prorate \$25.00, Fuel \$20.00. In addition the permit station may charge a 10% issuing fee.

See page 22 regarding Uniform Carrier Registration (UCR).

Non-Resident Grain Haulers Permit

A truck, truck-tractor, semi-trailer or trailer lawfully licensed in another state or province, not apportion licensed, and engaged in hauling grain or other seasonally harvested products from the field where they are harvested to storage or market must obtain a non-resident grain haulers permit. This permit is valid for 90 days from the time of purchase between June 1 and December 15 and may be purchased from the County Treasurer of the county in which the grain first is hauled. The cost of the permit is \$20 for a straight truck and \$150 for combination units (truck and trailer or truck-tractor semi-trailer, or any type combination).

REGISTRATION AND LICENSING

If you are a Nebraska resident operating your vehicles in intrastate (Nebraska only) commerce, license them at your county courthouse.

If you are a nonresident operating your vehicles strictly in intrastate (Nebraska only) commerce, you must either: license your vehicles at the county level by purchasing a nonresident commercial plate, purchase a 72-hour prorated permit, or apportion your vehicle with Nebraska through your home state.

If you are a nonresident and operate your vehicles in interstate (crosses state lines) commerce, or if you are a Nebraska-based interstate operator, contact:

The Department of Motor Vehicles, Motor Carrier Services Division, 301 Centennial Mall South, PO Box 94729, Lincoln, NE 68509-4729, (402)471-4435.

International Registration Plan (IRP)

Alabama	Idaho	Minnesota	New York	Saskatchewan
Alberta	Illinois	Mississippi	North Carolina	South Carolina
Arizona	Indiana	Missouri	North Dakota	South Dakota
Arkansas	Iowa	Montana	Nova Scotia	Tennessee
British Columbia	Kansas	Nebraska	Ohio	Texas
California	Kentucky	Nevada	Oklahoma	Utah
Colorado	Louisiana	New Brunswick	Ontario	Vermont
Connecticut	Maine	New Foundland & Labrador	Oregon	Virginia
Delaware	Manitoba		Pennsylvania	Washington
Dist. Of Columbia	Maryland	New Hampshire	Prince Edward Island	West Virginia
Florida	Massachusetts	New Jersey	Quebec	Wisconsin
Georgia	Michigan	New Mexico	Rhode Island	Wyoming

Nebraska is currently a member of the following apportioned registration agreement:

Any carrier engaged in operating a fleet of one or more apportionable vehicles in the state of Nebraska may, in lieu of full county registration, license such a fleet under the apportioned registration laws of the state of Nebraska.

An apportionable vehicle shall mean: any vehicle except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in the transportation of chartered parties, or government-owned vehicles, used for the transportation of persons, for hire, or designed, used or maintained primarily for the transportation of property and is a vehicle qualifying as one of these:

1. A power unit having 2 axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds, or
2. A power unit having 3 or more axles regardless of weight, or
3. Used in combination, when the gross vehicle weight of such combination exceeds 26,000 pounds .

Prorate Permits

Any carrier based in the previously mentioned jurisdictions having vehicles eligible for apportioned registration but not registered as such, shall be required to meet their registration responsibilities by alternative means, such as:

1. Purchasing a 72-hour prorate permit at the first truck permit station upon entering the state of Nebraska, or
2. Fully license the vehicle at the county level as a nonresident commercial vehicle.

A 72-hour prorate permit may be purchased at the first truck permit station (see list pages 24-26) upon entering the state, or through the wire services (Transceiver, Trans Mid-America). A 72-hour prorate permit costs \$25.00 with the station charging a 10 % issuing fee.

Nebraska Vehicle Registration

If the truck is licensed as a Nebraska apportion vehicle, the registration expires December 31 each year, with a grace period until January 31. Enforcement begins February 1.

If the truck is licensed in Nebraska at the county level, the registration expires on the first day of the month one year from the month of issuance. You must renew it by the first day of the following month.

Operating Authority

Intrastate Carriers (within Nebraska)

If you are an Intrastate Carrier operating as a household mover or transporting persons for hire, contact:

Nebraska Public Service Commission.
1200 N St. Suite 300
Lincoln, NE 68508
(402)471-3101 or www.psc.state.ne.us

Interstate Carriers (crossing state lines)

If you are an Interstate Carrier operating for hire and transporting a regulated or non-exempt commodity, such as manufactured and processed goods, you must contact FMCSA to obtain proper authority.

The Federal Motor Carrier Safety Administration (FMCSA)
1200 New Jersey Ave SE
Washington, DC 20590
800-832-5660
www.fmcsa.dot.gov

A list of non-exempt commodities is available at FMCSA's website www.fmcsa.dot.gov under *Rules and Regulations 372.115*.

Unified Carrier Registration

The Unified Carrier Registration (UCR) replaced the Single State Registration System (SSRS) in 2007. The UCR affects both for-hire and private motor carriers involved in interstate commerce; plus freight forwarders, brokers, and leasing companies.

A motor carrier must register with UCR if they operate a self-propelled or towed vehicle on the highways in commerce, if the vehicle:

- Has a GVWR or gross vehicle weight of at least 10,001 pounds, whichever is greater, or
- Is designed to transport more than 10 passengers including the driver, or
- Is transporting hazardous materials in a quantity requiring placarding.

Other business entities also required to register with UCR are:

- A freight forwarder
- A freight broker
- A commercial vehicle leasing company

The Unified Carrier Registration (UCR) application form, instruction sheet, and application information are available at the Nebraska Department of Motor Vehicles, Motor Carrier Services Division website at www.dmv.ne.gov/mcs.

Return completed UCR application forms with appropriate payments to:

Nebraska Department of Motor Vehicles
Motor Carrier Services
301 Centennial Mall South
PO Box 94729
Lincoln, NE 68509-4729
Toll Free 888-622-1222

In lieu of filing a written UCR application with the Nebraska Department of Motor Vehicles, applicants may complete an online UCR application by visiting the national UCR registration website operated by the state of Indiana at www.ucr.in.gov. No UCR credential will be issued. There is no requirement to carry or display the receipt of UCR payment in the commercial vehicle.

Effective with the 2010 registration year, trailers will be removed from the definition of a qualified vehicle for purposes of UCR.

FUEL AND FUEL PERMIT REQUIREMENTS

International Fuel Tax Agreement Guide

Who needs an International Fuel Tax Agreement Permit?

A qualified motor vehicle that:

1. Has two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds, or
2. Has three or more axles regardless of weight, or
3. Is used in combination when the gross vehicle weight or registered gross weight of such combination exceeds 26,000 pounds.

Note: Recreational vehicles such as: motor homes, pickup trucks with attached campers, and buses, are not qualified motor vehicles when they are used exclusively for personal pleasure by an individual. In order to qualify as a recreational vehicle, the vehicle shall not be used in connection with any business endeavor.

A qualified farm or commercial motor vehicle listed in the above categories 1, 2, or 3 is required to have in their possession an International Fuel Tax Agreement Permit or purchase a 72-hour fuel permit.

A 72-hour fuel permit may be purchased at the first truck permit station (see pages 24-26) upon entering the state, or through the wire services (Transceiver, Trans Mid-America). A 72-hour fuel permit costs \$20.00; in addition the permit station may charge a 10% issuing fee.

Untaxed – Dyed Fuel

Fuel purchased for off-road use is non-taxed and dyed to indicate its non-tax status. Dyed fuel is regulated by the Internal Revenue Service (IRS) and generally cannot be used in any vehicle requiring registration. Vehicles designed and used primarily off-road that are operated on the highways incidental to their primary off-road use may be exempt. The presence of dyed fuel in a highway use vehicle can incur substantial fines and penalties.

If you have questions or to report suspected misuse of dyed fuel please contact the Nebraska Department of Revenue Motor Fuels at 1-800-554-FUEL (3835)

PRORATE AND FUEL PERMIT STATIONS

List of Permit Station Locations
See map page 26

TRUCK PERMIT STATION

FUEL AND PRORATION
NEXT RIGHT

#	Name/Phone #	Location	Hours
1	Cubby's Inc 402-336-3028	204 E Hwy 30 O'Neil, NE	6:30 am - 9 pm 7 days/week
2	Yankton Shop EZ 402-667-9855	89823 Hwy 81 Yankton, SD	24 hrs/day 7 days/week
3	Niobrara Trading Post 402-857-3460	Hwy 12 & 14 Niobrara, NE	5 am - 10 pm 7 days/week
4	Crystal Oil Co 402-494-5471	Jct I29 & 77 S Sioux City, NE	24 hrs/day 7 days/week
5	Big Bat's Shell 308-432-4504	1250 W Hwy 20 Chadron, NE	24 hrs/day 7 days/week
7	Petromart 402-426-9150	Hwy 30 (East of Blair) Blair, NE	5 am - 10 pm M-F 5:30 am - 9 pm Sat 7 am - 9 pm Sun
9	Sapp Brothers 308-254-3096	I80 & 385 exit 59 Sidney, NE	24 hrs/day 7 days/week
10	Trans Mid/America 800-228-7577 (wire)	14655 California St Omaha, NE	24 hrs/day 7 days/week
11	Bosselman Travel Center 308-856-4330	Jct 183 & I80 (exit 257) Elm Creek, NE	24 hrs/day 7 days/week

List of Permit Station Locations
See map page 26

#	Name/Phone #	Location	Hours
12	Shoemakers Truck Station 402-474-1771	201 SW 27th St Lincoln, NE	24 hrs/day 7 days/week
13	The Original Shoemaker's Truck Station 402-438-4800	4800 W O St Lincoln, NE	24 hrs/day 7 days/week
21	81 Express 402-768-2223	Mile post 13 on Hwy 81 Hebron, NE	6 am - 11 pm 7 days/week
24	Pump & Pantry 308-928-2590	Jct 136 & 183 Alma, NE	6 am - 9 pm 7 days/week
25	Pit Stop I-80 308-537-3202	Exit 211 I-80 Gothenburg, NE	24 hrs/day 7 days/week
29	AgLand Inc 308-423-2452	Jct 61 & 34 Benkelman, NE	7 am - 7pm M-F 7 am - Noon Sat
44	Roadrunner Shell Travel Mart 402-376-2280	101 W Hwy 20 Valentine, NE	24 hrs/day 7 days/week
47	Sapp Bros 77 402-721-7620	Jct 77 & 275 Fremont, NE	24 hrs/day 7 days/week
51	Bosselman Travel Center 308-382-2288	N of Jct 281 & I80 (exit 312) Grand Island, NE	24 hrs/day 7 days/week
56	Travel Centers of America 308-284-3667	Jct I80 & 61 (exit 126) Ogallala, NE	24 hrs/day 7 days/week
58	Bosselman Travel Center 308-889-3686	Jct I80 & 136 (exit 107) Big Springs, NE	24 hrs/day 7 days/week
67	Cubby's Greenwood Truck Plaza 402-944-7055	Exit 420 on I80 Greenwood, NE	24 hrs/day 7 days/week
88	Comdata Transceiver 800-749-6058 800-749-7166	99155 S 148th St Omaha, NE	24 hrs/day 7 days/week
89	Sapp Bros Truck Plaza 402-895-2121	Jct I80 & 50 (exit 440) Omaha, NE	24 hrs/day 7 days/week
90	Western Co-op Co 308-762-3112	Jct 385 & 2 Alliance, NE	6 am - 11 pm M-Sat 8 am - 9 pm Sun
93	The Travel Shoppe 308-235-4444	Jct I80 & 71 (exit 20) Kimball, NE	6 am - 8 pm 7 days/week

GENERAL NEBRASKA REGULATIONS

Vehicles required to stop at weigh stations;

All trucks must stop at Nebraska weigh stations, including pickups towing trailers. Exceptions are recreation vehicles.

Load projecting to rear; red flag, red light required;

Whenever the load on any vehicle extends more than 4' beyond the rear of the bed or body thereof, there shall be displayed at the end of such load in such position as to be clearly visible at all times from the rear of such load a red flag not less than 12" both in length and width, except that between sunset and sunrise there shall be displayed at the end of any such load a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear of such vehicle.

Splash aprons; requirements; violation; penalty;

Every new motor vehicle or semitrailer purchased after January 1, 1956, and operated on any highway in this state shall be equipped with fenders, covers, or devices, including flaps or splash aprons, unless the body of the vehicle affords adequate protection to effectively minimize the spray or splash of water or mud to the rear of the motor vehicle or semitrailer.

Load; contents; requirements;

No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle.

Transportation of sand, gravel, rock; material covered with canvas; penalty;

No person shall transport any sand, gravel, rock less than 2" in diameter, or refuse in any motor vehicle on any hard-surfaced state highway if such material protrudes above the sides of that part of the vehicle in which it is being transported unless such material is enclosed or completely covered with canvas or similar covering.

Load Securement;

No person shall drive or move a motor vehicle, trailer, or semitrailer upon any highway unless the cargo or contents carried by the motor vehicle, trailer, or semitrailer are properly distributed and adequately secured to prevent the falling of cargo or contents from the vehicle. The tailgate, doors, tarpaulins, and any other equipment used in the operation of the motor vehicle, trailer, or semitrailer or in the distributing or securing of the cargo or contents carried by the motor vehicle, trailer, or semitrailer shall be secured to prevent cargo or contents falling from the vehicle. The means of securement to the motor vehicle, trailer, or semitrailer must be either tie downs and tie down assemblies of adequate strength or sides, sideboards, or stakes and a rear end gate, end board, or stakes strong enough and high enough to assure that cargo or contents will not fall from the vehicle.

Disabled vehicles, length and load limit exception;

The length limitations of Section 60-6,290 and weight limitation of Section 60-6,294 shall not apply when a disabled combination of vehicles is towed if the combination of vehicles, together with the wrecker or tow truck, does not exceed 150', inclusive of front and rear bumpers including load. Such exception shall apply only if the disabled combination of vehicles is being towed directly to the nearest place of secure safekeeping. The towing vehicle shall be connected with the air brakes and brake lights of the towed vehicle.

Truck-trailer combination; warning decal, when.;

A warning decal shall be attached to every truck-trailer combination having a connection device between such vehicles which is more than twelve feet in length. Such decal shall be made of red reflective material and contain the words "Long Vehicle - Pass With Care." The letters shall be of white reflective material and shall be not less than 3" in height. The decal shall be affixed to the sides and rear parts of the trailer at a height of not less than 48" or no more than 74" from the ground level.

Trucks; rear-view mirror;

Each truck shall be equipped with a rear-view mirror which shall be kept clean, repaired and installed according to the official highway rules.

Oversized loads; mirrors;

Outside mirrors must reflect a view of the highway behind the vehicle to a distance of at least 200'.

Towing; draw bars, other connections; length; red flag required, when;

The draw bar or other connection between any two vehicles, one of which is towing or drawing the other on a highway, shall not exceed 15' in length from one vehicle to the other, except a vehicle being towed with a connection device that is an integral component of the vehicle and is designed to attach to a lead unit with construction in such a manner as to allow articulation at the attachment point on the chassis of the towed vehicle but not to allow lateral or side-to-side movement. Such connecting device shall meet the safety standards for towbar failure or disconnection that are in effect on March 28, 1980, in the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation of the United States Government and shall have displayed at approximately the halfway point between the towing vehicle and the towed vehicle on the connecting mechanism a red flag or other signal or cloth not less than 12" both in length and width that shall be at least 5' and not more than 10' from the level of the paving and shall be displayed along the outside line on both sides of the towing and towed vehicles. Whenever such connection consists of a chain, rope or cable, there shall be displayed upon such connection a red flag or other signal or cloth not less than 12" both in length and width.

Brakes; requirements;

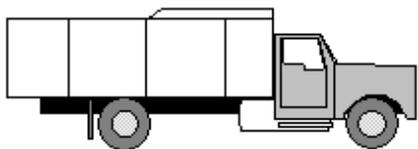
Every motor vehicle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle. All such brakes shall be maintained at all times in good working order.

Trailers; brake requirements; safety chains; when required;

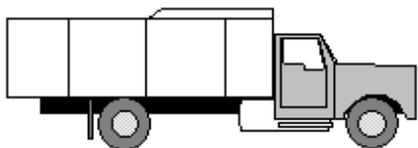
- (1) Trailers subject to the Federal Motor Carrier Safety regulations as adopted by Nebraska Statute 75-363 must have brakes as specified in 49 CFR 393.
- (2) All other commercial trailers with a gross vehicle weight rating of more than 10,000 pounds and semitrailers shall be equipped on each wheel with brakes that can be operated from the driving position of the towing vehicle.
- (3) Cabin trailers as defined in Sections 60-107 and 60-1,801 and recreational trailers having a gross loaded weight of 3,000 pounds or more but less than 6,500 pounds shall be equipped with brakes on at least two wheels, and such trailers with a gross loaded weight of 6,500 pounds or more shall be equipped with brakes on each wheel. The brakes shall be operable from the driving position of the towing vehicle. Such trailers shall also be equipped with a breakaway, surge, or impulse switch on the trailer so that the trailer brakes are activated if the trailer becomes disengaged from the towing vehicle.
- (4) Cabin trailers, recreational trailers, and utility trailers as defined in Section 60-301, when being towed upon a highway, shall be securely connected to the towing vehicle by means of two safety chains or safety cables in addition to the hitch or other primary connecting device. Such safety chains or safety cables shall be so attached and shall be of sufficient breaking load strength so as to prevent any portion of such trailer drawbar from touching the roadway if the hitch or other primary connecting device becomes disengaged from the towing vehicle.

REGULATIONS FOR SPECIFIC GROUPS

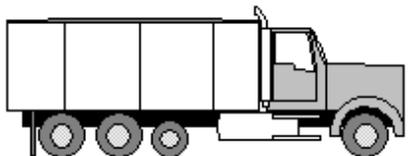
Rules and Regulations for Nebraska Farmers



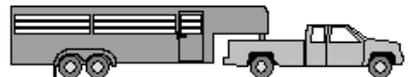
Farm-plated straight truck
Registered for 16 tons or less and
GVWR 10,001 lbs. – 26,000 lbs.



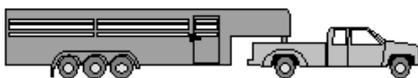
Farm-plated straight truck
Registered for 16 tons or less and
GVWR more than 26,000 lbs.



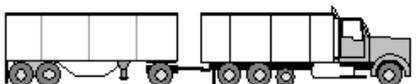
Farm-plated straight truck
Registered for more than 16 tons and
GVWR more than 26,000 lbs.



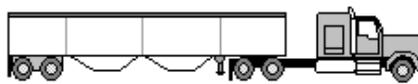
Farm-plated straight truck and trailer
Registered for 16 tons or less and
GVWR combined 10,001 lbs. – 26,000 lbs.



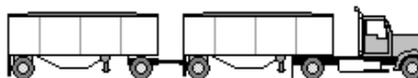
Farm-plated straight truck and trailer
Registered for 16 tons or less and
GVWR combined more than 26,000 lbs.



Farm-plated straight truck and trailer
Registered for more than 16 tons and
GVWR combined more than 26,000 lbs.



Farm-plated truck-tractor, semi-trailer OR
Farm-plated truck-tractor, semi-trailer,
trailer combination



Registered for more than 16 tons and
GVWR combined more than 26,000 lbs.

Requirements: When Required

USDOT Number and Annual Inspections: Interstate travel only

CDL and Drug Testing: Not required

Medical Card and Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate travel, beyond 100 air-miles of the farm

USDOT Number and Annual Inspections: Interstate travel only

CDL and Drug Testing: Interstate travel or intrastate travel beyond 150 air-miles

Medical Card and Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate travel, beyond 100 air-miles of the farm

USDOT Number: Interstate travel only

Annual Inspections: Interstate and intrastate travel

CDL and Drug Testing: Interstate travel or intrastate travel beyond 150 air-miles

Medical Card and Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate travel, beyond 100 air-miles of the farm

USDOT Number, Annual Inspections, and Medical Card: Interstate travel only

CDL and Drug Testing: Not required

Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate, beyond 100 air-miles of the farm

USDOT Number, Annual Inspections, and Medical Card: Interstate travel only

CDL and Drug Testing: Interstate travel or intrastate travel beyond 150 air-miles

Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate, beyond 100 air-miles of the farm

USDOT Number and Medical Card: Interstate travel only

Annual Inspections: Interstate and intrastate travel

CDL and Drug Testing: Interstate travel or intrastate travel beyond 150 air-miles

Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate, beyond 100 air-miles of the farm

USDOT Number and Medical Card: Interstate travel only

CDL, Drug Testing, and Annual Inspections: Interstate and intrastate travel

Driver Qualification File: Interstate travel, beyond 150 air-miles

Hours of Service: Interstate, beyond 100 air-miles of the farm

Other Activities That May Be Subject to Federal Safety Regulations

Activities such as, but not limited to: motor sports (race cars, snowmobiles, motorcycles, watercraft, etc.), fishing tournaments, livestock (cattle, horses) shows and antique tractor pulls.

1. Do you declare prize money as income from a business expense for tax purposes?
2. Are the costs for the underlying activities deducted as a business expense for tax purposes?
3. Do you accept products and/or money for advertising from a sponsor?
4. Is the transport vehicle being used in the furtherance of a commercial operation?

If you answered **YES** to any of the above question, go to question 5. If you answered **NO** to all the above questions stop here, you are not subject to the Federal Motor Carrier Safety Regulations.

5. Is the GVWR, GCWR, gross vehicle weight, or gross combination weight (whichever is greater) over 10,000 pounds?

If you answered **YES** to question 5, you must follow the appropriate regulations. If you answered **NO**, you are not subject to the Federal Motor Carrier Safety Regulations.

MOTOR HOMES that are registered as recreational vehicles (RV license plate) **CANNOT** be used in the furtherance of a commercial enterprise. If you wish to use a motor home as part of a commercial enterprise, you must register the motor home as a commercial vehicle.

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

Interstate Motor Carriers

The Federal Motor Carrier Safety Regulations are applicable to all motor carriers, drivers, and vehicles that transport property or passengers in interstate commerce when the vehicle:

- Has a GVWR, GCWR, gross vehicle weight, or gross combination weight (whichever is greater) over 10,000 pounds; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver; and is not used to transport passengers for compensation; or
- Is used in transporting material found to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, Subtitle B, Chapter I, Subchapter C.

Intrastate (NE Only) Motor Carriers

The Federal Motor Carrier Safety Regulations are applicable to all motor carriers transporting persons or property in intrastate commerce to include:

- All *vehicles* of such motor carriers with a GVWR, GCWR, gross vehicle weight, or gross combination weight (whichever is greater) over 10,000 lbs;
- All *vehicles* of such motor carriers designed or used to transport more than 8 passengers, including the driver, for compensation, or designed or used to transport more than 15 passengers, including the driver, and not used to transport passengers for compensation;
- All *vehicles* of such motor carriers transporting hazardous materials required to be placarded pursuant to section 75-364: and
- All *drivers* of such motor carriers if the drivers are operating a commercial motor vehicle as defined in section 60-465 which requires a commercial driver's license.
- Part 395 – The following hours of service regulations apply to all *drivers* operating CDL-requiring vehicles in intrastate commerce:
No motor carrier shall permit or require any *driver* to drive nor shall any driver drive:
 - More than 12 hours following 8 consecutive hours off duty; or
 - For any period after having been on duty 16 hours following 8 consecutive hours off duty; or
 - For any period after having been on duty seventy hours in any seven consecutive days if the employing carrier does not operate every day of the week; or
 - For any period after having been on duty eighty hours in any eight consecutive days if the employing carrier operates motor vehicles every day of the week.
- Hours of service regulations do not apply to *drivers* transporting agricultural commodities and/or farm supplies for agricultural purposes when the transportation occurs within a 100 air-mile radius of the source or distribution

point of the commodities and/or supplies and the transportation occurs from February 15 through December 15 each year.

- The provisions of subpart E – Physical Qualifications And Examinations of 49 C.F.R part 391 shall not apply to any *driver* subject to this section who operates a commercial motor vehicle exclusively in intrastate commerce and holds, or has held, a CDL issued by Nebraska prior to July 30, 1996. Drivers applying for their first CDL license after July 30, 1996 are required to meet the physical qualification requirements of 49 CFR Part 391.

Markings on Commercial Motor Vehicles

All commercial motor vehicles with a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight (whichever is greater) over ten thousand pounds must be marked **on the power unit** as specified below:

- Nature of marking. The marking must display the following information:
 - The legal name or a single trade name of the motor carrier as listed on the motor carrier identification report (MCS-150 form).
 - The motor carrier identification number (USDOT number) issued by the FMCSA, preceded by the letters “USDOT”.
 - For intrastate ONLY carriers: The motor carrier identification number (USDOT number) issued by the FMCSA, preceded by the letters “USDOT” and followed by the letters “NE”.
 - If the name of any person other than the operating carrier appears on the commercial motor vehicle (CMV), the name of the operating carrier must be followed by the information required above, and be preceded by the words “operated by.”
 - Other identifying information may be displayed on the CMV if it is not inconsistent with the information required by this section.
- Size, shape, location, and color of marking. The marking must:
 - Appear on both sides of the power unit;
 - Be in letters that contrast sharply in color with the background on which the letters are placed;
 - Be readily legible, during daylight hours, from a distance of 50’ while the CMV is stationary; and
 - Be kept and maintained in a manner that retains the legibility required.
- Construction and durability. The marking may:
 - Be painted on the commercial motor vehicle; or
 - Consist of a removable device, if that device meets the identification and legibility requirements.

Rented commercial motor vehicles: A motor carrier operating a CMV under a rental agreement having a term not in excess of 30 calendar days meets the requirements of this section if:

- The commercial motor vehicle is marked in accordance with the provisions shown above; or
- The commercial motor vehicle is marked as set forth below:
 - The legal name or trade name as well as the USDOT number of the lessor is

displayed in accordance with the size, shape, color, construction, and durability requirements shown above; and

- The rental agreement entered into by the lessor and the renting motor carrier conspicuously contains the following information:
 - The name and complete physical address of the principal place of business of the renting motor carrier.
 - The renting motor carrier's USDOT number, preceded by the letters "USDOT"; and
 - The rental agreement entered into by the lessor and the renting motor carrier is carried on the rental CMV during the full term of the rental agreement.

Driveaway services:

- In driveaway services, a removable device may be affixed on both sides or at the rear of a single driven vehicle.
- In a combination driveaway operation, the device may be affixed on both sides of any one unit or at the rear of the last unit.
- The removable device must display the legal name or single trade name of the motor carrier and the motor carrier's USDOT number.

NOTE* The marking and USDOT number requirements set forth do not apply to commercial motor vehicles registered as Nebraska farm trucks and operated solely in intrastate commerce.

Intrastate DOT applications are available at: www.nsp.state.ne.us

Interstate DOT applications are available at: www.fmcsa.dot.gov

FMCSA Regulation Parts

Part 382 - Controlled Substances and Alcohol Use and Testing

This part establishes programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. This part applies to every person and to all employers of such persons who operate a commercial motor vehicle in commerce and is subject to the commercial driver's license requirements.

Part 383 - Commercial Driver's License Standards; Requirements and Penalties

The purpose of this part is to help reduce or prevent truck and bus accidents, fatalities, and injuries by requiring drivers to have a single commercial motor vehicle driver's license and by disqualifying drivers who operate commercial motor vehicles in an unsafe manner.

Part 385 - Safety Fitness Procedures

This part establishes the FMCSA's procedures to determine the safety fitness of motor carriers, to assign safety ratings, to direct motor carriers to take remedial action when required, and to prohibit motor carriers receiving a safety rating of "unsatisfactory" from operating a CMV.

Part 386 – Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings

The rules in this part govern proceedings before the Chief Safety Officer of the FMCSA. The purpose of the proceedings is to enable the Chief Safety Officer to determine whether a motor carrier, property broker, freight forwarder, or its agents, employees, or any other person under the jurisdiction of the FMCSA, has failed to comply with the provisions, requirements, statutes, and regulations and, if such violations are found, to issue an order to compel compliance with the statute or regulation, assess a civil penalty, or both.

Part 387 - Minimum Levels of Financial Responsibility for Motor Carriers

Motor carriers of property operating commercial vehicles in interstate, foreign, or intrastate commerce, and for hire carriers of passengers operating in interstate or foreign commerce must maintain an appropriate minimum level of financial responsibility (insurance).

Part 390 – General

The Federal Motor Carrier Safety Regulations (FMCSRs) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce. This part includes 390.15 (accident register) and 390.21 (markings of CMVs – see page 34 for more information).

Part 391 - Qualifications of Drivers

The rules in this part establish minimum qualifications for persons who drive commercial motor. The rules also establish minimum duties of motor carriers with respect to the qualifications of their drivers.

Part 392 - Driving of Commercial Motor Vehicles

Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.

Part 393 - Parts and Accessories Necessary for Safe Operation

No employer shall operate a commercial motor vehicle, or cause or permit it to be operated, unless it is equipped as required in this part.

Part 395 - Hours of Service of Drivers

The purpose of the hours-of-service regulations is to keep fatigued drivers off the highway. A motor carrier shall not permit or require any driver used by it to drive any commercial motor vehicle, nor shall any such driver drive any commercial motor vehicle more than the number of hours specified in this part. Every driver who operates a commercial motor vehicle shall record his/her duty status.

Part 396 - Inspection, Repair, and Maintenance.

Every motor carrier shall systematically inspect, repair, and maintain all motor vehicles subject to its control. All vehicle parts and accessories must be in safe and proper working order at all times.

Part 397 - Transportation of Hazardous Materials; Driving and Parking Rules

The rules in Part 397 apply to each carrier transporting hazardous materials by a commercial motor vehicle that must be marked or placarded in accordance with 49 CFR 177.823.

Part 177 - Carriage by Public Highway

To promote the uniform enforcement of law and to minimize the dangers to life and property incident to the transportation of hazardous materials by private, common and contract carriers, and by motor vehicles engaged in intrastate, interstate, or foreign commerce, the regulations in Parts 171-180 of this subchapter are prescribed to define these articles for motor vehicle transportation purposes, and to state the precautions that must be observed by the carrier in handling them while in transit. It is the duty of each such carrier to comply with the prescribed regulations and to thoroughly instruct employees in relation thereto.

*** Intrastate drivers and vehicles that are exempt from the safety regulations:**

- Fertilizer and agricultural chemical application and distribution equipment transported in units with a capacity of 3,500 gallons or less if the equipment is not required to be placarded for hazardous materials.
- Any nonprofit entity, operating solely in intrastate commerce, organized for the purpose of furnishing electric service.

HAZARDOUS MATERIALS SAFETY REGULATIONS

Hazardous Materials Regulations Parts

The following parts, subparts and sections of the Federal Hazardous Material Regulations, 49 CFR, are adopted as Nebraska law with exceptions and are applicable to all motor vehicle carriers whether engaged in interstate or intrastate commerce, drivers of such motor carriers, and vehicles of such motor carriers:

- Part 107 – Hazardous Materials Program Procedures, subpart F – Registration of Cargo Tank and Cargo Tank Motor Vehicle Manufacturers, Assemblers, Repairers, Inspectors, Testers, and Design Certifying Engineers;
- Part 107 – Hazardous Materials Program Procedures, subpart G – Registration of Persons Who Offer or Transport Hazardous Materials;
- Part 171 – General Information, Regulations and Definitions;
- Part 172 – Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements;
- Part 173 – Shippers-General Requirements for Shipments and Packagings;
- Part 177 – Carriage by Public Highway;
- Part 178 – Specifications for Packaging; and
- Part 180 – Continuing Qualification and Maintenance of Packagings.

Hazardous Materials Transportation

Agricultural operations exceptions:

- (a) The transportation of an agricultural product other than a Class 2 material (Compressed Gases), as defined in 49 CFR 171.8 over roads, other than the National System of Interstate and Defense Highways, between fields of the same farm, is excepted from Part 107, Part 171, Part 172, Part 173, Part 177, Part 178 and Part 180 when:
 - (i) The agricultural product is transported by a farmer who is an intrastate private motor carrier; and
 - (ii) The movement of the agricultural product conforms to all other laws in effect on or before July 1, 1998, and 49 CFR 173.24, 173.24a and 173.24b;
- (b) The transportation of an agricultural product to or from a farm, within one hundred fifty (150) miles of the farm, is excepted from the requirements in 49 CFR 172 Subpart G (emergency response information) and 49 CFR 172 Subpart H (training requirements) and from the specific packaging requirements when:
 - (i) The agricultural product is transported by a farmer who is an intrastate private motor carrier;
 - (ii) The total amount of agricultural product being transported on a single vehicle does not exceed:
 - (A) 16,094 lbs. of ammonium nitrate fertilizer properly classed as Division 5.1, PGIII, in bulk packaging; or
 - (B) 502 gal. for liquids or gases, or 5,070 lbs. for solids, of any other agricultural product;
 - (iii) The packaging conforms to the requirements of state law and is specifically authorized for transportation of the agricultural product by state law and such state law has been in effect on or before July 1, 1998; and
 - (iv) Each person having any responsibility for transporting the agricultural product or

preparing the agricultural product for shipment has been instructed in the applicable requirements of the parts, subparts, and sections of 49 CFR adopted in this section. ; and

- (c) Formulated liquid agricultural products in specification packagings of 58 gallon capacity or less, with closures manifolded to a closed mixing system and equipped with positive dry disconnect devices, may be transported by a private motor carrier between a final distribution point and an ultimate point of application or for loading aboard an airplane for aerial application.

Exceptions for non-specification packagings used in intrastate transportation:

- (a) Non-specification cargo tanks for petroleum products:
Notwithstanding requirements for specification packagings in 49 CFR Part 173 Subpart F, and 49 CFR Parts 178 and 180, a non-specification metal tank permanently secured to a transport vehicle and protected against leakage or damage in the event of a turnover, having a capacity of less than 3,500 gallons, may be used by an intrastate motor carrier for transportation of a flammable liquid petroleum product in accordance with subdivision (c) of this subsection:
- (b) Permanently secured nonbulk tanks for petroleum products:
Notwithstanding the requirements for specification packagings in 49 CFR Part 173 Subpart F, and 49 CFR Parts 178 and 180, a non-specification metal tank permanently secured to a transport vehicle and protected against leakage or damage in the event of a turnover, having a capacity of less than 119 gallons, may be used by an intrastate motor carrier for transportation of a flammable liquid petroleum product in accordance with subdivision (c) of this subsection; and
- (c) Additional requirements: A packaging used pursuant to subdivision (a) or (b) of this subsection must:
 - (i) Be operated by an intrastate motor carrier and in use as a packaging for hazardous material before July 1, 1998;
 - (ii) Be operated in conformance with the requirements of the State of Nebraska;
 - (iii) Be specifically authorized by state law in effect before July 1, 1998, for use as a packaging for the hazardous material being transported and by 49 CFR 173.24, 173.24a, and 173.24b;
 - (iv) Be offered for transportation and transported in conformance with all other applicable requirements of the hazardous material regulations;
 - (v) Not be used to transport a flammable cryogenic liquid, hazardous substance, hazardous waste, or marine pollutant as defined in 171.8; and
 - (vi) On and after July 1, 2000, for a tank authorized under subdivision (a) or (b) of this subsection, conform to all requirements in 49 CFR Part 180, except for 49 CFR 180.405(g), in the same manner as required for a United States Department of Transportation specification MC306 cargo tank motor vehicle.

For purposes of this section:

- (a) Agricultural product means a hazardous material, other than a hazardous waste, whose end use directly supports the production of an agricultural commodity, including, but not limited to, a fertilizer, pesticide, soil amendment, or fuel. An agricultural product is limited to a material in Class 3 (*Flammable Liquids*), Class 8 (*Corrosives*), or Class 9 (*Miscellaneous*), Division 2.1 (*Flammable Gas*), Division

2.2 (*Nonflammable Gas*), Division 5.1 (*Oxidizers*), or 6.1 (*Poisons*), or an ORM-D material (*Consumer Commodity*) defined in 49 CFR 171.8;

- (b) **Bulk package** means a packaging, including a transport vehicle or freight container, in which hazardous materials are loaded with no other intermediate form of containment and which has:
- (i) A maximum capacity greater than 119 gallons as a receptacle for a liquid;
 - (ii) A maximum net mass greater than 882 pounds and a maximum capacity greater than 119 gallons as a receptacle for a solid; or
 - (iii) A water capacity greater than 1,000 pounds as a receptacle for a gas as defined in 49 CFR 173.115;
- (c) **Farmer** means a person engaged in the production or raising of crops, poultry, or livestock; and
- (d) **Private motor carrier** means a person or persons engaged in the transportation of persons or product while in commerce, but not for hire.

Hazardous Materials Requirements

Shipping Papers - Every shipment of hazardous materials must be accompanied by a properly prepared shipping paper carried in the cab of the power unit, accessible to law enforcement or emergency response personnel. Exceptions: Shipments designated as Other Regulated Material-D (ORM-D) do not require shipping papers meeting the requirements of the Hazardous Material Regulations when moved solely by truck. Copies of the hazardous material shipping papers must be retained for 1 year. For a hazardous waste, the shipping paper copy must be retained for 3 years. Refer to 49 CFR 177.817(f) for additional information on the retention of shipping papers.

Marking Requirements - Marking is generally the responsibility of the shipper. Required markings must be legible, in English and printed on or attached to packages. They must not be obscured by labels or attachments and must be clear of other markings that might reduce their effectiveness. The proper shipping name and identification number for the hazardous material must be marked on each package.

General Labeling Requirements - Labeling is generally the responsibility of the shipper. Labels on packages must indicate the nature of the hazard of the contents. Labels must be placed near the marked proper shipping name of the package contents. If multiple labels are required, they must be next to each other. It is recommended motor carriers keep a supply of labels on hand to replace those that may be lost or damaged in transit. Carriers should not accept packages bearing other markings or labels which might be confused with the prescribed labels for hazardous materials.

General Placarding Requirements - Placards must not be displayed on a vehicle unless the vehicle contains hazardous materials and the placard represents a hazard of the material contained.

No placards are required for the following hazardous materials:

- Infectious substances;
- Hazardous materials classed as ORM-D;
- Hazardous materials authorized by this subchapter to be offered for transportation as Limited Quantities when identified as such on shipping papers in accordance with §172.203(b);

- Hazardous materials prepared in accordance with §173.13 of this subchapter;
- Hazardous materials which are packaged as small quantities under the provisions of §§173.4, 173.4a, 173.4b of this subchapter; and
- Combustible liquids in non-bulk packagings.

Placard requirements are governed by the hazard class of the material, quantity, and by certain special requirements as outlined in Federal Hazardous Material Regulations 49 CFR 172.504. When placarding of the vehicle is required, such placarding must be displayed in addition to any other placarding required. Regulations require the shipper furnish the required placards for its shipment prior to, or at the time the vehicle is loaded, unless the vehicle is already properly placarded. Freight containers having a capacity of 640 cubic feet or more, and portable tanks having a capacity of 1,000 gallons or more, must be placarded. Smaller freight containers and portable tanks may be placarded in lieu of being labeled. Placards should be placed on each side and each end free of accessories and/or appurtenances that would tend to obscure it, be displayed square on point and maintained in a legible condition during transportation.

Hazardous Materials Accidents or Spills - Carriers involved in accidents where hazardous materials, hazardous substances, or hazardous wastes all spilled and are required to be reported to the National Response Center (1-800-424-8802), (202) 267-2675, can also call the Nebraska State Patrol (1-800-525-5555 or 471-4545) for assistance.

In accordance with Nebraska State Statute 60-6,173, drivers of vehicles required to be placarded pursuant to Section 75-364 must stop at railroad crossings, except for those abandoned or marked exempt.

Training Requirements (49 CFR Subchapter C Part 172.704)

(a) Hazmat employee training must include the following:

- (1) **General awareness/familiarization training.** Each hazmat employee shall be provided general awareness/familiarization training designed to provide familiarity with the requirements of this subchapter, and to enable the employee to recognize and identify hazardous materials consistent with the hazard communication standards of this subchapter.
- (2) **Function-specific training.**
 - (i) Each hazmat employee must be provided function-specific training concerning requirements of this subchapter, or exemptions or special permits issued under subchapter A of this chapter, that are specifically applicable to the functions the employee performs.
 - (ii) As an alternative to function-specific training on the requirements of this subchapter, training relating to the requirements of the ICAO Technical Instructions and the IMDG Code may be provided to the extent such training addresses functions authorized by §171.11 and §171.12 of this subchapter.
- (3) **Safety training.** Each hazmat employee shall receive safety training concerning
 - (i) Emergency response information required by subpart G of part 172;
 - (ii) Measures to protect the employee from the hazards associated with hazardous materials to which they may be exposed in the work place,

including specific measures the hazmat employer has implemented to protect employees from exposure; and

(iii) Methods and procedures for avoiding accidents, such as the proper procedures for handling packages containing hazardous materials.

- (4) **Security awareness training.** No later than the date of the first scheduled recurrent training after March 25, 2003, and in no case later than March 24, 2006, each hazmat employee must receive training that provides an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security. This training must also include a component covering how to recognize and respond to possible security threats. After March 25, 2003, new hazmat employees must receive the security awareness training required by this paragraph within 90 days after employment.
- (5) **In-depth security training.** By December 22, 2003, each hazmat employee of a person required to have a security plan in accordance with subpart I of this part must be trained concerning the security plan and its implementation. Security training must include company security objectives, specific security procedures, employee responsibilities, actions to take in the event of a security breach, and the organizational security structure.
- (b) **OSHA, EPA, and other training.** Training conducted by employers to comply with the hazard communication programs required by the Occupational Safety and Health Administration of the Department of Labor (29 CFR 1910.120 or 1910.1200) or the Environmental Protection Agency (40 CFR 311.1), or training conducted by employers to comply with security training programs required by other Federal or international agencies, may be used to satisfy the training requirements in paragraph (a) of this section to the extent that such training addresses the training components specified in paragraph (a) of this section.
- (c) **Initial and recurrent training—**
- (1) **Initial training.** A new hazmat employee, or a hazmat employee who changes job functions may perform those functions prior to the completion of training provided—
- (i) The employee performs those functions under the direct supervision of a properly trained and knowledgeable hazmat employee; and
- (ii) The training is completed within 90 days after employment or a change in job function.
- (2) **Recurrent training.** A hazmat employee shall receive the training required by this subpart at least once every three years.
- (3) **Relevant Training.** Relevant training received from a previous employer or other source may be used to satisfy the requirements of this subpart provided a current record of training is obtained from hazmat employees' previous employer.
- (4) **Compliance.** Each hazmat employer is responsible for compliance with the requirements of this subchapter regardless of whether the training required by this subpart has been completed.
- (d) **Recordkeeping.** A record of current training, inclusive of the preceding three years, in accordance with this section shall be created and retained by each hazmat employer for as long as that employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record shall include:

- (1) The hazmat employee's name;
 - (2) The most recent training completion date of the hazmat employee's training;
 - (3) A description, copy, or the location of the training materials used to meet the requirements in paragraph (a) of this section;
 - (4) The name and address of the person providing the training; and
 - (5) Certification that the hazmat employee has been trained and tested, as required by this subpart.
- (e) **Limitations.** The following limitations apply:
- (1) A hazmat employee who repairs, modifies, reconditions, or tests packagings, as qualified for use in the transportation of hazardous materials, and who does not perform any other function subject to the requirements of this subchapter, is not subject to the training requirement of paragraph (a)(3) of this section.
 - (2) A railroad maintenance-of-way employee or railroad signalman, who does not perform any function subject to the requirements of this subchapter, is not subject to the training requirements of paragraphs (a)(2), (a)(4), or (a)(5) of this section. Initial training for a railroad maintenance-of-way employee or railroad signalman in accordance with this section must be completed by October 1, 2006.

Hazardous Material Safety Permit

Who must hold a safety permit? (Part 385.403)

After the date following January 1, 2005, that a motor carrier is required to file a Motor Carrier Identification Report Form (MCS-150) according to the schedule set forth in §390.19(a) of this chapter, the motor carrier may not transport in interstate or intrastate commerce any of the following hazardous materials, in the quantity indicated for each, unless the motor carrier holds a safety permit:

- (a) A highway route-controlled quantity of a Class 7 (radioactive) material, as defined in §173.403 of this title;
- (b) More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material or an amount of a Division 1.5 (explosive) material requiring placarding under part 172 of this title;
- (c) More than 1 liter (1.08 quarts) per package of a "material poisonous by inhalation," as defined in §171.8 of this title, that meets the criteria for "hazard zone A," as specified in §173.116(a) or §173.133(a) of this title;
- (d) A "material poisonous by inhalation," as defined in §171.8 of this title, that meets the criteria for "hazard zone B," as specified in §173.116(a) or §173.133(a) of this title in a bulk packaging (capacity greater than 450 L [119 gallons]);
- (e) A "material poisonous by inhalation," as defined in §171.8 of this title, that meets the criteria for "hazard zone C," or "hazard zone D," as specified in §173.116(a) of this title, in a packaging having a capacity equal to or greater than 13,248 L (3,500) gallons; (**including Anhydrous Ammonia**) or
- (f) A shipment of compressed or refrigerated liquefied methane or liquefied natural gas, or other liquefied gas with a methane content of at least 85 percent, in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons).

Additional information may be found on FMCSA's website: www.fmcsa.dot.gov

WEIGH IN MOTION AND PREPASS SYSTEMS

Weigh in Motion (WIM)

All Nebraska Interstate scale facilities and the Nebraska City scale facility utilize WEIGH-IN-MOTION (WIM) which is a vehicle sorting system. This system weighs the vehicle approximately ¼ mile prior to the scale facility and determines if the weight of the vehicle is within a specified range of legal weights. The vehicle in question will get one of two messages on the message boards. One message advises the driver that the vehicle is okay to bypass, the other message advises the driver that the vehicle must exit into the scale facility.

Any vehicle operating under a Nebraska Department of Roads overweight/over dimensional permit is required to stop at all open scale facilities.

PrePass

All Nebraska Interstate scale facilities and the Nebraska City scale facility utilize the PrePass system, which is a vehicle sorting system. Companies who register with PrePass for this service are issued a transponder for each vehicle entered into the system. When one of these vehicles approaches the facility the driver of the vehicle will receive one of two signals on the transponder; a green light indicating that the vehicle is okay to bypass the scale facility or a red light indicating that the vehicle must stop at the scale facility. Drivers are instructed to always follow the PrePass in cab signal, regardless of what the Weigh-In-Motion message boards direct them to do.

Any vehicle operating under a Nebraska Department of Roads overweight/over dimensional permit is required to stop at all open scale facilities.

The state of Nebraska **does not** issue PrePass.

For more information on the PrePass system go to **www.prepass.com**.

Fees for use will apply.

GLOSSARY OF TERMS

Axle Load (Single Axle): the total load transmitted to the highway by all wheels the centers of which may be included between two parallel transverse vertical planes 40" apart extending across the full width of the vehicle.

Commercial Enterprise: any business activity relating to or based upon the production, distribution, or consumption of goods or services.

Commercial Motor Vehicle (CMV) (For Purposes of Commercial Drivers License): a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- (a) Has a GVWR of 26,001 pounds or more inclusive of towed units with a GVWR of more than 10,000 pounds;
- (b) has a GVWR of 26,001 pounds or more;
- (c) Is designed to transport 16 or more passengers, including the driver; or
- (d) Is used in the transportation of materials found to be hazardous for the purposes of the Federal Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under 49 C.F.R. part 172, subpart F.

Commercial motor vehicle does not include :

- (a) a farm truck as defined in section 60-325 other than a combination of truck-tractors and semi trailers when such farm truck is operated within 150 miles of the registered owner's farm or ranch,
- (b) any recreational vehicle as defined in section 60-347 or motor vehicle towing a cabin trailer as defined in sections 60-314 and 60-339,
- (c) any emergency vehicle operated by a public or volunteer fire department, or
- (d) any motor vehicle owned or operated by the United States Department of Defense or Nebraska National Guard when such motor vehicle is driven by persons identified in section 60-4,131.01.

Commercial Motor Vehicle (CMV) (For Purposes of the Federal Regulations):

any self-propelled or towed motor vehicle used on a highway in interstate commerce or intrastate commerce to transport passengers or property when the vehicle:

- (a) Has a GVWR or GCWR or gross vehicle weight or gross combination weight of 10,001 pounds or more, whichever is greater;
- (b) Is designed or used to transport more than 8 passengers, including the driver, for compensation;
- (c) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- (d) Is used in transporting material found to be hazardous and such material is transported in a quantity requiring placarding pursuant to section 75-364.

Dummy Axle: an axle attached to a vehicle or vehicle combination in a manner so that it does not articulate or substantially equalize the load and does not carry at least the lesser of 8,000 pounds or 8% of the gross weight of the vehicle or vehicle combination, including the load.

Farmer: any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which:

- (a) Are owned by that person; or
- (b) Are under the direct control of that person.

Farm Truck: a truck or sport utility vehicle, including any combination of a truck, truck-tractor, or sport utility vehicle, and a trailer or semi trailer, of a farmer or rancher :

- (a) Used exclusively to carry a farmer's or rancher's own supplies, farm equipment, and household goods to or from the owner's farm or ranch,
- (b) Used by the farmer or rancher to carry his or her own agricultural products to or from storage or market,
- (c) Used by a farmer or rancher in exchange of services in such hauling of supplies or agricultural products, or
- (d) Used occasionally to carry camper units, to tow boats or cabin trailers, or to carry or tow museum pieces or historical vehicles, without compensation, to events for public display or educational purposes.

For-Hire Motor Carrier: a person engaged in the transportation of goods or passengers for compensation.

Full Trailer: any vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Gross Combination Weight Rating (GCWR): the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding either the GVWR or gross vehicle weight of the motor vehicle plus the GVWR or gross vehicle weight of the towed unit or units.

Gross Vehicle Weight Rating (GVWR): the value specified by the manufacturer as the loaded weight of a single motor vehicle. In the absence of such value specified by the manufacturer or the absence of any marking of such value on the vehicle, the gross GVWR shall be determined from the sum of the axle weight ratings of the vehicle or the sum of the tire weight ratings as marked on the sidewall of the tires, whichever is greater. In the absence of any tire sidewall marking, the tire weight ratings shall be determined for the specified tires from any of the publications of any of the organizations listed in 49 C.F.R. 571.119.

Highway: the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Idle Reduction Technology (Auxiliary Power Unit or APU): any device or system of devices that is installed on a heavy-duty diesel-powered on-highway truck or truck-tractor and is designed to provide to such truck or truck-tractor those services, such as heat, air conditioning, or electricity, that would otherwise require the operation of the main drive engine while the truck or truck-tractor is temporarily parked or remains stationary.

Implement Of Husbandry: every vehicle or implement designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and used primarily off any highway.

Interstate Commerce: trade, traffic, or transportation provided in the furtherance of a commercial enterprise in the United States:

- (a) Between a place in a state and a place outside of such state, including a place outside of the United States;
- (b) Between two places in a state through another state or a place outside of the United States; or
- (c) Between two places in a state as part of trade, traffic, or transportation originating or terminating outside the state or the United States.

Intrastate Commerce: any trade, traffic, or transportation provided in the furtherance of a commercial enterprise between any place in the State of Nebraska and any other place in Nebraska and not through any other state.

Motor Carrier: a for-hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers, and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment or accessories. This definition includes the terms employer and exempt motor carrier.

Motor Vehicle (For purposes of the Federal Regulations): any vehicle, truck, truck-tractor, trailer, or semi trailer propelled or drawn by mechanical power except :

- (a) farm tractors,
- (b) vehicles which run only on rails or tracks, and
- (c) road and general-purpose construction and maintenance machinery which by design and function is obviously not intended for use on a public highway, including, but not limited to, motor scrapers, earthmoving equipment, backhoes, trenchers, motor graders, compactors, tractors, bulldozers, bucket loaders, ditch digging apparatus, asphalt spreaders, leveling graders, power shovels, and crawler tractors.

Motor Vehicle (For purposes of Nebraska Registration): any vehicle propelled by any power other than muscular power except :

- (a) mopeds,
- (b) farm tractors,
- (c) self-propelled equipment designed and used exclusively to carry and apply fertilizer, chemicals, or related products to agricultural soil and crops, agricultural floater-spreader implements, and other implements of husbandry designed for and used primarily for tilling the soil and harvesting crops or feeding livestock,
- (d) power unit hay grinders or a combination which includes a power unit and a hay grinder when operated without cargo,
- (e) vehicles which run only on rails or tracks,

Motor Vehicle (For purposes of Nebraska Registration) CONTINUED:

- (f) off-road designed vehicles, including, but not limited to, golf carts, go-carts, riding lawnmowers, garden tractors, all-terrain vehicles, snowmobiles registered or exempt from registration under sections 60-3,207 to 60-3,219, and minibikes,
- (g) road and general-purpose construction and maintenance machinery not designed or used primarily for the transportation of persons or property, including, but not limited to, ditch digging apparatus, asphalt spreaders, bucket loaders, leveling graders, earthmoving carryalls, power shovels, earthmoving equipment, and crawler tractors,
- (h) self-propelled chairs used by persons who are disabled,
- (i) electric personal assistive mobility devices, and
- (j) low-speed vehicles.

Out-of-Service Order: a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out of service pursuant to 49 C.F.R. 386.72, 392.5, 395.13, or 396.9, or compatible laws or the North American Uniform Out-of-Service Criteria.

Private Motor Carrier: a person who provides transportation of property or passengers by commercial motor vehicle and is not a for-hire motor carrier.

Semi-trailer: any vehicle, with or without motive power, designed to carry persons or property and to be drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Tandem Axle: any two consecutive axles the centers of which are more than 40 inches and not more than 96" apart, measured to the nearest inch between any 2 adjacent axles in the series, and the gross weight transmitted to the road surface through such series shall not exceed 34,000 pounds. No axle of the series shall exceed the maximum weight permitted for a single axle.

Tank Vehicle: any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or chassis. Such vehicle includes, but is not limited to, a cargo tank and a portable tank as defined in 49 CFR 171. Does not include a vehicle hauling a portable tank that has a rated capacity under 1,000 gallons. A commercial motor vehicle hauling a portable tank with a maximum capacity greater than 119 gallons that is not permanently attached to the vehicle, but is loaded and unloaded without being removed from the vehicle is to be treated the same as if it were a permanently attached cargo tank.

Truck: a motor vehicle that is designed, used, or maintained primarily for the transportation of property or designated as a truck by the manufacturer.

Truck-tractor: any motor vehicle designed and used primarily for towing other motor vehicles or trailers and not so constructed as to carry a load other than a part of the weight of the motor vehicle or trailer and load being towed.

GLOSSARY OF HAZARDOUS MATERIALS TERMS

Agricultural Product: a hazardous material, other than a hazardous waste, whose end use directly supports the production of an agricultural commodity including, but not limited to a fertilizer, pesticide, soil amendment or fuel. An *agricultural product* is limited to a material in Class 3, 8 or 9, Division 2.1, 2.2, 5.1, or 6.1, or an ORM-D material.

Bulk Packaging: a packaging, other than a vessel or a barge, including a transport vehicle or freight container, in which hazardous materials are loaded with no intermediate form of containment and which has:

- (1) A maximum capacity greater than 450 L (119 gallons) as a receptacle for a liquid;
- (2) A maximum net mass greater than 400 kg (882 pounds) and a maximum capacity greater than 450 L (119 gallons) as a receptacle for a solid; or
- (3) A water capacity greater than 454 kg (1000 pounds) as a receptacle for a gas as defined in §173.115.

Cargo Tank: a bulk packaging that:

- (1) Is a tank intended primarily for the carriage of liquids or gases and includes appurtenances, reinforcements, fittings, and closures (for the definition of a tank, *see* 49 CFR 178.320, 178.337-1, or 178.338-1, as applicable);
- (2) Is permanently attached to or forms a part of a motor vehicle, or is not permanently attached to a motor vehicle but which, by reason of its size, construction or attachment to a motor vehicle is loaded or unloaded without being removed from the motor vehicle; and
- (3) Is not fabricated under a specification for cylinders, intermediate bulk containers, multi-unit tank car tanks, portable tanks, or tank cars.

Cargo Tank Motor Vehicle: a motor vehicle with one or more cargo tanks permanently attached to or forming an integral part of the motor vehicle.

Combustible Liquid: any liquid that does not meet the definition of any other hazard class specified in this subchapter, and has a flash point above 60°C (140°F) and below 93°C (200°F).

Flammable Liquid (Class 3): a liquid having a flash point of not more than 60°C (140°F), or any material in a liquid phase with a flash point at or above 37.8°C (100°F) that is intentionally heated and offered for transportation or transported at or above its flash point in a bulk packaging.

Flash Point: the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid.

Hazardous Material: a substance or material that the Secretary of the United States Department of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce and has designated as hazardous under 49 U.S.C. 5103. The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table, 49 C.F.R. 172.101, and materials that meet the defining criteria for hazard classes and divisions in 49 C.F.R. part 173.

Hazardous Substance: for the purposes of this subchapter, means a material, including its mixtures and solutions, that—

- (1) Is listed in Appendix A to §172.101 of this subchapter;
- (2) Is in a quantity, in one package, which equals or exceeds the reportable quantity (RQ) listed in Appendix A to §172.101 of this subchapter; and
- (3) When in a mixture or solution—
 - (i) For radionuclides, conforms to paragraph 7 of Appendix A to §172.101.
 - (ii) For other than radionuclides, is in a concentration by weight which equals or exceeds the concentration corresponding to the RQ of the material, as shown in the following table:

RQ pounds (kilograms)	Concentration By Weight	
	Percent	PPM
5000 (2270)	10	100,000
1000 (454)	2	20,000
100(45.4)	0.2	2,000
10 (4.54)	0.02	200
1 (0.45)	0.002	20

Hazardous Waste: any material that is subject to the hazardous waste manifest requirements of the United States Environmental Protection Agency specified in 40 C.F.R. 262.

Hazmat Employee:

- (1) A person who is:
 - (i) Employed on a full-time, part time, or temporary basis by a hazmat employer and who in the course of such full time, part time or temporary employment directly affects hazardous materials transportation safety;
 - (ii) Self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting hazardous materials in commerce who in the course of such self-employment directly affects hazardous materials transportation safety;
 - (iii) A railroad signalman; or
 - (iv) A railroad maintenance-of-way employee.
- (2) This term includes an individual, employed on a full time, part time, or temporary basis by a hazmat employer, or who is self-employed, who during the course of employment:

- (i) Loads, unloads, or handles hazardous materials;
- (ii) Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce.
- (iii) Prepares hazardous materials for transportation;
- (iv) Is responsible for safety of transporting hazardous materials;
- (v) Operates a vehicle used to transport hazardous materials.

Hazmat Employer:

- (1) A person who employs or uses at least one hazmat employee on a full-time, part time, or temporary basis; and who:
 - (i) Transports hazardous materials in commerce;
 - (ii) Causes hazardous materials to be transported in commerce; or
 - (iii) Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs or tests a package, container, or packaging component that is represented, marked, certified, or sold by that person as qualified for use in transporting hazardous materials in commerce;
- (2) A person who is self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting materials in commerce; and who:
 - (i) Transports hazardous materials in commerce;
 - (ii) Causes hazardous materials to be transported in commerce; or
 - (iii) Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs or tests a package, container, or packaging component that is represented, marked, certified, or sold by that person as qualified for use in transporting hazardous materials in commerce; or
- (3) A department, agency, or instrumentality of the United States Government or an authority of a State, political subdivision of a State, or an Indian tribe; and who:
 - (i) Transports hazardous materials in commerce;
 - (ii) Causes hazardous materials to be transported in commerce; or
 - (iii) Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs or tests a package, container, or packaging component that is represented, marked, certified, or sold by that person as qualified for use in transporting hazardous materials in commerce.

Limited Quantity: when specified as such in a section applicable to a particular material, means the maximum amount of a hazardous material for which there is a specific labeling or packaging exception.

Marine Pollutant: a material which is listed in appendix B to §172.101 of this subchapter, (also see §171.4) and, when in a solution or mixture of one or more marine pollutants, is packaged in a concentration which equals or exceeds:

- (1) 10% by weight of the solution or mixture for materials listed in the appendix; or
- (2) 1% by weight of the solution or mixture for materials that are identified as severe marine pollutants in the appendix.

Material of Trade: a hazardous material, other than a hazardous waste, that is carried on a motor vehicle—

- (1) For the purpose of protecting the health and safety of the motor vehicle operator or passengers;
- (2) For the purpose of supporting the operation or maintenance of a motor vehicle (including its auxiliary equipment); or
- (3) By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business that is other than transportation by motor vehicle.

Material Poisonous by Inhalation:

- (1) A gas meeting the defining criteria in §173.115(c) of this subchapter and assigned to Hazard Zone A, B, C, or D in accordance with §173.116(a) of this subchapter;
- (2) A liquid (other than as a mist) meeting the defining criteria in §173.132(a)(1)(iii) of this subchapter and assigned to Hazard Zone A or B in accordance with §173.133(a) of this subchapter; or
- (3) Any material identified as an inhalation hazard by a special provision in Column 7 of the §172.101 Table.

Non-Bulk Packaging: a packaging which has:

- (1) A maximum capacity of 450 L (119 gallons) or less as a receptacle for a liquid;
- (2) A maximum net mass of 400 kg (882 pounds) or less and a maximum capacity of 450 L (119 gallons) or less as a receptacle for a solid; or
- (3) A water capacity of 454 kg (1000 pounds) or less as a receptacle for a gas as defined in §173.115.

Packaging: a receptacle and any other components or materials necessary for the receptacle to perform its containment function in conformance with the minimum packing requirements of Title 49 of the Code of Federal Regulations. For radioactive materials packaging, see 49 C.F.R. 173.403.

PHMSA: the Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Portable Tank: a bulk packaging (except a cylinder having a water capacity of 1000 pounds or less) designed primarily to be loaded onto, or on, or temporarily attached to a transport vehicle or ship and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means. It does not include a cargo tank, tank car, multi-unit tank car tank, or trailer carrying 3AX, 3AAX, or 3T cylinders.

Shipping paper: a shipping order, bill of lading, manifest or other shipping document serving a similar purpose and prepared in accordance with subpart C of part 172 of this chapter.

Tank: a container, consisting of a shell and heads, that forms a pressure-tight vessel having openings designed to accept pressure-tight fittings or closures, but excludes any appurtenances, reinforcements, fittings, or closures.

Nebraska is a Member of the Commercial Vehicle Safety Alliance

An association of state and provincial officials responsible for the administration and enforcement of the Motor Carrier Safety Laws in the United States, Canada, and Mexico.

Commercial Vehicle Safety Alliance

1101 17th Street, NW, Suite 803

Washington DC 20036

Telephone: (202)775-1623

Fax: (202)775-1624

www.cvsa.org

This truck information guide is compiled and printed with the intention of assisting you, the transportation public, in complying with the regulations contained herein that you may have a safe and successful trip into or across Nebraska.



Nebraska State Patrol

www.nsp.state.ne.us

**Nebraska State Patrol
Carrier Enforcement Division**

402-471-0105

EMERGENCY HELP LINE

1-800-525-5555

Or *55 on cell phone

Road Conditions

Dial 511

www.511nebraska.org