



Nebraska Farm Bureau Federation®

5225 S. 16th St., P.O. Box 80299, Lincoln, NE 68501 Phone: (402) 421-4400, FAX# (402) 421-4432

January 25, 2010
Sen. Deb Fischer
Chair, Transportation Committee
Dist. #43
State Capitol Building
Lincoln, NE 68509

Senator Fischer and Members of the Transportation Committee:

Good afternoon. My name is Craig Head and I'm the State Director of Governmental Relations for the Nebraska Farm Bureau Federation. I'm here today on behalf of the organization to offer our support for LB 725. Before I start I'd like to acknowledge and thank the State Carrier Enforcement Division for their efforts in working with agriculture on this issue.

LB 725 seeks to clarify in state law that anhydrous ammonia nurse tanks used in agriculture operations are exempt from provisions of the federal carrier enforcement rules that would require these tanks to be retrofitted with brakes and lights.

These tanks were grandfathered from these requirements many years ago, however in the early 1990's the adoption of federal rules by the state somewhat unknowingly removed this exemption. LB 725, would recognize the status quo and common practice that these tanks not be forced to meet the federal requirements for brakes and lights and codify this practical measure in statute.

It's important to note that this exemption is limited to nurse tanks and other trailer type equipment used in the distribution and transport of fertilizers with a storage capacity of less than 3,500 gallons.

Fitting nurse tanks with brakes presents both significant initial and ongoing cost to fertilizer dealers. In the event they would be required to make this investment we would fully expect that those costs would be passed back to farmers, the ultimate users of the fertilizer products. In addition, requiring brakes on nurse tanks could cause potential problems for farmers in the sense of needing additional equipment for their farm trucks when pulling these tanks to and from the dealer to the field for on-farm use.

Given there is no history of placing brakes on these tanks and the significant costs that would be associated with doing so, we believe LB 725 is an important step in recognizing the current practice in agriculture and we encourage the Committee to advance the bill to General File.

Sincerely,

Craig Head
State Director Governmental Relations and Regulatory Affairs
Nebraska Farm Bureau Federation