

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on)	RULE AND REGULATION NO. 189
its own motion, seeking to amend)	
Title 291, Chapter 14, Recreational)	ORDER ISSUING CERTIFICATE OF
Vehicles Rules and Regulations, to)	ADOPTION FOR PROPOSED RULES
adopt rules in accordance with)	
Nebraska Legislative Bill 751)	
[2012].)	ENTERED: February 12, 2013

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

On November 7, 2012, the Nebraska Public Service Commission (Commission) opened the above-captioned docket on its own motion to amend Title 291, Chapter 14, Recreational Vehicles Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 715 passed by the Nebraska Legislature in 2012. Under the provisions of LB 715, the Legislature changed the definition of fifth-wheel trailer, park trailer and travel trailer to increase the allowable length of such trailers from 400 square feet to 430 square feet.

The Commission released a first set of proposed rules requesting comments from interested parties and scheduled a hearing on the proposed rules. Comments in support of the proposed rules were timely received from Rich and Sons, a recreational vehicle dealer located in Grand Island, Nebraska.

A hearing was held on the proposed rules on January 29, 2013, in the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska. Notice of the hearing was published in The Daily Record and Lincoln Journal Star. No parties offered comment at the hearing.

The proposed rules, attached hereto as Appendix, reflect the rules regarding the recreational vehicle program. No changes to the rules as proposed and originally released by the Commission have been made.

Based upon the written comments filed, another hearing regarding this matter is not necessary and the Commission adopts the revisions proposed. The Commission finds that the proposed rules in Appendix should be adopted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a certificate of adoption for the proposed rules set forth in Appendix be, and is hereby, issued.

MADE AND ENTERED at Lincoln, Nebraska, this 12th day of February, 2013

COMMISSIONERS CONCURRING:

Tim Schram

Paul Johnson

Donald Krip

//s//Anne C. Boyle
//s//Frank E. Landis

NEBRASKA PUBLIC SERVICE COMMISSION

Anne Boyle

Chair

ATTEST:

Steve Meratish

Executive Director

APPENDIX

Make the following revisions to Title 291, Chapter 14, Sections 001.02J, 001.02R, and 001.02Y.

001.02J Fifth-wheel trailer shall mean a unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed four hundred thirty square feet in the set-up mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle;

001.02R Park Trailer shall mean a vehicular unit which meets the following criteria:

001.02R1 Built on a single chassis mounted on wheels;

001.02R2 Designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for operation of installed fixtures and appliances;

001.02R3 Constructed to permit setup by persons without special skills using only hand tools which may include lifting, pulling, and supporting devices; and

001.02R4 Having a gross trailer area not exceeding four hundred thirty square feet when in the setup mode~~;~~

001.02Y Travel Trailer shall mean a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use of such size or weight as not to require special highway movement permits when towed by a motorized vehicle and of gross trailer area less than four hundred thirty square feet;