

Definitions

Abutting landowner. Owner of land immediately adjacent to the highway right-of-way, including those persons having an intervening strip ownership of land. Some examples of intervening strip ownership include but are not limited to railroads, canal systems, trail systems, etc.

Aesthetic Mowing. Cutting of hay without baling.

Assignee. One to whom property rights or powers are transferred by another.

Department. Nebraska Department of Roads.

Freeway. An expressway with full control of access (having no at-grade intersections).

Harvesting. Cutting of hay and removing hay from the ground by baling.

Hay. All vegetation including annuals and including woody plants that are one-inch or less in diameter.

Normal business hours. 8:00 a.m. - 4:30 p.m., Monday through Friday, excludes holidays.

Owner. A person, other than a lien-holder, having title in whole or part to real estate and entitled to the use and possession, including a person entitled to the use and possession of the real estate under a land contract, 99-year lease, or a lease including any options for extension with at least 50 years to run from the date of acquisition.

Person. Every natural person, firm, partnership, association, organization, or corporation, both public and private.

Right-of-Way. Land, property, or interest therein, usually in a strip acquired for or devoted to the state highway system.

Liability

The applicant for a permit shall sign a release of liability acknowledging that the applicant will assume all risk and liability for hay quality, and any accidents and damages that may occur as a result of the work.

The applicant shall provide to the Department an ACORD Certificate of Insurance, a substantially equivalent certificate, or a copy of any policy of insurance carried by the applicant showing that the policy of insurance includes coverage of at least one million dollars for mowing, baling, and removing hay from state highway right-of-way.

Criteria

An abutting landowner or the owner's assignee has priority to obtain a permit from March 1 through July 29.

All applicants who are not abutting landowners or owners' assignees may not apply for a permit until July 30.

For abutting landowners, mowing and harvesting of hay may begin on or after July 15, and shall end no later than September 15.

Applicants who are not abutting landowners or owners' assignees are limited to a permit not to exceed a total of five miles per year. These miles may be on either side of the highway as long as the combined distance on both sides does not exceed five miles. These five miles need not be continuous. Distance will be referenced to the nearest milepost.

Mowing and harvesting for general permits (non-abutting) begins July 30, and ends September 15.

Only one cutting per permit will be allowed.

All permits expire September 15. No mowing or baling of hay from the right-of-way allowed after September 15.

Permit Holder Requirements

The permittee shall obtain noxious weed identification, location, and demarcation from the County Weed Superintendent prior to harvesting hay on the highway right-of-way. Noxious weeds shall be mowed but not windrowed or baled.

The permittee shall have a copy of the permit on-site during all harvesting activities.

No selective mowing will be allowed. All vegetation including grasses, weeds, sunflowers, or volunteer growth, excluding landscaping, must be mowed even if not harvested.

All baled vegetation shall be removed from the right-of-way within 10 days after being baled or by September 15.

No mowing or harvesting shall be allowed on any of the following non-exclusive listed areas:

- On the right-of-way of any interstate or freeway.
- Within 15 feet from the edge of the pavement.
- On slopes steeper than three feet horizontal to one foot vertical.
- On newly seeded areas where adequate vegetation is not established.
- On areas with sparse or marginal vegetative cover as determined by the Department.
- On medians, interchange quadrants, rest areas, and construction zones.
- Within corporate limits.
- On other areas excluded by the Department.

Right-of-way markers, land monuments, fences, signs, landscape plantings or other highway features or structures shall not be removed, altered or damaged. The permittee shall be financially responsible for any damages.

Hay harvesting operations within the right-of-way shall be confined to the hours between one hour after sunrise to one hour before sunset.

Equipment shall be parked at the right-of-way line. In no case shall equipment be parked closer than 30 feet from the near edge of the pavement.

All hay harvested from the right-of-way shall be for the private use of the permittee.

When on foot, all persons shall be required to wear high-visibility safety apparel.

Application Process

Identify the area desired for hay harvesting by highway and reference post numbers.

Obtain an application to harvest hay from the nearest Department of Roads area maintenance office or on-line at www.roads.nebraska.gov/hay/

All completed applications must be submitted in person.

Submit the completed application form to the nearest Department of Roads area maintenance office along with:

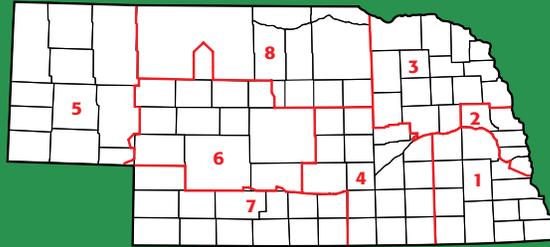
- Required certificate of insurance or copy of insurance policy.
- Check or money order for \$40, made payable to Nebraska Department of Roads.

Permits

- A permit is non-transferable, non-refundable, and must be issued before an applicant can begin mowing operations.
- The permittee shall give the Department 48 hours notice before the start of any haying operations.
- All permits expire on September 15 of the year of issue.
- Only one cutting per permit will be allowed.
- Any hay harvested without a permit will become the property of the State and shall be confiscated by the Department.
- Any person harvesting hay without a permit shall be responsible for all incurred costs and damages.

To obtain a complete copy of the rules and regulations for hay harvesting, or for further information, please contact your local NDOR maintenance office or visit the website at www.roads.nebraska.gov/hay/

NDOR State Highway Districts



NDOR Maintenance Offices

District 1

Lincoln Superior St.402-471-0850
Beatrice402-223-6605
Auburn402-274-4985

District 2

Omaha So. 108th St.402-595-2497
Fremont402-727-3292
Elkhorn402-289-4444

District 3

Norfolk402-370-3477
Columbus402-564-4126
Neligh402-887-5441
So. Sioux City402-494-6826
Wayne402-375-7070

District 4

Grand Island308-385-6263
Ord308-728-3761
York402-362-5930
Hastings402-462-1996

District 5

Bridgeport308-262-1925
Chadron308-432-6141
Gering308-436-6587
Sidney308-254-6932

District 6

North Platte308-535-8010
Lexington308-324-3885
Ogallala308-284-8070
Broken Bow308-872-6733
Mullen308-546-2241

District 7

McCook308-345-8495
Holdrege308-995-4242
Imperial308-882-4252

District 8

Ainsworth402-387-2472
O'Neill402-336-2051
Valentine402-376-1350

Hay Harvesting



Operations Division

The information in this brochure is taken from the rules and regulations defined in Title 408, Chapter 1 - Hay Harvesting Permits, in accordance with the requirements of Chapter 39, Article 13, Neb. Rev. Stat. 39-1359.01.