

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 31**

Introduced by Jacobson, 42; Day, 49.

Read first time January 05, 2023

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to railroads; to require a train crew of at  
2 least two individuals as prescribed; to provide fines; and to  
3 provide duties for the Public Service Commission.  
4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) For purposes of this section, train or light engine  
2 used in connection with the movement of freight does not include trains  
3 or light engines operated:

4           (a) During hostler service;

5           (b) During helper service;

6           (c) By utility employees; or

7           (d) For the purpose of loading or unloading freight or grain, so  
8 long as the train or light engine is not moving faster than ten miles per  
9 hour.

10          (2) No train or light engine used in connection with the movement of  
11 freight shall be operated unless it has a crew consisting of at least two  
12 individuals.

13          (3) Any person who willfully violates this section shall be fined:

14          (a) For a first offense committed within a three-year period, not  
15 less than two hundred fifty dollars and not more than one thousand  
16 dollars;

17          (b) For a second offense committed within a three-year period, not  
18 less than one thousand dollars and not more than five thousand dollars;  
19 and

20          (c) For a third or subsequent offense committed within a three-year  
21 period, not less than five thousand dollars and not more than ten  
22 thousand dollars.

23          (4) The Public Service Commission shall enforce this section and  
24 remit all fines collected under this section to the State Treasurer for  
25 distribution in accordance with Article VII, section 5, of the  
26 Constitution of Nebraska.