

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LR338

Hearing Date: Wednesday May 27, 2015
Committee On: Transportation and Telecommunications
Introducer: Davis
One Liner: Urge the Federal Railroad Administration to adopt a rule requiring a train crew of at least two individuals

Roll Call Vote - Final Committee Action:

Report to the Legislature for further consideration with amendment(s)

Vote Results:

Aye:	6	Senators Brasch, Davis, Friesen, McCoy, Seiler, Smith
Nay:		
Absent:	2	Senators Garrett, Murante
Present Not Voting:		

Verbal Testimony:

Proponents:

Al Davis
Glenn Marker
Bob Borgeson
Jerry Stilmock

Pat Pfeifer

Opponents:

Kelli O'Brien
Jeff Davis

Neutral:

Erik Wood

Representing:

Introducer
SMART-TD
SMART-TD
Nebraska State Volunteer Firefighters' Association and
Nebraska Fire Chiefs' Association
BLET

Representing:

Union Pacific
BNSF Railway

Representing:

Self

Summary of purpose and/or changes:

LR 338 is a resolution of the Legislature directed to Sarah Feinberg, Acting Administrator of the Federal Railroad Administration (FRA) urging the FRA to adopt a rule requiring train crews to consist of at least two individuals whenever a train or light engine is used in connection with the movement of freight.

Explanation of amendments:

The Committee considered and adopted an amendment which substitutes for the resolution as introduced. The following changes are proposed:

1) The fifth Whereas Clause is stricken and the the following language is added:

"Whereas former Federal Railroad Administrator Joseph C. Szabo has stated, "We believe that safety is enhanced with the use of a multiple person crew--safety dictates that you never allow a single point of failure. Ensuring that trains are adequately staffed for the type of service operated is critically important to ensure safety redundancy." Accordingly, the

safety risks posed by such shipments, could be reduced by requiring a train crew of at least two individuals whenever a train or light engine is used in connection with the movement of freight."

2) The first Resolved Clause is stricken and the following language is substituted:

"That the Legislature urges the Federal Railroad Administration to carefully review the comments and evidence produced by all interested parties, complete the rulemaking process, and adopt a final rule on appropriate train crew size that ensures public safety and promotes the efficient movement of freight, while supporting interstate commerce."

Jim Smith, Chairperson