

ONE HUNDRED FOURTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 338

Introduced by Davis, 43; Campbell, 25; Cook, 13; Crawford, 45; Friesen, 34; Gloor, 35; Groene, 42; Haar, 21; Harr, 8; Howard, 9; Hughes, 44; Johnson, 23; Kolowski, 31; Kolterman, 24; Krist, 10; Lindstrom, 18; Mello, 5; Morfeld, 46; Nordquist, 7; Pansing Brooks, 28; Schumacher, 22; Seiler, 33; Smith, 14; Stinner, 48; Sullivan, 41; Williams, 36; Ebke, 32; Garrett, 3; Hansen, 26; Hilkemann, 4; McCollister, 20; Scheer, 19; Schnoor, 15; Bolz, 29; Schilz, 47.

Read first time May 14, 2015

Committee: Transportation and Telecommunications

WHEREAS, the Federal Railroad Administration is in the process of drafting federal rules on the subject of appropriate train crew size; and

WHEREAS, the purpose of these rules is to establish minimum requirements for train crew size based on the type of operation; and

WHEREAS, the minimum requirements for train crew size are expected to take into account the various safety risks posed to railroad employees, the general public, and the environment; and

WHEREAS, the volume of freight transported by rail is particularly heavy through Nebraska, and these freight shipments include hazardous materials such as ethanol, chlorine, and Bakken crude oil; and

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.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. 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.

2. That a copy of this resolution be sent to Sarah Feinberg, Acting Administrator of the Federal Railroad Administration, and to each member of the Nebraska congressional delegation.