

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1098**

Introduced by Juarez, 5; DeBoer, 10; Fredrickson, 20; Guereca, 7.

Read first time January 16, 2026

Committee:

- 1 A BILL FOR AN ACT relating to railroads; to adopt the State Rail Plan
- 2       Act.
- 3 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Sections 1 to 7 of this act shall be known and may be  
2 cited as the State Rail Plan Act.

3       **Sec. 2.** For purposes of the State Rail Plan Act:

4       (1) Department means the Department of Transportation; and

5       (2) State rail plan means the state rail plan that is prepared and  
6 maintained pursuant to section 5 of this act.

7       **Sec. 3.** (1) The department is designated as the rail transportation  
8 authority for preparing, maintaining, coordinating, and administering a  
9 state rail plan.

10       (2) The Governor, or the Governor's designee, is designated as the  
11 state rail plan approval authority for approving a state rail plan.

12       **Sec. 4.** Each year, the department shall:

13       (1) Conduct a study of passenger rail service provided in this  
14 state. Such study shall be conducted prior to November 1 of each year and  
15 include information relating to the passenger rail service that is  
16 provided in this state and the potential for additional passenger rail  
17 service; and

18       (2) Produce a report that contains the findings from such study and  
19 electronically deliver such report to the Clerk of the Legislature no  
20 later than December 31 of each year.

21       **Sec. 5.** (1) No later than June 30, 2027, the department shall  
22 prepare a state rail plan pursuant to 49 U.S.C. 22702, as such section  
23 existed on January 1, 2026.

24       (2) The department shall maintain the state rail plan. At least  
25 annually, the department shall review and may revise the state rail plan.

26       (3) Within ten days after preparing or revising the state rail plan,  
27 the department shall electronically submit the prepared or revised state  
28 rail plan to the Governor for approval or denial. The Governor shall,  
29 within thirty days after receiving such submitted state rail plan,  
30 approve or deny such submitted state rail plan and electronically notify  
31 the department and the Clerk of the Legislature of such approval or

1 denial.

2 (4) Within ten days after receiving an approval from the Governor  
3 under this section, the department shall submit the prepared or revised  
4 state rail plan to the United States Secretary of Transportation as  
5 specified in 49 U.S.C. 22702, as such section existed on January 1, 2026.

6 Sec. 6. (1) The state rail plan shall include:

7 (a) The minimum requirements specified in 49 U.S.C. 22705, as such  
8 section existed on January 1, 2026;

9 (b) A description of the passenger rail service available in this  
10 state and potential ways to increase the volume or improve the quality of  
11 available passenger rail service;

12 (c) A list of railroad tracks that require upgrading or improving;

13 (d) A description of how railroads are intended to correlate with  
14 other transportation infrastructure in this state;

15 (e) Proposals for increasing freight and passenger rail capacity  
16 traveling within and through this state; and

17 (f) Available options and current plans for obtaining federal grants  
18 to carry out the state rail plan.

19 (2) The department shall consider the following when preparing or  
20 revising the state rail plan:

21 (a) Public feedback;

22 (b) Feedback from rail transportation advocacy groups;

23 (c) Feedback from passenger rail advocacy groups;

24 (d) Studies conducted by the department;

25 (e) Economic development opportunities;

26 (f) Intrastate transit available for passengers or freight and areas  
27 in need of or that could benefit from increasing such availability; and

28 (g) Interstate transit opportunities available for passengers or  
29 freight and areas in need of or that could benefit from increasing such  
30 availability.

31 Sec. 7. The department may:

1       (a) Conduct studies and collect public feedback relating to the  
2       state rail plan and incorporate the findings from such studies and public  
3       feedback into the state rail plan; and

4       (b) Adopt and promulgate rules and regulations to carry out the  
5       State Rail Plan Act.