

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 128**

Introduced by McKeon, 41; Hardin, 48; Lippincott, 34; Lonowski, 33.

Read first time January 10, 2025

Committee:

- 1 A BILL FOR AN ACT relating to the Public Service Commission; to amend
- 2 section 75-426, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to the investigation of railroad accidents; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 75-426, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           75-426 The commission may investigate the cause of all accidents on  
4 any railroad within this state that result in loss of life or injury to  
5 any person or property. Upon the occurrence of any such serious personal  
6 injury or loss of life to persons other than railroad employees resulting  
7 from an accident at a railroad crossing or from an accident involving an  
8 explosion, fire, or release of noxious fumes occurring upon any railroad  
9 within the State of Nebraska, the corporation which operates the railroad  
10 upon which the accident occurred shall report such accident in writing or  
11 by telephone to the commission within twenty-four hours of the time such  
12 accident occurred. ~~The commission shall promptly investigate any such~~  
13 ~~accident and a report shall be made a part of the commission's official~~  
14 ~~files.~~ The corporation which operates the railroad shall also furnish to  
15 the commission a copy of the same report that it is required to furnish  
16 to the Federal Railroad Administration. Neither of such reports shall be  
17 evidence or referred to in any case in any court. Any railroad carrier  
18 violating any of the provisions of this section shall be guilty of a  
19 Class IV misdemeanor.

20           **Sec. 2.** Original section 75-426, Reissue Revised Statutes of  
21 Nebraska, is repealed.