

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 175**

Introduced by Hallstrom, 1.

Read first time January 13, 2025

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to railroads; to amend section 74-1335,  
2 Reissue Revised Statutes of Nebraska; to provide duties for the  
3 successor in interest of a railroad; and to repeal the original  
4 section.

5 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 74-1335, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           74-1335 (1) For purposes of this section, successor in interest  
4 includes any agent, successor, assignee, trustee, receiver, or other  
5 person acquiring interests or rights in railroad land, including the  
6 owner or holder of any servient estate or right of reversion relating to  
7 railroad land.

8           (2) Whenever any person owns land on both sides of the right-of-way  
9 of any railroad or its successor in interest, such railroad or its  
10 successor in interest shall provide and keep in repair at least one  
11 adequate means for such landowner to cross the right-of-way. Any  
12 interested landowner with land on both sides of the right-of-way of any  
13 railroad or its successor in interest may file written complaint with the  
14 Department of Transportation against any such railroad or its successor  
15 in interest that the crossing is not adequate or is unsafe and dangerous  
16 to the life and property of those who use it, and the department  
17 thereupon shall make such investigation, hold such hearing, and issue  
18 such orders as it deems necessary, proper, and adequate. If circumstances  
19 warrant, the department may require overhead, underground, or grade  
20 crossings and wing fences at underground crossings or may require  
21 existing crossings to be relocated so as to be safe to those who use  
22 them, but when a special crossing involves an expenditure of more than  
23 one thousand five hundred dollars, the landowner shall bear one-half the  
24 expenses in excess of one thousand five hundred dollars.

25           **Sec. 2.** Original section 74-1335, Reissue Revised Statutes of  
26 Nebraska, is repealed.