

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 271**

Introduced by Storer, 43; Bosn, 25; Hallstrom, 1.

Read first time January 15, 2025

Committee:

- 1 A BILL FOR AN ACT relating to crimes and offenses; to amend section
- 2 28-101, Revised Statutes Cumulative Supplement, 2024; to prohibit
- 3 interference with railroad infrastructure, equipment, and personnel
- 4 as prescribed; to define terms; to harmonize provisions; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 28-101, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701  
4 and section 2 of this act shall be known and may be cited as the Nebraska  
5 Criminal Code.

6           **Sec. 2.** (1) For purposes of this section:

7           (a) Interfere means to tamper with, displace, remove, damage,  
8 disable, destroy, set fire to, impair, or otherwise interfere with  
9 something; and

10           (b) Rail infrastructure means any of the following that are located  
11 on railroad property or are owned, leased, possessed, operated, or  
12 otherwise used for or in connection with railroad operations: A train,  
13 locomotive, freight or passenger car, or any other on-track vehicle or  
14 equipment; any railroad track or structure; any signalling or  
15 communication system or component; or any station, terminal, depot, or  
16 other facility.

17           (2) A person commits an offense if such person knowingly, willfully,  
18 or recklessly, and without lawful authority or permission:

19           (a) Places any obstruction upon or within or otherwise interferes  
20 with any rail or any part of the tracks, ties, switches, ballast, or  
21 other fixture or device, or the securement thereof, or any bridge,  
22 tunnel, viaduct, tower, culvert, drain, trestle, embankment, parapet, or  
23 other structure or any part thereof, attached to or connected to or used  
24 with such tracks or the operation of any railroad;

25           (b) Interferes with any signal, mechanism, device, equipment,  
26 bungalow, communication lines or antennas, or other appurtenance used in  
27 or with, or controlling the signal or communication systems of, any  
28 railroad, including any train control system, centralized dispatching  
29 system, wayside detector, communication tower, buried or aerial facility,  
30 or highway-rail grade crossing warning system;

31           (c) Interferes with, or places or releases a biological agent or

1 toxin, destructive substance, or destructive device in, upon, near, or on  
2 board any rail infrastructure;

3 (d) Detaches, initiates an emergency brake application of, or  
4 otherwise interferes with the movement of, any train, locomotive, freight  
5 or passenger car, or any other on-track vehicle or equipment;

6 (e) Assaults or injures any rail passenger, railroad employee, or  
7 police officer of a railroad or any person on or within any railroad  
8 property;

9 (f) Makes a terroristic threat or knowingly conveys false  
10 information or reports regarding an attempt or alleged attempt to commit  
11 any of the acts described in this subsection; or

12 (g) Attempts, threatens, or conspires with others to commit any of  
13 the acts described in this subsection.

14 (3) A violation of this section is a Class IIIA felony.

15 **Sec. 3.** Original section 28-101, Revised Statutes Cumulative  
16 Supplement, 2024, is repealed.