

**COMMITTEE ON
TRANSPORTATION & TELECOMMUNICATIONS**

**One Hundred Eighth Legislature
Second Session
2024**

**SUMMARY OF LEGISLATION
REFERRED TO THE COMMITTEE**



**Senator Mike Moser, Chairperson
Senator Barry DeKay, Vice Chairperson
Senator Carolyn Bosn
Senator Bruce Bostelman
Senator Tom Brandt
Senator Machaela Cavanaugh
Senator Wendy DeBoer
Senator John Fredrickson**

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One Hundred Eighth Legislature

Second Session - 2024

Members of Committee

Senator Mike Moser, Chairperson.....Columbus - District 22
Senator Barry DeKay, Vice Chairperson.....Niobrara - District 40
Senator Carolyn Bosn.....Lincoln - District 25
Senator Bruce Bostelman.....Brainard - District 23
Senator Tom Brandt..... Plymouth - District 32
Senator Machaela Cavanaugh.....Omaha - District 6
Senator Wendy DeBoer.....Bennington - District 10
Senator John Fredrickson.....Omaha - District 20

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**ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION**

**BILLS REFERRED TO THE TRANSPORTATION &
TELECOMMUNICATIONS COMMITTEE**

Bills marked with an asterisk () were amended into LB 1200 or LB 1031.
Bills marked (#) were 2023 carry-over bills that were considered during
the 2024 legislative session.*

LB #	INTRODUCER	ONELINER	STATUS
# LB31	Jacobson (Jacobson Priority)	Require train crews of at least two individuals as prescribed	General File
# LB61	Brandt (Brandt Priority)	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission	Enacted

# LB136	Geist	Change provisions relating to the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Motor Vehicle Operator's License Act	Select File (The provisions of LB 136 were incorporated into LB 1200 as introduced)
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# LB166	Bostelman	Change provisions relating to design-build, construction manager-general contractor, and public-private-partnership proposals under the Transportation Innovation Act	General File
# LB234	Walz	Require reporting of blocked railroad crossing complaints	General File
# LB247	Lippincott	Change provisions relating to issuance of a certificate of title for certain motor vehicles	Enacted

# LB484	Moser	Provide for continuing education for licensed motor vehicle dealers and authorization to conduct an educational seminar for continuing education credit and eliminate a requirement for the Nebraska Motor Vehicle Industry Licensing Board to maintain an office in the State Capitol	Enacted
# LB600	Lippincott (Lippincott Priority)	Change provisions relating to the Transportation Infrastructure Bank Fund and the Economic Opportunity Program of the Department of Transportation	Enacted
# LB607	McDonnell (Speaker Priority)	Change provisions relating to grants for the 211 Information and Referral Network	Enacted

# LB688	Erdman	State intent to appropriate funds to the Department of Motor Vehicles	General File
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*LB 865	Bostelman	Require annual reports to the Nebraska Broadband Office	Enacted (LB 1031)
*LB 891	Bosn	Redefine manufacturer under the Motor Vehicle Industry Regulation Act	Enacted (LB 1200)
*LB 900	Brandt	Change provisions of the Nebraska Rules of the Road relating to the length of vehicles	Enacted (LB 1200)
*LB 929	Fredrickson	Provide for coordination of the 911 service system and the 988 suicide and crisis lifeline	Enacted (LB 1200)
LB 965	Holdcroft	Change provisions relating	Committee

		to certain license plates issued to persons with military affiliation as prescribed	
*LB 966	DeKay	Change provisions relating to traffic control signals and excise tax rates on certain fuels	Enacted (LB 1200)
LB 1004	Hansen (Hansen Priority)	Change motorcycle, moped, and autocycle helmet provisions	Enacted
LB 1030	Bostelman (Speaker Priority)	Change provisions of the County Bridge Match Program and provide for a transfer of funds from the Roads Operations Cash Fund	Enacted
LB 1031	Bostelman (TNT Committee Priority)	Change provisions relating to dark fiber leases, broadband telecommunications services, the Nebraska Telecommunications Universal Service Fund, the Public Service Commission, the Nebraska Broadband Bridge Act, and the 911 Service System Act	Enacted
LB 1038	DeKay	Change membership of the Nebraska Information Technology Commission	Enacted (LB 1031)
LB 1105	DeKay	Name the Branded Certificate of Title Act and provide for the issuance of destroyed-vehicle branded certificates of title	Committee

LB 1108	Dorn (Dorn Priority)	Provide for transfer of certain sales and use taxes to the Nebraska Emergency Medical System Operations Fund and provide additional uses for the fund	Enacted
LB 1112	Clements	Provide restrictions and requirements relating to permits for communications infrastructure placed on poles or towers	Committee
LB 1127	Bosn	Provide a requirement for personal vehicles used for purposes of transportation network companies	Committee
LB 1129	Raybould	Provide for autism acceptance license plates and change provisions relating to license plates and the Autism Treatment Program Cash Fund	Committee
LB 1133	Walz	Provide for enforcement of federal railroad safety standards by the Public Service Commission	Committee
LB 1163	Lowe	Authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal as prescribed	Committee
LB 1186	Sanders	Change provisions of the One-Call Notification System Act	Committee
LB 1200	Moser (T&T Committee Priority)	Change provisions relating to motor vehicles, roads, excise taxes, and federal law and regulations and provide for coordination of the 911	Enacted

		service system and the 988 suicide and crisis lifeline	
LB 1212	Walz	Adopt the Railroad Safety Act	Committee
LB 1249	Cavanaugh, J.	Change provisions relating to kit vehicles under the Motor Vehicle Certificate of Title Act	Committee
LB 1250	Cavanaugh, J.	Provide for grants for bike-sharing programs	Committee
*LB 1255	Fredrickson	Change provisions relating to next-generation 911 service	Enacted (LB 1031)
*LB 1256	DeBoer	Require reports by communications service providers regarding 911 service outages and require a hearing	Enacted (LB 1031)
LB 1257	DeBoer	Change provisions of the 911 Service System Act	Committee
LB 1340	Kauth	Change provisions relating to enforcement of offenses related to interactive or handheld wireless communication devices, speed limit violations, removal of vehicles from highways, and motor vehicle homicide	Committee

**SUMMARY OF 2024 LEGISLATION
APPROVED BY THE GOVERNOR**

LB 61

Change Provisions of Law Related to the Sale or Lease of Dark Fiber

Introduced by Senator Brandt

2024 Brandt Personal Priority Bill

The bill provides that any agency of the state or political subdivision may, in addition to selling or leasing dark fiber assets, may also license the use of dark fiber owned by the entity. LB 61 removes all authority possessed by the Nebraska Public Service Commission (PSC) to require the filing, review and approval of dark fiber leases by state agencies and political subdivisions, including the requirement that a portion of the profit on the lease of dark fiber be deposited to the Nebraska Universal Service Fund.

The section is amended by the addition of language stating that state agencies and political subdivisions may lease or license dark fiber and related infrastructure under terms determined by the agency or subdivision.

Dark fiber may be leased or licensed by public entities to any entity which is determined to use such fiber to provide broadband service unserved locations (an area which has no terrestrial-based service available at a speed of at least 100/20 Mbps, or in an area where there is an enforceable commitment to provide such service).

The entity leasing or licensing the fiber shall file the agreement with the PSC. The PSC within 5 days shall provide public notice of the agreement and any internet service provider can challenge such agreement by showing they provide 100/00 Mbps service within the proposed service area to be served by the agreement. In the event of a challenge, the PSC shall render a decision within 30 days.

Any revenue received from a public entity from leasing or licensing dark fiber shall only be used for purposes associated with such fiber. No public entity shall use revenue derived from the sale of electricity for costs associated with the sale or lease of dark fiber.

LB 140

PROVIDE FOR CZECH HERITAGE LICENSE PLATES

Introduced by: Senator Brandt

Sections 7 and 8 of the bill provides for the creation and issuance of a new license plate for motor vehicles—Czech Heritage Plates.

Plate design shall be done in consultation with the Czech Honorary Consul of Nebraska and shall reflect Czech heritage in Nebraska. The manufacturing cost shall not exceed the cost of the standard Nebraska license plate. If the cost of manufacture exceeds the cost of standard license plates the excess cost amount shall be transferred from the Department of Motor Vehicles Cash Fund to the Highway Trust Fund. The license plate will be available for issuance on January 1, 2025.

Two types of plate shall be issued:

- 1) Alphanumeric, 5 characters with no county designator. The plate requires an additional fee of \$5; and
- 2) Personalized message, with up to 5 characters. The plate requires an additional fee of \$40.

The additional fee charged upon issuance is to be deposited to the Department of Motor Vehicles Cash Fund.

Issuance of the plate will end if the total number of plates issued is less than 500 per year in any consecutive two-year period.

LB 247

Change Provisions Relating to Issuance of a Certificate of Title for Certain Motor Vehicles

Introduced by: Senator Lippincott

Amends section 28-431; property seized without warrant, subject to forfeitures, disposition.

This section prescribes the procedure for the administration and disposition of property related to the manufacture, possession, or transportation of controlled substances, including conveyances such as aircraft, vehicles, or vessels.

Subsection (7) of the section provides following the adjudication of a seizure, when such property is disposed of, the county clerk shall issue title to a purchaser, if a title is required for the transfer of property.

The bill changes the issuing officer of a title from the county clerk to the county treasurer.

LB 484

Provide Requirements for Motor Vehicle Dealer Education

Introduced by: Senator Moser

Amends the Nebraska Motor Vehicle Industry Licensing Act by enacting two new provisions of law.

Provides that applicants for an initial motor vehicle dealer's license shall be required to complete 8 hours of continuing education and applicants for renewal of a dealer's license shall complete 4 hours of continuing education within 12 months of issuance or renewal of the license.

The continuing education requirement shall not apply to:

- 1) Salvage dealers (primary business is the sale of salvage vehicles on behalf of insurance carriers);
- 2) Dealers who only sell manufactured homes;
- 3) Dealers who only sell trailers; and
- 4) A franchised new car dealer or employee of a franchised new car dealer.

LB 484 establishes the process by which an entity can apply to the Motor Vehicle Industry Licensing Board to qualify to provide a continuing education program.

The bill provides for an operative date of January 1, 2026.

LB 600

Create the Municipality Infrastructure Act

Introduced by: Senator Lippincott

2024 Lippincott Personal Priority Bill.

Eight new provisions of law are enacted- the "Municipality Infrastructure Act."

The act is to be administered by the Department of Economic Development. Entities eligible to apply for a grant are cities of the First Class, Second Class, or villages with a redevelopment plan approved under the Community Development Law.

Eligible municipalities may apply for grants to assist in funding infrastructure including water and sewer systems, roads, bridges and other site development activities.

Beginning July 1, 2024, grant applications may be filed with the Department of Economic Development. Grant applications shall include:

Infrastructure improvements must be part of a plan approved under the Community Development Law;

Explain how the improvements would attract and support new business or business expansion;

How the improvements would provide infrastructure that is sufficient for new or expanded business;

A cost-benefit analysis of the redevelopment plan; and

How the new or expanded business would provide jobs, including high-quality jobs; increase business investment; and revitalize rural and other distressed areas of the state in or near an eligible grantee.

An application for a grant shall be denied if the redevelopment plan does not provide a positive cost-benefit analysis or the grantee fails to provide a match of 25% of the amount of the grant request.

Grants are to be limited to \$5,000,000 per application.

The Department of Economic Development is directed to establish the grant process, including the process to recoup funds if grant obligations are not met.

The Department of Economic Development is to consult with the Department of Transportation and Environment and Energy statewide economic developer associations on administration of the Act.

The Municipality Infrastructure Aid Fund is created. The Fund shall receive a transfer of \$5 million from the Cash Reserve Fund as soon as possible after the effective date of the Act.

LB 607 (McDonnell)

Amends section 75-1101- Information and Referral Network; Public Service Commission; award grant; 211 Cash Fund.

2024 Speaker Priority Bill

The Information and Referral Network is a statewide information network providing information to the public regarding disaster and emergency response and health and human services. The Public Service Commission (PSC) annually provides a grant to supplement the operation of the Network. Since the inception of the Network, the service has been provided by the United Way of the Midlands. The grant administered by the PSC in 2023 was \$955,000. The amount of maximum grant allowed is prescribed by this section. The source of the funding since the Network was created in 2019 has been interest earned on the Nebraska Telecommunications Universal Service Fund.

LB 607 strikes language limiting the maximum amount of grant allowed to be \$955,000.

LB 1004 (Hansen)

Changes provisions of law related to the use of motorcycle safety helmets.

2024 Senator Hansen Personal Priority Bill

Amends section 60-6, 279- Protective Helmets; Eye Protection; When Required.

This section provides that any person operating or riding upon a motorcycle shall be required to wear an approved helmet except:

Persons at least 21 years of age, and

- (a) a resident of Nebraska who have completed the basic motorcycle safety education course provided in the Motorcycle Safety Education Course; or
- (b) a nonresident of the state who has completed an equivalent motorcycle safety education Course.

LB 1004 proposed the following changes to the section:

- 1) for Nebraska residents who have received the Class M operator's license prior to May 1, 2024, in addition to the basic motorcycle safety education course prescribed by the Motorcycle Safety Education Act, proof also may be submitted that an individual has completed the Motorcycle Safety Foundation three-hour Basic eCourse;
- 2) nonresidents have no obligation to show proof of completion of a safety education course; and
- 3) all motorcycle passengers are required to wear an approved helmet, unless such passenger is riding upon a motorcycle operated by a resident who has completed the motorcycle safety education course or the Motorcycle Safety Foundation three-hour Basic eCourse.

LB 1004 contains the Emergency Clause

LB 1030 (Bostelman)

Change provisions related to the County Bridge Match Program

2024 Speaker Priority Bill

Amends section 39-2805- County Bridge Match Program.

The County Bridge Match Act was created in 2016 and authorized \$40 million (the original legislation authorized up to \$40 million; in 2023 the section was amended to earmark \$40 million for the program) from the Transportation Infrastructure Bank Fund. The program is to promote innovative solutions and to accelerate the repair and replacement of deficient county road bridges. This section has a termination date of June 30, 2029.

A new subsection (2) is proposed that establishes a working group consisting of two officials appointed by the Governor representing counties and three representatives designated by the Director of Transportation. The working group will develop the program, including participation criteria and match requirements. The group will score applications and make awards. Meetings of

the working group are deemed to not be a meeting for purposes of the Nebraska Open Meetings Act.

Amends section 66- 4,100- Highway Cash Fund- Roads Operation Cash Fund, Creation.

This section lists the purposes for which the DOT may expend from the Highway Cash Fund and the Roads Operation Cash Fund. A new expenditure option is added, the County Bridge Match Program.

Transfers \$4 million from the Roads Operations Cash Fund to the Transportation Infrastructure Bank Fund for purposes of the County Bridge Match program by June 30, 2024, and an additional \$4 million by June 30, 2025.

Adds the Emergency Clause.

LB 1031 (Bostelman)

Change Provisions of Law Related to Telecommunications

2024 Transportation and Telecommunications Committee Priority Bill

LB 1031 revises broadband speed requirement to a minimum of 100 megabits download and 100 megabits upload speed.

Amends section 86-324.02- Nebraska Universal Service Fund; High-Cost Support; Speed Tests.

Adds a new subsection which provides that beginning July 1, 2025, the Nebraska Public Service Commission shall not provide high-cost support from the Nebraska Universal Service Fund to support any infrastructure that does not provide Internet access at speeds less than 100 megabits upload and 100 megabits download.

Amends section 86-577- Agency or Political Subdivision; Dark Fiber Leasing. The section is amended to modify the terms “served location” and “unserved location” for purposes of reviewing dark fiber leases filed with the Commission.

“Served location” currently means a location able to receive communications at a minimum speed of 25 megabits download and 3 megabits upload speed.

The speed requirement to be considered served is changed to a minimum speed of 100 megabits download and 100 megabits upload speed.

“Unserved location” is currently considered a location that is not able to receive communications services at a minimum speed of 25 megabits download and a minimum upload speed of 3 megabits.

The speed requirement to determine a location to be unserved is changed to a speed less than 100 megabits download and less than 20 megabits upload.

Amends section 86- 1101- Broadband Task Force; Legislative Intent.

The section provides legislative intent concerning the provision, and need for, quality broadband in rural portions of Nebraska. The section states that all residents of the state should have access to broadband at a minimum download speed of 25 megabits download and 3 megabits upload speed.

LB 1031 was amended in committee to amend LB 1031 as introduced and incorporates the provisions of LB 865, LB 1038, LB 1255 as amended, LB 1256 as amended and LB 1180 into LB 1031.

LB 1031- Sections 4, 6, 14, and 15, of LB 1031.

LB 1031 as amended harmonizes current statutory speed standards defining broadband services. The committee amendment retains the bill as introduced with the exception that new subsection (2) of section 86-324.02 (section 4) is stricken and replaced with the following:

Beginning 18 months after the effective date of the act, the Public Service Commission (PSC) shall not provide on-going high-cost support from the Nebraska Universal Service Fund (NUSF) to any location not capable of internet access at a speed less than 100 megabits per second for downloading and at least 20 megabits per second (100/20 Mbps) for uploading, unless the location is subject to a federally enforceable commitment to provide infrastructure providing broadband at 100/20 Mbps. Beginning January 1, 2029, the PSC shall provide no high-cost NUSF support to any broadband serviceable location not capable of providing 100/20 Mbps speed, notwithstanding any federally enforceable commitments.

The term “broadband serviceable location” is defined as a location at which fixed broadband access service is or is able to be installed.

LB 865- Section 16 of LB 1031.

LB 865 was introduced by Senator Bostelman and provides that on or before July 30, 2024, and each July 30 thereafter, every broadband provider operating in Nebraska shall report to the Nebraska Broadband Office information regarding each standard internet service plan advertised by the provider and the rate associated with each plan.

LB 1038- Section 5 of LB 1031.

LB 1038 introduced by Senator DeKay would revise the membership of the Nebraska Information Technology Commission to provide that of the five members appointed to the Commission from the general public, one shall have agriculture as their principal business or occupation.

LB 1180- Section 3 of LB 1031.

LB 1180 was introduced by Senator Wishart and makes two changes to the Telecommunications Equipment Program which is administered by the Nebraska Public Service Commission. LB 1180 makes the following changes:

The number of persons residing in a home eligible to receive equipment assistance is changed from 1 to 2.

Program participants may reapply for equipment assistance every three years, rather than every 5 years.

LB 1255- Sections 1, 2, 3, 7, 8, 9, 10, 11, 12, of LB 1031.

LB 1255 as amended was introduced by Senator Fredrickson and revises provisions of the 911 Service System Act by adding new requirements (Section 11) for originating service providers and telecommunications relay providers to connect and route all 911 calls to the next generation 911 system to be answered. As amended, no later than January 1, 2026, unless the Federal Communications Commission has required a different date, originating service providers, relay service providers and the next-generation 911 service contractor shall ensure all 911 calls are transmitted to next-generation 911 points designated by the State 911 Director. An originating service provider or relay service provider may agree with the State 911 Director to establish an alternative date to comply with translation and routing requirements.

Beginning November 15, 2024, and each November 15 thereafter, the next-generation 911 service contractor shall report to the Transportation and Telecommunications Committee and the State 911 Director on the capabilities and redundancies of the next-generation 911 service network

LB 1256- Sections 1, and 13 of LB 1031.

LB 1256 as amended was introduced by Senator DeBoer. The amendment substitutes for the bill and enacts a new provision of law in the 911 Service System Act (section 13) that provides any communications service provider required to file 911 service outage reports with the Federal Communications Commission shall also file copies of such reports with the Nebraska Public Service Commission (PSC). The providers shall follow the same timelines as provided for in federal law and shall not be subject to public disclosure. When an outage report is received by the PSC, a public hearing shall be held within 90 days. The PSC may delay the hearing upon a showing of good cause, but for not more than 30 days. The hearing requirement may be waived by a majority vote of the PSC or if the service provider has, in good faith, withdrawn the initial report filed with the Federal Communications Commission.

The bill clarifies that nothing in the Act shall be construed to authorize the PSC to regulate any activity prohibited by section 86-124. The bill was amended on General File to explicitly exclude wireless telecommunications carriers from the requirements of this Requirement.

LB 1108 (Dorn)

Increase Funding provided to the Nebraska Emergency Medical Systems Operations Fund 2024 Senator Dorn Personal Priority Bill.

As introduced LB 1108 provided that in addition to other fees required for registration of a motor vehicle or trailer, the fee for the Nebraska Emergency Medical System Operations Fund would be increased from .50 cents to \$1.

Through a floor amendment, the fee increase was eliminated and in the alternative, section 37-327.02 was amended to provide that there will be transferred from the Game and Parks Commission Capital Maintenance Fund to the Nebraska Emergency Medical System Operations Fund \$1,270,000 each year. The source of the funds transferred is the sales and use tax imposed on all-terrain and utility-type vehicles.

Additionally, section 71-51-103 is added to the bill. The section outlines the purposes of the Nebraska Emergency Medical System Operations Fund.

The section is amended by adding two new purposes for which the fund may be used:

- 1) Financial support for the statewide patient care reporting system and trauma registry; and
- 2) Financial support for the recruitment, retention, and training of emergency medical responders.

The amendment also requires the Department of Health and Human Services to file with the Legislature an annual report on the amount of money that was appropriated to the Fund, and which was not spent with an explanation why it was not spent, and an explanation of the funds spent, how such funds were expended.

LB 1108 also amends section 77-27,132. Currently that section sunsets the requirement that sales and use taxes collected on all-terrain and utility-type vehicles are to be deposited to the Game and Parks Commission Capital Maintenance Fund on October 1, 2027. The sunset date is removed.

LB 1200 (Moser)

Change provisions of law related to Motor Vehicles, Motor Vehicle Manufacturers, and provide for coordination of 911 and 988 telecommunications services

2024 Transportation and Telecommunications Committee Priority Bill

LB 1200 as introduced, is an annual bill requested by the Department of Motor Vehicles that updates references to federal law that have been adopted and incorporated into Nebraska law by reference. The bill also makes technical language changes to provisions of law related to vehicle

titling, registration, and the Nebraska Rules of the Road. LB 1200 also incorporates changes proposed by LB 136 (2023- currently on Select File).

The committee advanced the bill to General File with an amendment that replaced LB 1200 as introduced. The original provisions of LB 1200 are retained with the exception that original section 50 is stricken (section 60-6,253- truck rear view mirror requirements) and provisions of LB 226, LB 891, LB 900, LB 929, and LB 966 are added to, and incorporated into the amendment.

Legislative bills incorporated into LB 1200:

LB 226 (Brandt) Section 3 of LB 1200

Section 1 of LB 226 is added to the amendment. Construction Manager-General Contractor contracts. The section provides that the qualification and proposal receipt process may be combined into a single step process when a contracting agency determines to be in their best interest.

LB 891 (Bosn) Sections 55 and 56 of LB 1200

Amends the definition of “manufacturer” for purposes of the Motor Vehicle Industry Licensing Act to clarify that a manufacturer is any person who manufactures or assembles motor vehicles, regardless if they have franchised dealers. The act of manufacturing or assembling motor vehicles establishes the obligation to comply with state laws and regulations applicable to manufacturers under the act. Additionally, the amendment clarifies that a manufacturer may not own or operate a service facility to perform warranty or non warranty work on any vehicle they manufacture unless they manufacture and distribute electric vehicles and has not ever been a franchisor in Nebraska.

LB 900 (Brandt) Section 54 of LB 1200

Amends section 60-6,290- maximum length of trucks. The maximum length of a truck is currently 40 feet. The limit is increased to 45 feet.

LB 929 (Fredrickson) Sections 66, 67, 68, and 69 of LB 1200

Provides that the 988 Suicide and Crisis Hotline, administered by the Department of Health and Human Services (DHHS), and the Nebraska Public Service Commission (NPSC) shall cooperate and coordinate in ensuring individuals utilizing the 988 Hotline can connect with and communicate with the 911 service system. The NPSC is to adopt standards governing training, support, and quality assurance. The bill as amended clarifies the immunity from liability for those involved in the provision of 988 Hotline services except for failure to use reasonable care, or for intentional acts. The amendment removed the liability limitation from the statement of legislative findings and made it a stand alone section (section 67).

LB 966 (DeKay) Sections 51 and 59 of LB 1200

Amends section 60-6,123 to clarify the meaning of traffic control signals when displaying a flashing yellow arrow signal and a steady red arrow. Flashing yellow arrow allows the movement indicated after yielding, and a steady red arrow requires a complete stop until an indication to proceed is displayed.

The amendment also allows the variable motor fuel tax to be set in increments of one-hundredths of one percent instead of increments of one-tenth of one percent.

SELECT FILE

LB136 (Moser)

CHANGE PROVISIONS RELATING TO THE MOTOR VEHICLE CERTIFICATE OF TITLE ACT, THE MOTOR VEHICLE REGISTRATION ACT, AND THE MOTOR VEHICLE OPERATOR’S LICENSE ACT.

The purpose of LB 136 is to revise and harmonize statutes administered by the Department of Motor Vehicles.

LB 1200 as introduced had the provisions of LB 136 incorporated into it.

SECTION 1- Amends section 60-144; motor vehicle titles. Allows an owner of an ATV/UTV to file an application for title in any county of the state. Currently the application must be made in the applicant’s county of residence.

SECTION 2- Amends section 60-146; application for title, inspection. Allows the acceptance of a United States Government Certificate to Obtain Title to a Vehicle without the performance of a title inspection. Provides that a title inspection shall include checking the National Motor Vehicle Title Information System or the Nebraska Crime Information Service. (The National Crime Information Center database must still be checked).

SECTION 3- Amends section 60-149; Certificate of Title, documents required. The section is amended to provide that a United States Government Certificate to Obtain Title to a Vehicle is an accepted document that may be submitted with an application for title which has not been previously titled in Nebraska.

SECTION 4- Amends section 60-172; salvaged branded titles, required disclosure. The term “damaged” is changed to “branded” to allow all brands placed on an out-of-state title is carried forward to a Nebraska Certificate of Title.

SECTION 5- Amends section 60-3, 205 (1)(a)(iii). When registering apportioned motor vehicles under the International Registration plan (IRP) the director may suspend, revoke, cancel, or refuse to issue or renew a registration if the applicant has committed a violation of the IRP Act or any rule or regulation.

SECTION 6- Amends section 60-4,146.01 (3). Revises requirements regarding restricted commercial driver’s licenses (CDL). Language that expired January 1, 2022, is repealed and the current requirements regarding restricted CDL’s is terminated effective January 1, 2024. The seasonal validity of the restricted CDL is increased from 180 to 210 days.

GENERAL FILE

LB 31

Enacts a new provision of law.

Provides that no train or light engine used in connection with the movement of freight shall be operated in this Nebraska unless it has a crew consisting of at least two individuals.

Train or light engine does not include trains operated under the following circumstances:

- 1) Hostler Service;
- 2) Helper Service;
- 3) Utility Employees; or
- 4) When loading or unloading freight or grain and not operating more than 10 MPH.

Persons violating the Act are subject to fine:

First offense within a 3-year period- not less than \$250, or more than \$1,000;

Second offense within a 3-year period- not less than \$1,000, or more than \$5,000;

Third offense within a 3-year period- not less than \$5,000, nor more than \$10,000.

Enforcement of the Act is assigned to the Public Service Commission.

The Committee considered and adopted an amendment to LB 31 - AM2019

LB 31 as introduced excludes the following rail operations from the two-person crew Requirements:

Hostler Services;

Helper Services;

Utility Employee operations; and

The loading or unloading of freight or grain so long as the train or light engine is not moving faster than ten miles per hour.

AM2019 accomplishes the following:

Defines a “utility employee” pursuant to 49 CFR 218.5 as a railroad employee assigned to and functioning as a temporary member of a train or yard crew whose primary function is to assist the train or yard crew in the assembly or classification of railcars, or operation of trains.

Modifies the exclusion for the loading or unloading of freight or grain by eliminating the 10 mph maximum speed.

Adds new language excluding from the bill Class III rail carriers.

A Class III rail carrier is one which generates less than \$40.4 million in revenue. (Class I carriers- \$900 Million or more in revenue- Class II carriers less than \$900 million and more than \$40.4 million in revenue.)

LB 166

Amends section 39-2814; Request for proposals for design-build or progressive build contract; elements.

The section provides, in part, that a contracting agency as a part of creating a request for proposal shall state the criteria for evaluation and their relative weight. The current criteria are:

- 1) Construction experience, design experience, and financial, personnel, and equipment resources of the entity;
- 2) For design-build contracts, the cost of work;
- 3) For progressive design-build contracts, historic reasonable of the progressive design-builders costs and expenses, whether using the progressive design-build process or any other bidding and contracting process; and
- 4) The relative weight that applies to any criteria is at the discretion of the contracting agency except that for all design-build contracts the historic reasonableness of the design-builders costs and expenses shall be given a relative weight of at least 50%.

The bill amends item #4 above by adding that for progressive design-build contracts the historic reasonableness of the progressive design-builder's costs and expenses shall also be given a relative weight of at least 50%.

Section 2- Amends section 39-2818; Request for proposals for construction manager-general contractor contract; elements.

Currently this section only provides that the contracting agency must state in the request for proposal what the criteria for evaluation and their relative weight will be. The bill provides greater definition of the required criteria, including:

- 1) Construction management experience, construction experience, and the financial, personnel, and equipment resources;
- 2) The historical reasonableness of the construction manager's costs and expenses when completing projects; and
- 3) The relative weight assigned to each criteria is at the discretion of the contracting agency except that for all construction manager-general contractor contract the historic reasonableness of the construction manager's costs and expenses shall be 50%, with at least ½ of the cost evaluation based on competitiveness of construction manager's costs on projects procured by means of traditional design-build procurement.

Section 3- Amends section Public-Private Partnership Delivery Method, authorized.

The section is amended by expanding the criteria used by a contracting agency to review requests for proposals for a project using a public-private partnership agreement. Currently the section only states that the contracting agency provides evaluation and the relative weight of each.

The section is amended to provide that the evaluation factors shall include:

- 1) Each private partner’s experience and the financial, personnel, and equipment resources available for the project;
- 2) The historic reasonableness of the private partners costs and expenses; 3) The relative weight assigned to criteria is at the discretion of the contracting agency except the historical reasonableness of costs and expenses shall be at least 50%, with 50% of the cost evaluation based upon the competitiveness of the private partner’s projects procured by means of traditional open bidding to a lowest responsible bidder.

DEFINITIONS

Contracting Agency means the Nebraska Department of Transportation, an eligible county, a city of the metropolitan class, or a city of the primary class using the powers under the Transportation Innovation Act.

Construction Manager-General Contractor Contract means a contract which is subject to a qualification-based selection process between a contracting agency and a construction manager to furnish preconstruction services during the design development phase of the project and, if an agreement can be reached which is satisfactory to the contracting agency, construction services for the construction phase of the project.

Design-Build Contract means a contract between a contracting agency and a design-builder which is subject to a best value-based selection process to furnish architectural, engineering and related design services and labor, materials, supplies, equipment, and construction services.

Progressive Design Build means a project-delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection process at the earliest feasible stage of the project.

Public-Private Partnership means a project delivery method for construction or financing of capital projects or procurement of services under a written public-private partnership agreement entered into between at least one private partner and the State of Nebraska or any agency of the state.

LB234 (Walz) REQUIRE REPORTING OF BLOCKED RAILROAD CROSSINGS

As Introduced

Provides that beginning in 2024, on November 1 of each year railroad carriers shall report to the Nebraska Public Service Commission (NPSC) and the Nebraska State Patrol (NSP) the following:

- Public complaints received about blocked crossings.
- Date of complaints.

- Crossing locations.
- Time duration the crossing was blocked.
- The railroad company's action to resolve complaints.

The NPSC shall compile the reports received and shall forward such reports along with any recommendations the NPSC has to the Transportation and Telecommunications Committee by December 1 of each year.

Explanation of Committee Amendment

The Committee considered and adopted an amendment which accomplishes the following:

- 1) Railroad companies are only required to report incidents of blocked crossings that are blocked for 10 minutes or longer;
- 2) The annual report prepared by the Public Service Commission for the Transportation and Telecommunications Committee shall also be provided to the Department of Transportation; and
- 3) The date the report is to be filed with the Transportation and Telecommunications Committee is changed from December 1 to December 31 of each year.

LB688 (Erdman)

APPROPRIATE FUNDS TO THE DEPARTMENT OF MOTOR VEHICLES FOR DRIVER TRAINING

As Introduced

Enacts a new provision of law stating that it is the intent of the Legislature to appropriate \$10,000,000 to the Department of Motor Vehicles from the General Fund for the purpose of funding grants to fund commercial driver's license and diesel technology training.

Amends section 84-612; Cash Reserve Fund

The section is amended to provide for a transfer of \$10,000,000 from the Cash Reserve Fund to the General Fund.

Adds the Emergency Clause

Explanation of committee amendment

The Committee considered and adopted an amendment which accomplishes the following:
The standing committee amendment substitutes for the bill.

Authorizes the Department of Motor Vehicles to contract with a non-profit entity based in Nebraska to approve training providers to receive grants. The non-profit entity shall receive up to 7% of the funds appropriated to pay for administrative expenses.

A training provider receiving a grant shall, at no cost, provide training to obtain a commercial driver's license or diesel technology education.

Requires that \$5 million be transferred from the Cash Reserve Fund to the General Fund beginning after September 30, 2023.

**HELD IN COMMITTEE
2023 and 2024 INTRODUCTIONS**

2023 INTRODUCTIONS

LB 26 (Wayne) ADOPT THE RURAL MUNICIPAL BROADBAND ACCESS ACT

Hearing Date: February 13, 2023

The legislation grants the following authority to cities of the First and Second Class and Villages:

Commencing January 1, 2024, a city or village may provide retail or wholesale broadband service within their corporate limits and extraterritorial zoning jurisdiction. Such city or village must be located within an underserved (speeds less than 100-20 Mbps) or unserved (speeds under 25 Mbps) area.

The municipality must conduct a feasibility study of the proposed service.

The feasibility study shall be the subject of a public hearing. Existing providers shall be allowed to respond to the study.

The municipality's governing body may approve and adopt the creation of the broadband network by a 2/3 vote of its members. A majority vote of the governing body may allow the submission of the question of approval to the voters.

A broadband network created under the Act must provide speeds of at least 100/ 100 Mbps.

No municipality shall be allowed to exercise the power provided under this Act after January 1, 2034.

LB37 (Dungan)

CHANGE IDENTIFICATION INSPECTION REQUIREMENTS FOR MOTOR VEHICLES

Hearing Date: January 30, 2023

Amends section 60-146; application for motor vehicle title, identification inspection required.

Current law requires that when a motor vehicle under title from another jurisdiction is to be titled in Nebraska, an identification inspection must first be made by the county sheriff. The county treasurer shall accept a certificate of inspection from an officer of a state police agency in another state.

The bill revises the requirement that the inspection be done by an officer from a state police agency to an officer of a law enforcement agency certified in another state.

LB 44 (Dungan)

ADOPT THE MIDWEST INTERSTATE PASSENGER RAIL COMPACT

Hearing Date: March 6, 2023

The Midwest Interstate Passenger Rail Compact is created for the purpose:

- 1) to promote development and implementation of improvements to intercity passenger rail service in the Midwest;
- 2) to coordinate interaction among Midwestern state elected officials;
- 3) to promote development and implementation of long-range plans for high-speed rail passenger service in the Midwest and among other regions of the United States;
- 4) to work with the public and private sectors at the federal, state, and local levels to ensure coordination and promote Midwestern interests; and
- 5) to support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

Current Membership

The following states are members of the Compact:

Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, North Dakota, Wisconsin.

The following states are eligible for membership:

Iowa, Nebraska, Ohio, South Dakota.

NOTE: Nebraska was a member of the Compact until 2018. LB 317 was enacted in 2015 to withdraw Nebraska from the Compact. The withdrawal was effective June 30, 2018.

LB66 (Slama)

CHANGE PROVISIONS RELATING TO THE REGULATION AND OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES

Hearing Date: January 23, 2023 (Amendments pending, see committee staff)

Amends section 60-6,356: All-terrain and utility-type vehicles, operation upon highways.

The section is amended to provide that an all-terrain or utility-type vehicle which is properly registered under the Motor Vehicle Registration Act may be operated on highways of the state, except:

The interstate system;

Highways that are a part of the State Highway System;

Expressways;

Freeways; and

Highways when prohibited by a city, village, or county.

ATV/UTV FEES:

- Registration Fee- \$3
- Motor Vehicle Tax- \$25
- Motor Vehicle Fee- \$5

ATV's and UTV's operators must comply with the Motor Vehicle Safety Responsibility Act (insurance) and Nebraska Operator's License Act requirements when operating a device registered for operation on the highways. When registered the vehicle shall display one license plate.

Seatbelt requirements do not apply to ATV's and UTV's when registered and operated upon a highway.

Motorcycle helmet requirements are required when an ATV/UTV is registered and operated upon a highway, except for a UTV that has a seating area that is completely enclosed.

The Act becomes operative on January 1, 2024.

NOTE: Section 624 defines the term "highway" for purposes of the Rules of the Road as "The entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel."

LB119 (Bostelman)

REDEFINE A TERM FOR PURPOSES OF THE NEBRASKA BROADBAND BRIDGE ACT

Hearing Date: February 7, 2023

The term Eligible Telecommunications Carrier is a defined term utilized in the Broadband Bridge Act. The term is defined by federal law and the federal definition is incorporated by reference as a Nebraska definition. Currently this section adopts the term as it existed on January 1, 2023. The bill changes the adoption date of 47 U.S.C. 214(e) to January 1, 2023. A telecommunications carrier designated as an "eligible telecommunications carrier" (ETC is able to receive both federal and state universal service funding. The designation as an ETC is made by the Public Service Commission in Nebraska).

LB 134 (J. Cavanaugh)

**PROVIDE REQUIREMENTS UNDER THE
SMALL WIRELESS FACILITIES DEPLOYMENT ACT**

Hearing Date: February 21, 2023

Amends section 86-1236- Activities of wireless providers within the right-of-way to deploy small wireless facilities and associated utility poles.

The bill would propose to add two new subsections to the section:

A new subsection (9) provides that an authority shall provide reasonable notice to adjacent property owners or residents prior to the installation of any small wireless facility; and

A new subsection (10) is added that provides before any new facility is installed or modified the authority shall determine the installation:

- 1) complies with the Americans with Disabilities Act;
- 2) does not hinder travel or traffic or public safety in or on the right-of-way; or
- 3) does not obstruct the legal use of the right-of-way by any utility.

If the authority determines the installation does not comply with the above criteria, the authority shall not permit the installation.

NOTE: Section 86-1208 defines “Authority” as the State of Nebraska or any agency, county, city, village, or other political subdivision thereof, except as otherwise excluded herein. Authority does not include public power suppliers, state courts having jurisdiction over an authority, or an entity that does not have zoning or permit-granting authority.

LB 212 (Slama)

**REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PLAN, DESIGN, AND
PURCHASE RIGHT-OF-WAY FOR HIGHWAY 75 AND PAVE UNPAVED STATE
HIGHWAYS**

Hearing Date: February 28, 2023

Directs the Department of Transportation to plan, design and purchase right-of-way to provide for a continuous four-lane divided highway from Plattsmouth south to the Kansas border contiguous with the existing Highway 75 corridor.

States legislative intent to appropriate General Funds for the development of the Highway 75 expressway as well as the intent to appropriate General Funds to provide for the paving of all unpaved highways remaining in the State Highway System.

LB 266 (Brewer)

CHANGE PROVISIONS RELATED MILITARY HONOR PLATE ELIGIBILITY

Hearing Date: January 23, 2023 (Amendments pending, see committee staff)

Amends section 60-3,122.04; Issuance of Military Honor Plates.

A new category of individuals eligible to be issued the license plate is provided for surviving spouses of an individual who has previously applied for, and received, approval to display the Military Honor Plate prior to their death.

Current individuals eligible for Military License Plate issuance:

- 1) Active or reserve duty;
- 2) A veteran of any armed service discharged with honorable or general status;
- 3) Current or former commissioned officers of the United States Public Health Service or National Oceanic and Atmospheric Administration who was detailed directly to any branch of the armed services in an active or reserve duty and was honorably discharged; or
- 4) Who served in the armed forces and has been awarded the Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Southwest Asia service Medal, or Vietnam Service Medal.

NOTE: Section 60-3,122.03 lists the eligible armed forces of the United States as: The United States Army, United States Army Reserve, United States Navy, United States Navy Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, United States Air Force, United States Air Force Reserve, Air National Guard, and Army National Guard.

LB288 (Bostelman)

REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO ESTABLISH AN ONLINE VERIFICATION SYSTEM FOR MOTOR VEHICLE INSURANCE AND FINANCIAL RESPONSIBILITY INFORMATION

Hearing Date: January 24, 2023

Enacts a new provision of law that will become a part of the Motor Vehicle Registration Act (sections 60-301 to 60-3,258).

The new provision provides the Department of Motor Vehicles shall establish and maintain a secure 24/7/365 online verification system for accessing private passenger motor vehicle insurance information. The system will be accessible to the DMV, courts, law enforcement, other entities authorized by DMV, and insurance carriers authorized by the Department of Insurance.

The system shall be fully operational on an implementation date determined by the Director of DMV no later than July 1, 2027.

An insurer shall submit to DMV at the end of each business day a record of each passenger motor vehicle insurance policy in effect for motor vehicles registered or garaged in Nebraska.

LB 449 (Brandt)

CHANGE PROVISIONS RELATED TO THE COUNTY BRIDGE MATCH PROGRAM

Hearing Date: March 7, 2023

Amends provisions of law in the Transportation Innovation Act related to the County Bridge Match Program.

SECTION 2- Amends Section 39-2805; Creation of the County Bridge Match Program.

When enacted as a part of the Transportation Innovation Act in 2016 the County Bridge Match Program was created with a termination date of June 30, 2023. The program as enacted had a limitation of no more than \$40 million could be granted through the program.

The bill proposes that the sunset date for the County Bridge Match program be extended to June 30, 2028.

SECTION 4- Enacts a new provision of law.

Creates the County Bridge Match Program Fund. The Fund is to be administered by the Department of Transportation (DOT). Provides intent that the Legislature shall transfer \$68 annually from the General Fund to the County Bridge Match Program to pay for grants and to administer the Program.

SECTION 5- Enacts a new provision of law.

A county may apply to DOT for grants to be used for the replacement and repair of bridges that DOT has determined to be structurally deficient. Bridge-size culverts and bridges on minimum maintenance roads are not eligible for grants. A county can file an application for a single bridge or multiple bridges, and a county may file an application for multiple bridges in multiple counties. Counties may receive up to 55% of the cost of bridge construction.

SECTION 6- Enacts a new provision of law.

The DOT shall establish a weighted scoring system to evaluate and rank grant applications. Priority is to be given to proposals from counties with higher proportions of structurally deficient bridges.

SECTION 7- Enacts a new provision of law.

As a condition of a grant the county shall agree to develop and construct the project subject DOT requirements which may include:

Use of professional engineers;

Follow all applicable laws and regulations;

Advertising for bids; and

Entering into a contract and engaging the services of a construction engineer. Counties using their own staff to design or construct a bridge shall provide equivalent services.

The DOT may not add to the obligations required of a grant recipient except as provided under the program or federal law.

LB 454 (DeKay)

REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PLAN, DESIGN, AND PURCHASE RIGHT-OF-WAY FOR HIGHWAY 81

Hearing Date: February 28, 2023

The Department of Transportation is directed to plan, design and obtain right-of-way to complete the following segments of the Highway 81 expressway corridor.

- 1) Complete the Norfolk to the South Dakota border corridor as a four-lane divided highway; and
 - 2) Complete the York to Columbus corridor as a four-lane divided highway.
- States that it is the intent of the Legislature to appropriate funds for signage and to develop a gateway entrance at the Highway 81 and Highway 12 juncture to alert travelers to the location of Niobrara State Park and Lewis and Clark Lake
-

LB564 (Dorn)

AMEND THE TRANSPORTATION INNOVATION ACT ECONOMIC OPPORTUNITY PROGRAM

Hearing Date: March 7, 2023

Amends section 39-2806- Economic Opportunity Program; Created

The Transportation Innovation Act was enacted in 2016. A part of the Act was the creation of the Economic Opportunity Program. The program was authorized to expend, from the Transportation Infrastructure Bank Fund, up to \$20 million to finance transportation improvements to attract business and business expansions by connecting them to the transportation network.

The DOT is to consult with the Department of Economic Development and no project can be funded without a positive economic impact analysis.

LB 564 amends the section in two ways:

- 1) The program limitation is increased from \$20 million to \$40 million;
 - 2) The program purpose is clarified to include livestock production and processing operations as eligible improvements.
-

LB 625 (McDonnell)

PROVIDE REQUIREMENTS FOR THE OPERATION OF AUTONOMOUS VEHICLES

Hearing Date: February 14, 2023

Amends the Nebraska Rules of the Road by adding a new definition and new traffic offense.

SECTION 3- The term “Autonomous Vehicle” is defined as a motor vehicle that can operate itself and perform the function of operation without human intervention.

SECTION 4- Enacts a new provision of law which provides no person shall cause an autonomous motor vehicle to be operated on any highway unless a person possessing an operator's license is present who can monitor the operation of the vehicle and operate it.

NOTE: Unless another specific penalty is provided for violations of the Nebraska Rules of the Road are traffic infractions are the prescribed penalty is:

- 1) Not more than \$100 for a first offense;
 - 2) Not more than \$200 for a second offense within a one year period; and
 - 3) Not more than \$300 for a third and subsequent offense within a one year period.
-

LB 645 (McDonnell)

CHANGE PROVISIONS RELATED TO STATE HIGHWAYS AND ROADS

Hearing Date: February 28, 2023

LB 645 changes a number of provisions of law governing the administration of the state highway program. The bill would make the following changes:

SECTION 1- Amends section 39-1365; development of the state highway system; legislative findings. The section adds one new finding by the Legislature- to increase the capacity of local streets that service or offset traffic on the state highway system.

The current findings are:

The accelerated completion of all improvements and expansion projects on the Interstate Highway System;

The accelerated completion of improvement projects on state highways with geometric and capacity deficiencies;

The resurfacing of highways to protect pavement integrity;

The accelerated completion of the expressway system prior to June 30, 2033; and

The general upgrading of the state highway system concerning driving surfaces concerning driving surfaces and surfaced shoulders.

SECTION 2- Amends section 39-1365.01 – State Highway System; Plans; Priorities. This section directs the DOT to develop a specific and long-range state highway system plan. The DOT is directed to annually formulate plans to meet the state highway needs and assign priorities to such needs. The DOT is required to report such priorities to the legislature each year prior to December 1. The section is amended in three ways:

- 1) The section is amended to provide that the DOT shall prioritize projects with the goal of ensuring the actions set forth in Section 1 of the bill are completed based upon the following factors in order of importance: Safety of the traveling public; Capacity deficiencies based on current and projected traffic volumes; and the current and future economic impact of a project determined by traffic volume and goods transported;
- 2) The bill strikes existing language that provides that the DOT shall consider preservation of

- the existing state highway system as its primary priority; and
- 3) Adds two new requirements to the state highway plan: The DOT shall account for highway revenue on the basis of state highway commission districts and 90% of the revenue generated in each commission district shall be allocated to projects within that district. The DOT may include local collector or arterial roads that directly affect state highway traffic volumes in the state highway system plan.

SECTION 3- Amends Section 39-1365.02- State highway system; federal funding; maximum use; department report on system needs and planning procedure.

The section currently directs the DOT to annually report to the legislature on the needs of the state highway system, the department's planning procedures, and the progress being made on the expressway system. The section is amended to provide that the DOT shall provide the criteria and date used to determine the prioritization of projects.

The section is also amended to provide that the DOT shall also provide the plan for the equitable allocation of projects between state highway commission districts and the needs specified by municipal and county planning agencies.

SECTION 4- Amends section 39-2507- Allocation of funds for county road purposes.

This section prescribes the allocation formula for funds distributed to counties from the Highway Allocation Fund.

The current formula is a 7 factor formula:

- 1) Rural population of the county- 20%. This is changed to 10%
- 2) Total population of the county- 10%. This is changed to 30%.
- 3) Lineal feet of bridges 20 feet or more – 10%. This is unchanged.
- 4) Total motor vehicle registrations in the rural area of the county, other than apportioned vehicles- 20%. This is changed to 10%.
- 5) Total motor vehicle registration- 10%. This is changed to 20%.
- 6) Total miles of county roads- 20%. This is unchanged.
- 7) Value of farm products sold from the county- 10%. This criteria is eliminated.

SECTION 5- Amends section 39-2804- Accelerated State Highway Capital Improvement Plan.

The Accelerated State Highway Capital Improvement Program was created by the Transportation Innovation Act and is administered using funds from the Transportation Infrastructure Bank Fund. Projects eligible for funding under the program include construction of the expressway system and the federally designated high priority corridors and needs-driven capacity improvements.

The section is amended by stating that needs-driven capacity improvements shall include local government collectors and arterials that service or offset traffic on the state highway system.

LB 646 (McDonnell)

CHANGE REQUIREMENTS REGARDING THE E911 WIRELESS SURCHARGE

Hearing Date: March 6, 2023

Nebraska law provides for two surcharges to support E911 Emergency Service. The Wireless E911 surcharge is a charge administered by the Nebraska Public Service Commission (NPSC) to support the administration of E911 emergency communications within the state.

The wireline E911 surcharge is administered at the local level and is dedicated to the support of E911 services at the local level.

LB 646 addresses the Wireless E911 surcharge only.

Currently, the Wireless Surcharge is capped at a maximum of 70 cents per wireless subscriber line. An exception exists for the cap in Douglas County, and the cap there is 50 cents per month.

LB 646 amends section 86-457 to provide that the cap for the wireless E911 surcharge shall be increased from 70 cents per month to one dollar per month. The 50 cent limitation currently existing for service provided in Douglas County is eliminated. If enacted the wireless surcharge for service in Douglas County will be capped at one dollar per month, consistent with the new statewide cap.

There is no change to the wireline surcharge.

LB 721 Ballard)

APPROPRIATE FUNDS FOR THE PLANNING OF THE EAST BELTWAY PROJECT IN LANCASTER COUNTY

Hearing Date: February 28, 2023

Appropriates \$25,000,000 for FY 23-24 to the Department of Transportation to undertake the planning for the Lancaster County East Beltway Project. Planning shall include estimating costs and the creation of a projected schedule for the completion of the project.

Provides for the Emergency Clause.

LB 728 (McDonnell)

PROVIDE FOR BOAT TRAILER REGISTRATION AND LICENSE PLATES

Hearing Date: January 31, 2023

LB 728 amends the Motor Vehicle Registration Act by providing a definition of “Boat Trailer” and the issuance of boat trailer license plates.

Boat Trailer is defined as a trailer that is exclusively used to haul a boat.

The registration fee for a boat trailer is \$10 and is to be valid for a period of 3 years. The boat trailer license plate shall, in addition to the registration number, display the words boat trailer.

The bill has an operative date of January 1, 2024.

LB733 (Bostar)

ADOPT THE BROADBAND POLE REPLACEMENT AND UNDERGROUNDING FUND ACT

Hearing Date: February 21, 2023

Section 4 of the bill establishes the program. The Public Service Commission (PSC) is designated to administer the provisions of the Act. Grants shall be awarded by the PSC within 60 days of receipt of a completed application for:

- 1) Mid-span pole placement costs;
- 2) Pole replacement costs; or
- 3) undergrounding costs.

Amount of grant availability:

For midspan pole placement cost and pole replacement costs- lesser of \$5,000 or 50% of the costs paid.

For undergrounding costs, 50% of the applicants costs, but not to exceed a yet-to-be determined amount.

100% of the applicant’s documented and reasonable administrative expenses- not to exceed 5% of the total awarded.

Section 3 of the bill establishes the Broadband Pole Replacement and Undergrounding Clean-up Fund.

The Fund shall consist of money appropriated or transferred by the Legislature, including any available federal funds.

Section 5 of the bill \$15,000,000 from the American Rescue Plan Act to the Fund for FY 2022-2023.

Adds the Emergency Clause

Terms Defined:

“Mid-span Pole Placement” the installation of a new pole between two existing utility poles to comply with clearance, load-bearing, or other safety and engineering requirements.

“Pole Replacement Costs” the actual and reasonable costs in performing pole replacement.

“Undergrounding Costs” the actual and reasonable costs of undergrounding including material costs (including conduit), installation costs (including the cost of cable, plowing, digging, and sealing a trench, directional boring and installing conduit, engineering, and permitting and engineering costs.

LB773 (Senator Vargas)

REQUIRE MUNICIPALITIES TO OBTAIN VOTER APPROVAL TO IMPOSE AN OCCUPATION TAX ON WIRELESS TELECOMMUNICATIONS SERVICES

Hearing Date: February 13, 2023

Enacts a new provision of law that provides no municipality shall levy an occupation tax upon wireless or prepaid wireless telecommunications service until the issue of the tax has been presented to the voters for approval. If a municipality, on the effective date of the act, imposes an occupation tax it shall be suspended until an election approving the tax has been successfully conducted.

LB782 (DeKay)

CHANGE PROVISIONS RELATING TO SALVAGED BRANDED CERTIFICATES OF TITLE AND CONSUMER CARE OF MOTOR VEHICLES

Hearing Date: January 31, 2023

SECTION 1- Amends section 60-171; definitions for purposes of salvaged branded certificates of title. The term “consumer care” is defined. The term is defined as provided for in section 60-1401.01 from the Motor Vehicle Industry Regulation Act: Consumer care means the performance, for the public, of necessary maintenance and repairs to motor vehicles. The defined term “Salvage” is modified. Currently “salvage” is defined as:

- 1) A late model vehicle that has been damaged to the extent that the total cost of repair to its immediate pre-damage condition meets or exceeds 75% of the retail value of the vehicle prior to the damage;
- 2) Any vehicle voluntarily designated by the owner as a salvage vehicle. The definition is amended by the addition of a third element: A vehicle deemed structurally totaled by a facility that performs consumer care and by an insurance company that insured the vehicle at the time it sustained the damage.

Adds a new definition. The term “Structurally Totaled Vehicle” which means a vehicle totaled due to a kink or crease in a frame rail, unibody, or structural component, including the engine cradle or rear differential. “Structurally Totaled Vehicle” does not include a vehicle deemed a total loss due to hail or other cosmetic damage and does not include a vehicle which the cost of repairs does not exceed 75% of the actual cash value of the vehicle.

SECTION 5- Adds a new definition to the Motor Vehicle Industry Regulation Act. The term “Original Equipment Manufacturer Part” means a motor vehicle part manufactured by manufacturer of the motor vehicle.

SECTION 6- Adds a new definition to the Motor Vehicle Industry Regulation Act. The term “Original Equipment Procedure” means the best practice to provide consumer care through manuals and guidance provided by the vehicle’s manufacturer.

SECTION 7- Adds a new section to the Motor Vehicle Regulation Act. Any person who performs consumer care shall follow the estimating system used by insurance companies for guidelines for all motor vehicle repairs except for the use of original equipment manufacturer parts.

LB 807- (von Gillern)

PROVIDE FOR ONE LICENSE PLATE PER VEHICLE

Hearing Date: February 14, 2023

Senator von Gillern filed AM 2057 on January 24, 2024. The Committee took no action on the amendment.

The bill would propose that motor vehicles registered for operation in the state shall only be required to display one license plate. The operative provisions of the bill are found in sections 27, 28, and 29. (Pages 30-32 of the introduction copy) Page 31, line 26 and 27 provides that the single plate shall be displayed on the rear of the vehicle.

Additionally, the bill in sections 86- 88 reorganizes statutes and creates a new category of license plates “Alternative License Plates.” These license plates are what are currently referred to as “specialty license plates.” The plates are:

- Cornhusker Spirit Plates
- Nebraska Sesquicentennial Plates
- Mountain Lion Conservation Plates
- Breast Cancer Awareness Plates
- Choose Life License Plates
- Native American Cultural Awareness and History Plate
- Wildlife Conservation Plates
- Prostate Cancer Awareness Plate
- Sammy’s Superheroes Plates
- Support Our Troops Plates
- Donate Life Plates
- Down Syndrome Awareness Plates
- Pets for Vets Plates

- Support the Arts Plates
- Nebraska History Plates
- Josh the Otter Be Safe Around Water Plates.

Currently each type of plate listed above has a separate and specific process detailing the administrative process for application, design and administration of the plate. The process over time has developed in a largely uniform manner.

Sections 86 and 87 provide for a uniform and common process to govern the process to apply for and receive alternative license plates, including the requirements relating to the design of the license plates.

Section 88 delineates each specific type of alternative license plate, which is consistent with the license plate types listed above. If a type of plate has requirements or restrictions different from the common requirements provided for in sections 86 and 87, those differences are outlined in the specific description on the plate.

The outright repealer clause (Section 110) eliminates current statutory provisions governing specialty license plates. No existing license plate type is eliminated.

2024 INTRODUCTIONS

LB 965 (Holdcroft)

Prior to January 1, 2025:

The eligibility requirement is changed from a 100% service-connected disability to at least a 10% service connected disability.

Beginning January 1, 2025:

Any Disabled Veteran License Plate issued prior to January 1, 2025 shall not be valid after February 1, 2026.

The inscription on the Disabled Veteran license plate is changed from “D.A.V.” to “Disabled Veteran.”

Continues the eligibility requirement to be a 10% service-connected disability.

Authorizes the placement of the wheelchair symbol on the license plate.

Allows issuance of the Disabled Veteran license plate to a trust when the designated trust beneficiary is eligible to receive the license plate.

Prior to issuance of the license plate the Department of Motor Vehicles shall verify that the applicant is in the Department of Veterans Affairs registry, and that the disability of the applicant is certified as permanent.

Section 6- Amends section 60-3,125- Purple Heart License Plates; Eligibility; Verification.

The section is amended to provide that beginning January 1, 2025, a qualified individual may apply for a Purple Heart license plate that displays the accepted wheelchair symbol. Also, a trust may be issued the license plate when the beneficiary of the trust is eligible to receive the plate.

Prior to issuance of the license plate the Department of Motor Vehicles shall verify that the applicant is in the Department of Veterans Affairs registry, and that the disability of the applicant is certified as permanent.

LB 1033 (Lippincott)

Provide for Enforcement of Violations Relating to the Use of Handheld Wireless Communications Devices as a Primary Action.

Hearing Date: January 23, 2024

Amends Section 60-6,179.01- Use of Handheld Wireless Communications Devices When Operating a Motor Vehicle.

The section prohibits the reading of a written communication, manually typing a written communication, or sending a written communication while operating a motor vehicle in motion.

Violations of the section are a traffic infraction. Upon conviction of a violation, the operator shall have 3 points assessed against their driving privilege and shall be fined \$200 for a first offense, \$300 for a second offense, and \$500 for a third or subsequent offense.

Currently this section is enforced only as a secondary action when the driver is cited or charged with a traffic violation or some other offense.

The section is amended by removing the language declaring a violation to be a secondary offense.

LB 1105 (DeKay)

Name the Branded Certificate of Title Act and Provide for the issuance of Destroyed -Vehicle Branded Certificates of Title

Hearing Date: February 27, 2024

LB 1105 modifies provisions of the Motor Vehicle Certificate of Title Act by redesignating sections of the Act as the Branded Certificate of Title Act. The designation of a “destroyed vehicle” is created.

Section 4- Creates a new Provision of Law.

Provides that sections 60-171 to 60-177 and sections 4 and 9 of the bill are to be cited as the Branded Certificate of Title Act.

Section 4- Amends section 60-171- Definitions for Purposes of the Branded Certificate of Title Act

New defined terms:

“Consumer Care” means the performance, for the public, of necessary maintenance and repairs to motor vehicles.

“Structurally Totaled Vehicle”- a vehicle totalled due to a kink or crease in a frame rail, a unibody, or structural component, including the engine cradle or rear differential. It does not include a vehicle deemed a total loss due to hail or cosmetic damage or a vehicle if the cost to repair damage does not exceed 75% of the actual cash value of the vehicle.

Section 9- Enacts a New Provision of Law.

A consumer care facility may declare a vehicle structurally totaled if the insurance company that insured the vehicle at the time the damage was incurred agrees to the determination.

Upon payment of a total loss payment on a vehicle an insurance company that acquires the vehicle shall obtain title from the vehicle owner, surrender the title to the county treasurer and make application for a destroyed- vehicle certificate of title.

A vehicle owner retains the right to keep the vehicle. The owner must notify the Department of Motor Vehicles (DMV). Upon notification, the DMV shall enter the destroyed-vehicle brand on the department’s records. The vehicle owner has 30 days to forward the title to the department for issuance of a branded destroyed vehicle certificate of title.

Thirty days after written acceptance of a total loss settlement payment by an insurance company, if they have not received the certificate of title from the vehicle owner, they may apply to the department for a destroyed vehicle branded certificate of title.

A vehicle with a destroyed-vehicle branded certificate of title shall not be registered under the Motor Vehicle Registration Act.

Section 16- Amends section 60-1508- Vehicle Title and Registration System; Collection; Storage; and Transfer of Data on Vehicles; Department Duties.

A new subsection (5) is added to the section directing the department, by January 1, 2025, to provide for an electronic reporting system for structurally totalled vehicles.

LB 1112 (Clements)

Provide Restrictions and Requirements Relating to Permits for Communications Infrastructure Placed on Poles or Towers

Hearing Date: February 12, 2024

Senator Clements provided the Committee AM2917 on March 15, 2024. The Committee took no action on the amendment.

LB 1112 establishes requirements for any local governing entity (county, city, village or board, commission, department of a local government that has the authority to issue a permit) that requires a permit for the placement of communications infrastructure on any pole or tower within the entity's jurisdiction. LB 1112 does not apply to the deployment of small wireless facilities on utility poles or towers as provided for in the Small Wireless Facilities Deployment Act.

A local governing authority shall:

- 1) establish and publish an application form;
- 2) detail the application and permit fees and how they are calculated;
- 3) detail the schedule for permit application processing and review;
- 4) prescribe the required information and documentation for an application;
- 5) approval/denial criteria and standards;
- 6) notice appeal process; and
- 7) provide a single point of contact regarding the approval process.

A local governing authority shall not:

- 1) Charge fees in excess of the reasonable cost of issuing a permit. Application fees shall not exceed \$100 and Permit fees shall not exceed \$250;
- 2) Charge any cost of a third-party reviewer to the applicant;
- 3) Unreasonably deny access to any pole or tower for communications infrastructure;
- 4) Impose discriminatory or preferential terms or conditions on any permit;
- 5) Require an applicant to designate a final contractor for the project; or
- 6) Impose moratoriums on the issuance of permits.

A local governing authority shall:

- 1) Within 5 days of receiving an application provide written notification of receipt, indicate if the application is complete or incomplete. If incomplete notify applicant and specify incomplete information or documentation and provide 10 business days to

- correct the application; and
- 2) Approve or deny the application within 30 days of receipt (40 days if the application is corrected). Notice shall be provided to the applicant within 5 days of approval/denial by the local governing authority. If denied reasons for such action shall be provided and the process for appeal of the decision. If no action is taken by the local governing authority within the 30 (40) day period after submission, the permit shall be deemed approved and shall be issued.

Key Definitions

"Communications Infrastructure"- any physical or virtual facility, network, system, device, or component that enables the transmission, reception, or exchange of voice, data, video or any other form of information by wire, radio, optical, or other electromagnetic means.

"Pole" -any utility pole that is located within the jurisdiction of a local governing authority issuing a permit, that is owned or controlled by a public or private party, and that is located on public or private property. Pole does not include a pole owned or controlled by the local

"Tower"- any structure designed to support communications infrastructure facilities, including antennas, transmitters, receivers, and related equipment facilitating the transmission, reception, or exchange of voice, data, video, or any other information through wire, radio, optical, or other electromagnetic means.

"Third- Party Reviewer"- any person not an employee or agent of a local governing entity and who is contracted by the local governing authority to perform any function relating to processing and reviewing an application before issuance of a permit.

LB 1127 (Bosn)

Change Provisions Related to Transportation Network Companies

Hearing Date: February 5, 2024

LB 1127 proposes to change the requirements for motor vehicles utilized by Transportation Network Companies (TNC's), i.e., Uber, Lyft. The requirement for a vehicle safety inspection of personal vehicles used by TNC drivers is eliminated.

Section 1- Amends section 75-326- Use of personal vehicle; requirements; initial safety inspection; annual inspection; reports. The section outlines the requirements an individual must complete in order to participate as a driver for a TNC, including:

- 1) Possess a valid driver's license, proof of registration, automobile liability insurance, and be at least 21 years of age;
- 2) Have a national criminal history information check completed;
- 3) Drivers can not have four or more moving traffic violations, or one or more major traffic violations in the three years prior to the date of the criminal background check;
- 4) No convictions for DWI in any jurisdiction in the seven years prior to the criminal history

- check; and
- 5) An individual who is a registered sex offender, or has been convicted of fraud, use of a motor vehicle to commit a felony, a crime involving property damage, theft, acts of violence or terror shall not be eligible to serve as a driver.

The section is amended by transferring language from section 75-328 that requires a motor vehicle used as a TNC vehicle to be in compliance with the Motor Vehicle Registration Act.

Section 2- REPEALS OUTRIGHT section 75-328- Use of personal vehicle; requirements; initial safety inspection; annual inspection; reports available.

Text of *repealed* section 75-326

- (1) In order to be used under sections 75-323 to 75-343, a personal vehicle shall be in compliance with the Motor Vehicle Registration Act as required for a passenger car as defined in section 60-345.
- (2) A transportation network company or a certified mechanic shall perform an initial safety inspection on each personal vehicle prior to approving it for use as a personal vehicle. The inspection shall include inspection of at least the following components and such components shall be in good working order:
- (a) Foot brakes;
 - (b) Parking or emergency brakes;
 - (c) Steering mechanism;
 - (d) Windshield;
 - (e) Rear window and other glass;
 - (f) Windshield wipers;
 - (g) Headlights;
 - (h) Taillights;
 - (i) Turn indicator lights;
 - (j) Stop lights;
 - (k) Front seat adjustment mechanism;
 - (l) The opening, closing, and locking capability of doors;
 - (m) Horn;
 - (n) Speedometer;
 - (o) Bumpers;
 - (p) Muffler and exhaust system;
 - (q) Tire conditions, including tread depth;
 - (r) Interior and exterior rear-view mirrors; and
 - (s) Safety belts for driver and passengers.
- (3) Annually thereafter, a driver shall obtain such an inspection and approval of the driver's personal vehicle in order to continue its use as a personal vehicle. A driver shall maintain proof of the current inspection.
- (4) A transportation network company shall make the initial and annual inspection reports available to the commission upon request.
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LB 1129 (Raybould)

Provide for Autism Acceptance License Plates and Change Provisions Relating License Plates and the Autism Treatment Program Cash Fund

Hearing Date: February 6, 2024

Section 15(1) creates a new category of license plates- the “Autism Acceptance License Plate”. The license plate is to support awareness of individuals living with an autism spectrum disorder. The designated recipient for the alternative plate fee is the Autism Treatment Program Cash Fund. The issuance of the license plate will begin January 1, 2025.

Additionally, the bill in sections 86- 88 reorganizes statutes and creates a new category of license plates “Alternative License Plates”. These license plates are what are currently referred to as “specialty license plates.” The plates are:

Cornhusker Spirit Plates	Nebraska Sesquicentennial Plates
Mountain Lion Conservation Plates	Breast Cancer Awareness Plates
Choose Life License Plates	Native American Cultural Awareness and History Plate
Wildlife Conservation Plates	Prostate Cancer Awareness Plate
Sammy’s Superheroes Plates	Support Our Troops Plates
Donate Life Plates	Down Syndrome Awareness Plates
Pets for Vets Plates	Support the Arts Plates
Nebraska History Plates	Josh the Otter Be Safe Around Water Plates.

Currently each type of plate listed above has a separate and specific process detailing the administrative process for application, design and administration of the plate. The process over time has developed in a largely uniform manner.

Section 86 and 87 provides for a uniform and common process to govern the process to apply for and receive alternative license plates, including the requirements relating to the design of the license plates.

Section 88 delineates each specific type of alternative license plate, which is consistent with the license plate types listed above. If a type of plate has requirements or restrictions different from the common requirements provided for in sections 86 and 87 those differences are outlined in the specific description on the plate.

The outright repealer clause (section 110) eliminates current statutory provisions governing specialty license plates. No existing license plate type is eliminated, except for the Nebraska Sesquicentennial License Plate.

LB 1133 (DeBoer)

Provide for Enforcement of Federal Railroad Safety Standards by the Public Service Commission

Hearing Date: February 13, 2024

Amends section 75-401- Public Service Commission ; Jurisdiction; Railroad Safety; Enforcement
The Nebraska Public Service Commission participates in the National Rail Service Safety Program administered by the Federal Railroad Administration (FRA). The National Railroad Safety Program is carried out in part through the issuance of mandatory federal safety requirements and through inspection efforts designed to monitor compliance with those requirements by the railroads. States participate in investigative and surveillance activities through participation agreements with the FRA. The State of Nebraska, through the PSC, participates in the State Safety Participation Program and enforces the following federal standards of railroad safety:

- 49 CFR Part 213- Track Safety Standards
- 49 CFR Part 215- Rail Freight Car Safety Standards
- 49 CFR Part 223- Safety Glazing Standards
- 49 CFR Part 229- Railroad Locomotive Safety Standards
- 49 CFR Part 231- Railroad Safety Appliance Standards
- 49 CFR Part 232- Brake System Safety Standards

Section 75-401 is amended by adding to the listed provisions of the Federal Regulations that the PSC shall enforce:

49 CFR Part 212- State Safety Participation

Part 212 establishes the standards and procedures for state participation in investigative and surveillance activities under the federal railroad safety laws and regulations, including defining the state role and the qualification of state inspection personnel.

A copy of the full text of 49 CFR Part 212 is available in electronic form in the T&T Committee shared drive under LB 1133.

NOTE:

Senator DeBoer filed AM2151 to LB 1133.

The amendment would strike the adoption of 49 CFR 212 and instead adopts the following provisions of the Code of Federal Regulations that the NPSC is directed to enforce:

- 49 CFR Part 171- Applicability of the Hazardous Materials Regulations to Persons and Functions
- 49 CFR Part 172- Hazardous Material Tables, Special Provisions, Communications, Emergency

Response Information, Training Requirements, Security Plans

- 49 CFR Part 173- Shippers- General Requirements for Shipments and Packaging
- 49 CFR Part 174- Carriage by Rail
- 49 CFR Part 180- Specifications for Tankers

LB 1163 (Lowe)

AUTHORIZE THE OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES BETWEEN THE HOURS OF SUNRISE AND SUNSET IF USED FOR SNOW REMOVAL PURPOSES

Hearing Date: February 5, 2024

Amends section 60 6,-356- All-Terrain Vehicle; Utility-Type Vehicle Operation; Restrictions; City or Village Ordinances.

This section, in part, sets out the rule for the operation of ATV’s and UTV’s inside of municipal limits when the municipality has authorized their operation. The use is authorized when:

- 1) Operation is between sunrise and sunset;
- 2) The operator must possess a valid driver’s license;
- 3) The operator shall have valid liability insurance coverage;
- 4) The ATV-UTV shall not be operated in excess of 30 MPH; and
- 5) The ATV-UTV shall display a head and tail lamp and a bicycle safety flag.

LB 1163 amends the section to provide a municipality that has authorized the use of ATV’S- UTV’s may allow them to be used between the hours of sunset and sunrise for purposes of snow removal.

LB 1186 (Sanders)

Change Provisions of the One-Call Notification Act

Hearing Date: February 27, 2024

Section 1-Amends section 76-2324- One- Call Notification Act; Duties of Excavators; Liability

This section provides that an excavator who fails to provide notification shall be strictly liable to the owner of underground facilities for the cost of all repairs. An excavator who provides notice and damages a facility shall be liable for the cost of all repairs, unless the damage was to the failure of the facilities owner to properly mark the location of any facility.

The section is amended to provide that if the facility is a telecommunications line buried on residential property buried at a distance of 12 inches or more from a building and at a depth of less than 10 inches the excavator shall not strictly liable for the cost of all repairs when they fail to provide notice of excavation to the One-Call Center.

“Telecommunications Line” is defined as any electronic communications, telephonic communications, or cable television underground facility, including fiber optic cables.

Section 2- Amends section 76-2329- One Call; Exceptions; Emergency Situations

Subsection (1) of this section provides that the duty to call the One-Call Center and have the facilities located shall not apply to an emergency excavation. An excavator must give notice as soon as practical and the owner of the facility shall provide location information as soon as possible. If the emergency is not the fault of the excavator, liability for damaged facilities shall only be imposed for negligent acts or omissions of the excavator.

The section is amended to provide that an excavator in an emergency situation shall not be liable for any damage to a telecommunications line on residential property buried twelve inches or more from a building at a depth less than 10 inches.

Section 76-2307 defines “emergency condition” as any condition which constitutes a clear and present danger to life, health, or property or which demands immediate action to prevent or repair a major service outage.

LB 1212 (Walz)

Adopt the Railroad Safety Act

Date: February 13, 2024

LB 1212 enacts 9 new sections of law titled the Railroad Safety Act. The Act is to be administered by the Nebraska Public Service Commission (PSC).

Section 1- Title, Railroad Safety Act.

Section 2- Statement of legislative findings:

Rail transportation is a critical part of Nebraska’s transportation infrastructure;
Protection from exposure to hazardous substances transported by trains is a top priority; and
The safe operation of trains including the regular maintenance of tracks and rolling stock,
employing well-paid and trained employees, and limiting the number of cars carried by trains.

Section 3- Definitions for purposes of the Act. Key terms include:

Classification of railroads:

Class I Railroad- \$900 million or more in revenue;

Class II Railroad- less than \$900 million and more than \$40.4 million in revenue;

Class III Railroad- less than \$40.4 million in revenue.

“Dangerous Good,” includes a corrosive, flammable, explosive, spontaneously combustible, oxidizing, or water-reactive substance that has the ability to cause harm and does not qualify as a hazardous substance.

“Defect,” includes but is not limited to hot wheel bearings, hot wheels, deficient bearings, dragging of equipment, excessive height, excessive weight, a shifted load, loose hoses, improper rail temperature, or a deficient wheel condition.

“Dragging equipment detector,” an electronic device or other technology that monitors a passing train to actively alert operators of any dragging object;

“Hot bearing detector,” an infrared detector located along tracks to detect and alert operators of any overheating of a train’s bearings, axels, or wheels.

“Main line,” a segment or route of railroad tracks over which 5 million or more gross tons of railroad track is transported annually.

“Pathway crossing,” the point where any public pathway is or will be constructed across tracks or other facilities of a railroad at, above, or below grade.

“Public Crossing,” a highway-rail crossing or pathway crossing where the highway pathway on both sides of the crossing is under the jurisdiction or is maintained by the state or any political subdivision and is open to public travel.

“Wayside detector,” an electronic device system that monitors a passing train to determine whether a train has a defect, including a hot wheel bearings detector and a dragging equipment detector.

Section 4- Enacts a new provision of law.

A railroad shall not operate on any mainline track any train carrying hazardous substances that is over 8,500 feet in length.

Except for Class II and III railroads, any railroad operating on mainline track shall maintain an operational wayside detector system with a hot bearing detector and dragging equipment detector installed every 20 miles.

On or before January 1, 2026, railroads shall notify the PSC of the location of each wayside detector on mainline track. The PSC shall report the location of such detectors to the Legislature by January 31 of each year.

When a railroad receives a defect message from a wayside detector the railroad operating the train shall:

- 1) Stop the train, following applicable safety procedures;
- 2) Inspect the defect; and if safe, proceed and set out any defective car at the earliest opportunity; and
- 3) Prepare a written inspection report; and forward such report to the appropriate railroad Official.

A railroad operating on a mainline track shall not obstruct a public crossing for more than 10 minutes. The restriction does not apply if the train is continuously moving or if circumstances beyond the railroads control have caused the blocked crossing.

Section 5- Enacts a new provision of law.

A train crew member may report to a union representative:

Any violation of safety requirements prescribed in Section 4;
Any injury to a train crew member;
Any death.

A union representative receiving a report under this section, and upon reasonable notice to the appropriate railroad officer, may enter the railroad's place of operation to investigate the report.

Section 6- Enacts a new provision of law.

Upon determination of a violation of Section 4 or Section 5 inspection requirements, the PSC shall administratively fine the railroad not less than \$10,000, but not more than \$25,000. Each day of a continuing violation shall be considered a separate violation.

The PSC may impose an administrative penalty of up to \$100,000 per violation when:

The violation was intentional or knowing; or
The violation was a part of a practice and pattern of repeated violations.

The PSC shall adopt rules governing the determination, imposition, and appeal of administrative fines.

Section 7- Enacts a new provision of law.

No later than January 1, 2026, and at least every three years, each railroad shall offer fire training to fire departments having jurisdiction along tracks operated by the railroad. Such training must address the general hazards of dangerous goods and hazardous substances. Training shall include assessing risks to the environment, and safety to the responders and to the public.

Section 8- Enacts a new provision of law.

Beginning January 1, 2026, in addition to any other requirement in law, a railroad that transports hazardous substances shall maintain insurance in an amount to pay for costs, damages and liabilities arising from transportation accidents. Minimum requirements shall be established by the PSC by rule and regulation.

On or before January 1, 2025, the PSC shall establish minimum insurance requirements for railroads. The PSC shall conduct periodic audits to ensure railroad compliance with insurance requirements. The PSC shall hold a public hearing every 3 years to take public comment on the implementation of this section.

Any railroad not in compliance with this section shall be subject to an administrative fine of at least \$1,000 and not more than \$5,000 for each day of noncompliance.

Section 9- Enacts a new provision of law.

The Railroad Safety Act shall not be construed as giving the PSC jurisdiction or control over the relations between any railroad and its employees or its employees' order, union, or other bargaining agent, either contractual or otherwise.

Amends section 75-109.61- Jurisdiction of the Public Service Commission.
The section sets forth the statutory jurisdiction of the Public Service Commission.

The section is amended by including the Railroad Safety Act within the listed subjects of PSC authority.

Section 11- LB 1212 shall become operative on July 1, 2025.

Section 12 - Repealer

Section 13- OUTRIGHT REPEALER, Section 17- 225 is repealed outright.

The text of section 17-225 is set out below.

It shall be unlawful for any railroad company or for any of its officers, agents, or employees to obstruct with car or cars, with engine or engines, or with any other rolling stock, for more than ten minutes at a time, any public highway, street, or alley in any unincorporated village in the State of Nebraska. Any corporation, person, firm, or individual violating any provision of this section shall, upon conviction thereof, be fined in any sum not less than ten dollars nor more than one hundred dollars.

LB 1249 (J. Cavanaugh)

Change Provisions Relating to Kit Vehicles

Hearing Date: January 30, 2024

LB 1249 revises the requirements for obtaining a certificate of title to a kit vehicle.

Section 1- Amends section 60-119- Kit Vehicle; Defined.

A “Kit Vehicle” is a vehicle assembled by a person other than a generally recognized manufacturer that is a reproduction resembling a specific make or model that is at least 30 years old and purchased from an authorized manufacturer and accompanied with a manufacturer’s statement of origin.

LB 1249 amends the section by including trailers within the definition of a Kit Vehicle.

Section 2- Amends section 60-142.05- Replica Vehicle; Application for Certificate of Title; Procedure.

Currently this section provides that a certificate of title may be obtained for a Kit Vehicle by presenting:

- 1) the manufacturer’s statement of origin for the kit vehicle;
- 2) a notarized bill of sale for all major component parts not in the kit;
- 3) statement that a title inspection has been performed; and
- 4) a vehicle identification number assigned by the Department of Motor Vehicles.

The certificate of title shall state the year, make and model the vehicle resembles and is to be branded “Replica.”

LB 1249 amends the section as follows:

The requirement that a notarized bill of sale be presented for component parts is eliminated;

Clarifies that major component parts not in the kit can be replaced by new or used parts; and Provides that trailers can obtain a certificate of title pursuant to this section.

Section 60-128.02 defines “Replica” as the designation of a vehicle which resembles a specific manufacturer’s make and model that is at least 30 years old and which has been assembled as a Kit Vehicle.

LB 1250 (J. Cavanaugh)

Provide Grants for Bike-Share Programs

Hearing Date: February 5, 2024

LB 1250 proposes a new provision of law directing the Department of Economic Development to establish a grant program that allows non-profit organizations to seek funding for bike-sharing programs. The Department shall create reporting requirements and verify any funding awarded was used for the intended purpose of supporting bike-share programs.

LB 1250 states that it is the intent of the Legislature to appropriate \$250,000 to the Department of Economic Development to establish the program.

LB 1257 (DeBoer)

Change the Duties of the Public Service Commission

Date: February 20, 2024

Amends section 86-1025- Duties of the Public Service Commission; 911 Service System.

The Commission is directed, in part, to determine the allocation of the 911 Service System Fund to facilitate the planning, implementation, coordination , operation, management and maintenance of the 911 service system.

LB 1257 amends this requirement to include “integration” as a factor to be included in the management of the Fund.

LB 1298 (Lippincott)

Provide for the Issuance of Veteran, Honorary, and Distinctive Licenses under the Motor Vehicle Operator’s License Act

Hearing Date: February 06, 2024

LB 1298 amends the Nebraska Operator’s License Act with the addition of a new section of law creating the veteran, honorary, and distinctive operator’s license.

Section 2- Enacts a New Provision of Law.

The veteran license may be issued to a resident of the state:

- 1) who served in the active military of the United States, with an honorable discharge or is a member or former member of the Nebraska National Guard who served on active duty; or
- 2) who has 20 years or more of creditable service in the Nebraska National Guard or reserve forces; or
- 3) any veteran who is a US citizen and served in the armed forces of an ally who was discharged or separated under honorable conditions also qualifies.

The honorary license may be issued to a resident of the state who is the surviving spouse of an individual eligible to receive the veteran operator license so long as the surviving spouse remains unmarried, or a resident of the state who is a spouse of a veteran who would be eligible to receive a veteran license, but is disabled to the extent such veteran cannot operate a motor vehicle.

The distinctive license may be issued to any member of the Nebraska National Guard in good standing who has completed at least one year of satisfactory service.

When a veteran's, honorary, or distinctive operator's license is issued, the DMV shall not impose any charge or fee for the issuance or renewal of the license.

The license shall contain the same information as the regular operator's license.

The veterans, honorary, or distinctive operator's license shall be permanently issued except: The license shall be valid until the 10th birthday of the license holder after issuance; or each license will require annual renewal on and after the 65th birthday of the holder.

LB 1336 (DeKay)

Transfer the Broadband Bridge Act Program to the Nebraska Broadband Office

Hearing Date: February 12, 2024

LB 1336 transfers the administration of the Nebraska Broadband Bridge Act from the Nebraska Public Service Commission to the Nebraska Broadband Office. The Broadband Bridge Act is funded with an annual \$20 million appropriation from the General Fund.

Section 2- Amends section 86-331- Nebraska Broadband Office; Created; Legislative Intent; Director of Broadband; Duties; Appeal; Report.

The section is amended to prescribe the administration of the Broadband Bridge Act as an assigned duty of the Broadband Office.

The section is also amended to provide that the Director of Broadband may establish administrative procedures deemed necessary to carry out the duties of the Office.

Section 4- Amends Section 86-1302 Nebraska Broadband Bridge Act; Definitions. Substitutes the Nebraska Broadband Office for the Nebraska Public Service Commission as the defined administrative agency for administrative purposes of the Broadband Bridge Act.

Section 6- Amends Section 86-1304-Grant; Purpose; Applications; Matching Funds; Required; testing; Repayment. The section is amended to revise the minimum matching fund requirements for grants from the program. The section currently requires that for high-cost areas an applicant shall provide matching funds equal to 25% of the project cost, and for projects located outside of a high-cost area matching funds equal to 50% of the project cost. The bill amends this requirement to provide that all projects located outside of high-cost areas shall be subject to a 25% matching funds requirement. For projects inside high-cost areas, the Broadband Office shall determine a match requirement.

Amends section 86-1307- Broadband Bridge Act; Applications; Speed Tests; Challenges; Civil Fine Authority. Currently this section provides that a provider who challenges an award of funding based on the fact they intend to provide broadband in an area subject to a grant request and they fail to perform in a timely manner, the PSC shall impose a civil penalty and bar the provider from challenging grants or applying for grants for two fiscal years. LB 1336 strikes the imposition of a civil penalty (the Nebraska Broadband Office does not possess the authority to levy a civil penalty).

Section 13- Enacts a new provision of law. Establishes the Nebraska Broadband Federal Fund. The Fund will consist of federal funds received for broadband enhancement purposes.

Amends Section 86-1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, and 1312 of the Broadband Bridge Act to change references to the Public Service Commission to the Nebraska Broadband Office.

LB 1340 (Kauth)

Change Provisions Relating to Enforcement of Offenses related to Interactive or Handheld Wireless Communication Devices, Speed Limit Violations, Removal of Vehicles from Highways, and Motor Vehicle Homicide

Hearing Date: February 27, 2024

Senator Kauth filed AM2917 on March 15, 2024. The Committee took no action on the amendment.

Section 1- Amends section 28-306- Motor Vehicle Homicide; Penalty.

LB 1340 establishes the offense of motor vehicle homicide. The offense is defined as the causing the death of another unintentionally while engaged in the operation of a motor vehicle. Motor vehicle homicide is classified as a Class 1 misdemeanor. If the proximate cause of a death is a violation of specified traffic offense the penalty can be enhanced.

This section provides in part that if the proximate cause of a death is reckless driving or willful reckless driving the penalty is classified as a Class IIIA felony.

The section is amended to include in this penalty classification the operation of a motor vehicle or commercial motor vehicle using a handheld wireless communication device for texting while operating a motor vehicle. (sections 60-179.01 and 60-179.02)

Section 2- Amends section 60-4,120.01- Issuance of a Provisional Operator's License.

The provisional operator's license is issued to individuals at least 16, but less than 18 years of age. The holder of the provisional license may not operate any interactive wireless device while operating a motor vehicle. This prohibition is only a secondary offense, another violation must occur to be cited.

LB 1340 Removes enforcement of this requirement as a secondary violation.

Section 3- Amends section 60-4,123- LPD-Learners Permits.

The permit issued to individuals at least 15 years of age authorizing operation of a motor vehicle when accompanied by a licensed operator who is at least 21 years of age. The holder of a LPD-Learners Permit may not operate any interactive wireless device while operating a motor vehicle. This prohibition is only a secondary offense, another violation must occur to be cited.

LB 1340 Removes enforcement of this requirement as a secondary violation.

Section 4- Amends section 60-4, 124- Issuance of School Permits; LPE- Learner's Permits

A permit issued to individuals less than 16 years, 3 months, but older than 14 years and 2 (14 years for issuance of the LPE Learner's Permit) months of age that authorizes, with limitations, the operation of a motor vehicle for purposes of attending school. The holder of a School permit or School Learner's Permit may not operate any interactive wireless device while operating a motor vehicle. This prohibition is only a secondary offense, another violation must occur to be cited.

LB 1340 Removes enforcement of this requirement as a secondary violation.

Section 5- Amends section 60-682.01- Maximum Speed Limits; Fine Schedule.

The section establishes the penalty for speeding on public roads. Violations are classified as traffic infractions and fines are established:

1-5 MPH over the limit- \$10- LB 1340 increases to \$50;

Over 5 MPH, less than 10 MPH- \$25- LB 1340 increases to \$75;

Over 10 MPH, less than 15 MPH- \$75- LB 1340 increases to \$125;

Over 15 MPH, less than 20 MPH- \$125- LB 1340 increases to \$200;

Over 20 MPH, less than 35 MPH- \$200- LB 1340 increases to \$300; and

Over 35 mph- \$300. LB 1340 changes this offense from a traffic infraction to a Class 1 misdemeanor and specifies a fine of \$400.

These fines are doubled if the violation occurs in a specified construction or maintenance zone or within a defined school crossing zone.

Section 6- Amends section 60-6,165- Persons Authorized to Remove Vehicles; Cost of Removal; Lien.

The section authorizes law enforcement personnel to remove a vehicle standing on any highway in violation of any provision of the Nebraska Rules of the Road.

The section is amended to allow the removal of any vehicle in violation of the Motor Vehicle Registration Act.

Section 7- Amends section 60- 6,179.01- Use of Handheld Wireless Communications Device; Prohibited Acts; Enforcement.

The section prohibits the use of a handheld device for purposes of texting while operating a motor vehicle. Enforcement of the section shall only be done as a secondary violation.

The section is amended to remove the restriction on secondary enforcement.

**REPORT ON THE PRIORITIZING
OF INTERIM STUDY RESOLUTIONS
Pursuant to Rule 4, Section 3(c)**

COMMITTEE: TRANSPORTATION & TELECOMMUNICATIONS DATE: APRIL 18, 2024

The following resolutions were referred to the Committee on Transportation and Telecommunications. The committee has prioritized the resolutions in the following order:

<u>Resolution No.</u>	<u>Subject</u>
LR 417	Interim study to provide a comprehensive examination of the funding structure of Nebraska's transportation system and to identify strategies to fund highway maintenance and construction
LR 376	Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee
LR 403	Interim study to examine telecommunications and issues discussed during the hearing on LB1256 introduced in the One Hundred Eighth Legislature
LR 380	Interim study to examine issues regarding affordable broadband in Nebraska
LR 402	Interim study to examine and monitor broadband expansion in Nebraska
LR 395	Interim study to examine the tax and surcharge burden imposed on telecommunications services

2024 INTERIM STUDY RESOLUTIONS

LR376 - (Moser) Interim study to examine issues within the jurisdiction of the Transportation and Telecommunications Committee

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature that may arise during the interim.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.
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LR380 - (DeBoer) Interim study to examine issues regarding affordable broadband in Nebraska

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues regarding affordable broadband in Nebraska.

The Affordable Connectivity Program, a federal benefit program to provide affordable broadband to households, announced that in February of 2024 it would no longer be able to enroll new households, and that by April of 2024 funding for the program will likely lapse. In Nebraska, approximately ninety-six thousand households have enrolled in the federal program. Nebraska is investing unprecedented amounts of money into providing broadband to areas that are currently unserved or underserved. It is vitally important that households are able to afford the broadband provided in such areas.

This study should include, but need not be limited to, an examination of the following:

- (1) Prices currently offered by Internet service providers to customers in service territories, including, but not limited to, available discounts and the cost of any devices required by the Internet service provider for broadband service, the speed of broadband service provided at each price point, the type of broadband service available in such areas, and any data caps related to customer plans offered;
- (2) Anticipated prices by Internet service providers in areas that are currently unserved or underserved who have received or who have applied to receive state or federal funds to provide Internet services in such areas, including the type of broadband service expected to be provided;
- (3) Government-led efforts to provide or encourage affordable broadband services, including, but not limited to, ways to coordinate efforts between the Legislature, the Public Service Commission, the Nebraska Broadband Office, LR380 2024 LR380 2024 -1- Internet service providers, and the federal government to encourage and support affordable broadband;
- (4) Long-term issues relating to broadband deployment in high-cost, low density areas,

- including, but not limited to, maintenance costs, legal obligations to continually provide service, consumer price variability, and new and emerging technologies; and
- (5) Any other issues relating to the affordability and reliability of broadband services in Nebraska.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.
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LR402 - (DeBoer) Interim study to examine and monitor broadband expansion in Nebraska

PURPOSE: The purpose of this resolution is to propose an interim study to examine and monitor broadband expansion in Nebraska. This study shall include, but need not be limited to, an examination of the following:

- (1) Projects being undertaken as a part of Nebraska's Broadband Bridge Program, the Nebraska Telecommunications Universal Service Fund, the National Telecommunications and Information Administration's Broadband Equity and Access Deployment Program, the United States Department of Agriculture's ReConnect Program, the Federal Communications Commission's Alternative Connect America Cost Model and Enhanced Alternative Connect America Cost Model, and any other state or federal efforts for the expansion of broadband availability in Nebraska and whether funding through any of these programs will be sufficient to overcome any inflationary pressures affecting broadband expansion;
- (2) State and federal resources allocated for maintenance and upkeep of current communications service providers as well as projected maintenance and upkeep needs of projects under development or soon to be under development; and
- (3) Any other issues related to the expansion of broadband in Nebraska.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.
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LR403 - (DeBoer) Interim study to examine telecommunications and issues discussed during the hearing on LB1256 introduced in the One Hundred Eighth Legislature

PURPOSE: The purpose of this resolution is to propose an interim study to examine telecommunications and issues discussed during the hearing on Legislative Bill 1256, introduced in the One Hundred Eighth Legislature, Second Session. This study shall include, but need not be limited to, an examination of the following:

- (1) Information sharing, including, but not be limited to, the sharing of proprietary information with the Public Service Commission during outages of 911 services;
- (2) State oversight over communication service providers as it relates to 911 services;
- (3) State and federal regulations as they relate to outages of 911 services to find areas for improvement; and
- (4) Any other issues as they relate to outages of 911 services in Nebraska.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LR417 - (Dover) Interim study to provide a comprehensive examination of the funding structure of Nebraska's transportation system and to identify strategies to fund highway maintenance and construction

Introduced by Dover, 19; Albrecht, 17; Blood, 3; Bosn, 25; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Holdcroft, 36; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Murman, 38; Raybould, 28; Riepe, 12; Vargas, 7; Walz, 15; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose a study that includes a comprehensive examination of the funding structure of Nebraska's transportation system and to identify possible alternatives to supplement or replace traditional methods and strategies that have historically been employed to fund highway maintenance and construction. The study shall include a reevaluation and update of the results of the LR152 in 2009, including the impact of subsequent legislation such as the Build Nebraska Act (Laws 2011, LB84), the Transportation Innovation Act (Laws 2016, LB960) and changes to the fuel tax in Laws 2015, LB610.

The needs of Nebraska's transportation system have continually outpaced revenue with the annual twenty year needs rising an estimated fifteen percent to a record sixteen billion seven hundred million dollars in 2023. While revenue has remained steady, with influxes from sources other than the traditional fuel tax, such as the Build Nebraska Act's one-quarter of one percent of sales tax and the increase of federal funds under the current surface transportation reauthorization, known as the federal Infrastructure Investment and Jobs Act, highway construction costs continue to increase through inflationary factors and global demand for resources.

This study aims to understand the buying power of the annual budget of the Department of Transportation and examine potential revenue sources that have been employed in other states as a way to combat decreasing revenue due to more fuel-efficient vehicles. This study shall examine several factors surrounding the state of highways in Nebraska, including, but not limited to:

- (1) An analysis of the current funding for highways and streets in Nebraska and the emphasis on user fees;

- (2) An analysis of the overall effectiveness of the fuel tax in today's economic environment, including factors such as increased vehicle fuel efficiency and electric vehicles;
- (3) An analysis of construction inflation in recent years, increasing the cost of business;
- (4) An analysis of how local governments have fared under the state's highway revenue structure; and
- (5) A review of other states' alternative methods of funding and financing highways, including, but not limited to, bonding, financing, implementing a vehicle miles traveled (VMT) system, tolling, using public-private partnerships, the federal Transportation Infrastructure Finance and Innovation Act program, and redistributing current state revenue.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.