

AMENDMENTS TO LR338

Introduced by Transportation and Telecommunications.

1           1. Strike the original provisions and insert the following new  
2 provisions:

3           WHEREAS, the Federal Railroad Administration is in the process of  
4 drafting federal rules on the subject of appropriate train crew size; and

5           WHEREAS, the purpose of these rules is to establish minimum  
6 requirements for train crew size based on the type of operation; and

7           WHEREAS, the minimum requirements for train crew size are expected  
8 to take into account the various safety risks posed to railroad  
9 employees, the general public, and the environment; and

10          WHEREAS, the volume of freight transported by rail is particularly  
11 heavy through Nebraska, and these freight shipments include hazardous  
12 materials such as ethanol, chlorine, and Bakken crude oil; and

13          WHEREAS, former Federal Railroad Administrator Joseph C. Szabo has  
14 stated, "We believe that safety is enhanced with the use of a multiple  
15 person crew—safety dictates that you never allow a single point of  
16 failure. Ensuring that trains are adequately staffed for the type of  
17 service operated is critically important to ensure safety redundancy."  
18 Accordingly, the safety risks posed by such shipments could be reduced by  
19 requiring a train crew of at least two individuals whenever a train or  
20 light engine is used in connection with the movement of freight.

21          NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
22 FOURTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

23          1. That the Legislature urges the Federal Railroad Administration to  
24 carefully review the comments and evidence produced by all interested  
25 parties, complete the rulemaking process, and adopt a final rule on  
26 appropriate train crew size that ensures public safety and promotes the  
27 efficient movement of freight, while supporting interstate commerce.

1           2. That a copy of this resolution be sent to Sarah Feinberg, Acting  
2 Administrator of the Federal Railroad Administration, and to each member  
3 of the Nebraska congressional delegation.