

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1266**

Introduced by Halloran, 33.

Read first time January 20, 2022

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to the Public Service Commission; to amend
- 2 section 75-126, Reissue Revised Statutes of Nebraska; to provide an
- 3 unjust discrimination exception for common carriers as prescribed;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 75-126, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 75-126 (1) Except as otherwise provided in this section, no common  
4 carrier shall:

5 (a) Charge, demand, collect, or receive from any person a greater or  
6 lesser compensation for any services rendered than it charges, demands,  
7 collects, or receives from any other person for doing a like or  
8 contemporaneous service unless required under section 86-465;

9 (b) Make or give any undue or unreasonable preference or advantage  
10 to any particular person;

11 (c) Subject any type of traffic to any undue or unreasonable  
12 prejudice, delay, or disadvantage in any respect whatsoever;

13 (d) Charge or receive any greater compensation in the aggregate for  
14 the transportation of a like kind of property or passengers for a shorter  
15 than for a longer distance over the same line or route, except as the  
16 commission may prescribe in special cases to prevent manifest injuries,  
17 except that no manifest injustice shall be imposed upon any person at  
18 intermediate points. This section shall not prevent the commission from  
19 making group or emergency rates;

20 (e) Demand, charge, or collect, by any device whatsoever, a lesser  
21 or greater compensation for any service rendered than that filed with or  
22 prescribed by the commission; or

23 (f) Change any rate, schedule, or classification in any manner  
24 whatsoever before application has been made to the commission and  
25 permission granted for that purpose, except as otherwise provided in  
26 section 86-155.

27 (2) This section shall not prohibit any common carrier from, and a  
28 common carrier shall not be subject to any fine, penalty, or forfeiture  
29 for, performing services free or at reduced rates to:

30 (a) The United States, the State of Nebraska, or any governmental  
31 subdivision thereof;

- 1 (b) The employees, both present and retired, of such common carrier;
- 2 (c) Any person when the object is to provide relief in case of any
- 3 disaster;
- 4 (d) Any person who transports property for charitable purposes;
- 5 (e) Ministers and others giving their entire time to religious or
- 6 charitable work;~~or~~
- 7 (f) Any person who is legally blind or visually handicapped; or ~~or~~
- 8 (g) Any person who is sixty-five years of age or older.

9 Sec. 2. Original section 75-126, Reissue Revised Statutes of  
10 Nebraska, is repealed.