

LEGISLATIVE BILL 188

Approved by the Governor March 19, 1975

Introduced by Marvel, 33

AN ACT to amend section 74-1302, Reissue Revised Statutes of Nebraska, 1943, relating to railroads; to provide that a railroad safety transportation district may be established in any city of the first class; to repeal the original section; and to declare an emergency.

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

Section 1. That section 74-1302, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

74-1302. Whenever, in a county in which is located a city of the primary or first class, it will be conducive to the public health, safety, convenience, or welfare (1) to move, relocate or remove any railroad tracks or railroad right-of-way, including improvements thereon, (2) to relocate or remove any railroad yard or switch yard or switch tracks, (3) to change, construct, eliminate or reconstruct, including the use of protective devices of any kind or nature, any highway or street crossing of a railroad property, (4) to move, construct, or reconstruct any railroad bridge, viaduct, or subway, or (5) to acquire, negotiate, sell, or eliminate any joint trackage operating rights or any rights of other individuals or entities over, in, or on any railroad tracks, rights-of-way, switch yards, or switch tracks, or (6) to do any two or more of such things jointly, a special district to be known as a Railroad Transportation Safety District may be formed and may proceed, as provided in sections 74-1301 to 74-1309, for the purpose of inaugurating, developing and negotiating for programs which may involve the constructing, reconstructing, leasing, maintaining, or selling of such work or works of public transportation improvement.

Sec. 2. That original section 74-1302, Reissue Revised Statutes of Nebraska, 1943, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.