

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB234**

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**Hearing Date:** Monday March 06, 2023  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Walz  
**One Liner:** Require reporting of blocked railroad crossing complaints

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	5	Senators Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson
<b>Nay:</b>	2	Senators Geist, Moser
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Bostelman

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**Testimony:**

**Proponents:**

Lynne Walz  
Pat Pfeifer  
Andrew Foust  
Chris Bruns  
Richard L. Schmeling  
Sonny Fankhauser  
Amanda Snide  
  
James Michael Bowers  
Adam Hausman

**Representing:**

Introducer  
Nebraska State Legislative Board - BLET  
Smart-TD  
Lincoln County Board of Commissioners  
Self  
Self  
Smart- TD, Nebraska State Volunteer Fire Association,  
Nebraska Fire Chiefs Association  
Representing his City Council District  
BLET/NLSB

**Opponents:**

Kelli O'Brien  
Jeffrey N. Davis

**Representing:**

Union Pacific  
BNSF Railway

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

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.
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- 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.

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**Explanation of amendments:**

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.

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Suzanne Geist, Chairperson