LB1098
2026

LEGISLATURE OF NEBRASKA

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 1098

Introduced by Juarez, 5; DeBoer, 10; Fredrickson, 20; Guereca, 7.

Read first time January 16, 2026

Committee: Transportation and Telecommunications

A BILL FOR AN ACT relating to railroads; to adopt the State Rail Plan Act.

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

LB1098
2026

Section 1. Sections 1 to 7 of this act shall be known and may be cited as the State Rail Plan Act.

Sec. 2. For purposes of the State Rail Plan Act:

(1) Department means the Department of Transportation; and

(2) State rail plan means the state rail plan that is prepared and maintained pursuant to section 5 of this act.

Sec. 3. (1) The department is designated as the rail transportation authority for preparing, maintaining, coordinating, and administering a state rail plan.

(2) The Governor, or the Governor's designee, is designated as the state rail plan approval authority for approving a state rail plan.

Sec. 4. Each year, the department shall:

(1) Conduct a study of passenger rail service provided in this state. Such study shall be conducted prior to November 1 of each year and include information relating to the passenger rail service that is provided in this state and the potential for additional passenger rail service; and

(2) Produce a report that contains the findings from such study and electronically deliver such report to the Clerk of the Legislature no later than December 31 of each year.

Sec. 5. (1) No later than June 30, 2027, the department shall prepare a state rail plan pursuant to 49 U.S.C. 22702, as such section existed on January 1, 2026.

(2) The department shall maintain the state rail plan. At least annually, the department shall review and may revise the state rail plan.

(3) Within ten days after preparing or revising the state rail plan, the department shall electronically submit the prepared or revised state rail plan to the Governor for approval or denial. The Governor shall, within thirty days after receiving such submitted state rail plan, approve or deny such submitted state rail plan and electronically notify the department and the Clerk of the Legislature of such approval or

denial.

(4) Within ten days after receiving an approval from the Governor under this section, the department shall submit the prepared or revised state rail plan to the United States Secretary of Transportation as specified in 49 U.S.C. 22702, as such section existed on January 1, 2026.

Sec. 6. (1) The state rail plan shall include:

(a) The minimum requirements specified in 49 U.S.C. 22705, as such section existed on January 1, 2026;

(b) A description of the passenger rail service available in this state and potential ways to increase the volume or improve the quality of available passenger rail service;

(c) A list of railroad tracks that require upgrading or improving;

(d) A description of how railroads are intended to correlate with other transportation infrastructure in this state;

(e) Proposals for increasing freight and passenger rail capacity traveling within and through this state; and

(f) Available options and current plans for obtaining federal grants to carry out the state rail plan.

(2) The department shall consider the following when preparing or revising the state rail plan:

(a) Public feedback;

(b) Feedback from rail transportation advocacy groups;

(c) Feedback from passenger rail advocacy groups;

(d) Studies conducted by the department;

(e) Economic development opportunities;

(f) Intrastate transit available for passengers or freight and areas in need of or that could benefit from increasing such availability; and

(g) Interstate transit opportunities available for passengers or freight and areas in need of or that could benefit from increasing such availability.

Sec. 7. The department may:

LB1098
2026

(a) Conduct studies and collect public feedback relating to the state rail plan and incorporate the findings from such studies and public feedback into the state rail plan; and

(b) Adopt and promulgate rules and regulations to carry out the State Rail Plan Act.