



**Hundredth Legislature - Second Session - 2008**  
**Committee Statement**  
**LB 676**

---

**Hearing Date:** February 26, 2007

**Committee On:** Transportation and Telecommunications

**Introducer(s):** (Dubas)

**Title:** Prohibit the blocking of railroad crossings for more than a specified time and to provide penalties

---

**Roll Call Vote – Final Committee Action:**

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

---

**Vote Results:**

6	Yes	Senators Stuthman, Lautenbaugh, Hudkins, Loudon, Fischer, Aguilar
	No	
1	Present, not voting	Senator Schimek
1	Absent	Senator Pedersen

---

**Proponents:**

Senator Annette Dubas, Introducer  
Jerry Stilmock  
Gary Krumland  
Leon Cederlind

**Representing:**

District #34  
Nebraska State Volunteer Firefighters Assn.  
League of Nebraska Municipalities  
Self

**Opponents:**

Roberto Munguia  
R. Mark Athey  
Dennis Gengler  
Randy Matson  
Nichole S. Bogen  
Cameron Scott

**Representing:**

Burlington Northern Santa Fe Railway  
Burlington Northern Santa Fe Railway  
Burlington Northern Santa Fe  
NKC Railway  
Burlington Northern Santa Fe Railway Company  
Union Pacific Railroad

**Neutral:**

Ray Lineweber  
Randy D. Meek

**Representing:**

United Transportation Union  
Brotherhood of Locomotive Engineers & Trainmen

---

---

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

LB 676 prohibits the blocking of a public roadway by a train for more than ten minutes.

The bill prohibits any person from occupying or blocking any public roadway in any city of the first class, city of the second class, or village, or any unincorporated area of the state with freight or passenger cars, locomotives, or with any other rolling stock for more than ten minutes at a time. There is an emergency exception to this prohibition.

Citations may be issued for violation of this section with fines of \$500 to \$5000. The section does not apply to any member of a train crew if it was necessary to comply with employer's orders, a grain dealer licensed under the Grain Dealer Act, and a warehouse licensee under the Grain Warehouse Act.

The bill also outlines an employer addressing a violation with its crew. A due process hearing is required within twenty days after the citation prior to any adverse decision, copies of all documentation relevant to the citation shall be provided at the employee's request, required witnesses shall be provided at the expense of the railroad, and written notification shall be provided to the employee.

**Explanation of amendments, if any:**

---

**Senator Deb Fischer, Chairperson**