



ProRail Nebraska News

Dedicated to supporting and advocating for railroad service in the State of Nebraska

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Volume XXXIV

May 2024

ProRail Nebraska Annual Meeting

Saturday, May 18, 2024 - 9:00 am to Noon

Gretna Public Library, 736 South St., Gretna, NE 68028

All ProRail Nebraska members and supporters are invited to participate.

If you can't attend in person, join us on Zoom. Go to our website for the link.

Featured Speakers

NE Sen. George Dungan (Dist. 26) from Lincoln who has been willing to introduce and promote bills of interest to ProRail. He will introduce legislation in the 2025 Session to require NDOT to update the NE State Rail Passenger Plan and study the feasibility of additional rail passenger service throughout Nebraska.

Dan Bilka is the State Director for S. Dakota at the Rail Passenger Assn. He will speak about how to organize rail support groups and report on a proposed new service from Denver to Minneapolis/St. Paul via NE Panhandle, Rapid City and Pierre plus Kansas City to the Twin Cities via Omaha and Sioux Falls. (See p.3)

Jim Hanna is a PRN Director and Liaison to the Rail Passenger Assn. Jim will provide an update on recent RPA activities.

David Purdy is also a PRN Dir. and will provide an update on recent rail passenger developments in Iowa.

Richard Schmeling, PRN Board member & Legislative Lobbyist, will summarize the fate of rail-related bills in the 2024 Neb. Legislative Session and plans for the 2025 Session. (Also see article on p.2)

Derrick L. James, Amtrak's Director of Government Affairs will attend by Zoom and speak about Amtrak's plans for future route and service expansion.

Directions to the Gretna Public Library located at 736 South St. – **From Omaha** proceed west on I-80 to Exit 439-Route 370. Then proceed west on Rte. 370 for 4 mi. to US 6; then turn left and proceed 0.5 mi. to West Angus Rd. Turn right and go 0.5 mi. to S. McKenna Ave.; then turn left on McKenna and go 0.2 mi. to South St. Turn right on South St. and the Library is on the right (north). **From Lincoln** proceed northeast on I-80 to the Rte. 31 Nebraska Crossing Exit 432. Proceed north on Rte. 31 2.6 mi. to S 216th St., then turn left and proceed on 216th St. 0.4 mi. Then bear right onto South St. and proceed 0.2 mi. to the Library.

Parking is available on South St. and the Elementary School across the street from the Library.

Committee Passes Bill to Establish Passenger Rail for Colorado

On April 23 the Colorado House Transportation, Housing & Local Government Committee passed legislation aimed at leveraging millions in federal infrastructure funding to bring additional passenger rail service to Colorado and expanding public transportation options across the state. The bill would encourage the Regional Transportation District (RTD), Front Range Passenger Rail, and the Colorado Department of Transportation (CDOT) to coordinate efforts to secure the funding needed to establish passenger rail service from Denver to Fort Collins, while exploring near-term opportunities to fund regional transit and rail projects along the Front Range, through Southern Colorado and up to the mountains.



Nebraska Legislative 2024 Session Wrap-up

By Richard Schmeling, ProRail Nebraska Lobbyist

Bob Kuzelka and I met with Sen. George Dungan well before the start of the 2024 Session. The Senator recommended that we not introduce any new bills in this session because it would be a short session and many bills were carried over from 2023. As it turned out, many new bills were introduced in this session.

The net result is that the majority of bills either did not make it out of committee or there wasn't enough time left to debate and pass them.

Our LB44 seeking to have Nebraska rejoin the Midwest Interstate Rail Passenger Compact (MIPRC) did not make it out of the Transportation & Telecommunications (T&T) Committee, reportedly stalled on a 4 to 4 vote to advance it. Sen. Bostleman, a member of this committee and who has always been a “no” vote on railroad matters, is term-limited out at the end of this session. Hopefully, the composition of the T&T Committee will change in 2025 resulting a more favorable outcome for railroad-related bills.

Also failing to pass was LB31 introduced by Sen. Mike Jacobsen of North Platte. That bill would have mandated two-man crews on trains operated by Class I railroads in NE. LB31 did make it out of committee but failed to advance on the floor. However, the need for this bill has disappeared as a result of the FRA's issuance in April of its final rule mandating a minimum of two crewmembers on most trains operated by Class I railroads. As expected, this rule is vigorously opposed by the railroads and are seeking federal legislation to eliminate the FRA's rule.

The sole railroad success story this session was LB 1084 introduced by Sen. Teresa Ibach which is the Nebraska Short Line Railroad Modernization Act. This act would give shortline railroads tax credits against state income taxes for funds spent upgrading track. A cap of \$5,000 per mile was included. LB 1084 was amended into Sen. Bostar's LB 937 which is a “Christmas Tree” bill including many subjects designed to get more measures enacted in this session. LB937 was signed by the Governor April 23.

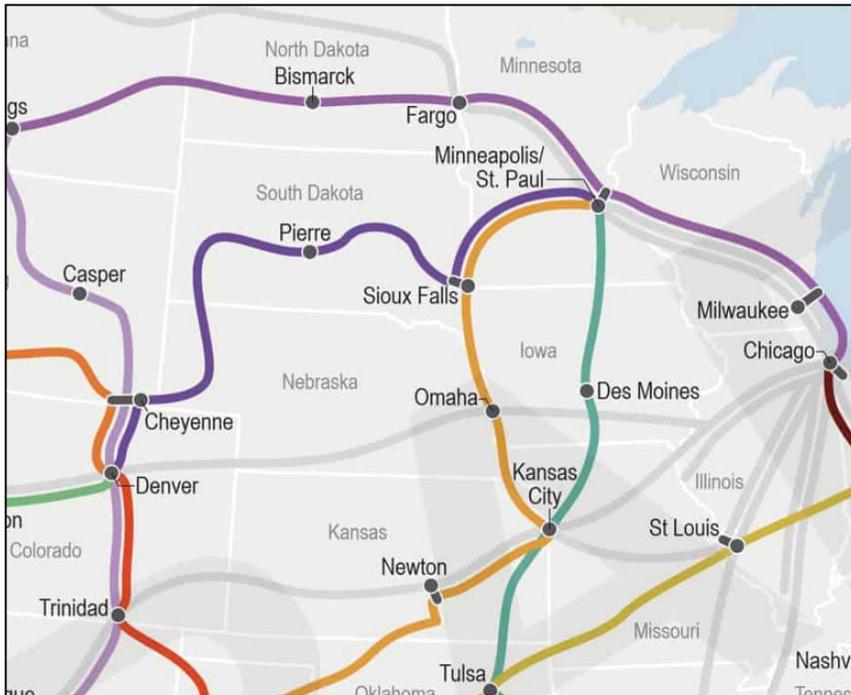
Another casualty in this session was a carryover bill introduced by Sen. Lynne Walz which would have required railroads to report annually on blocked crossings. With UP and BNSF running many double-length trains in Nebraska which are prone to mishap and require more time to repair and get moving, crossing blockage is a real issue. The railroads opposed the bill saying that even if there are crossing blockages, laws to impose penalties against railroads by the states for blocked crossings have had a checkered history in the court system with most laws being struck down. Although Sen. Walz's bill only required reporting, the next logical step was a bill to prevent excessive blockages. This bill did come out of the T&T Committee and was on General File but not enacted.

LB 1212, also introduced by Sen. Walz, would task the Nebraska Public Service Commission with enforcing railroad safety. The railroads opposed this measure saying that the FRA already has many rules in place and Federal inspectors enforcing them. Those who favored the bill pointed out that the FRA regulators have “holes” regarding trackside detection devices and enforcement by the feds is not enough. Sen. Walz pointed to a large number of rail derailments in Nebraska, some minor and some major. Some involved hazardous materials. LB 1212 did not pass in this session.

Nebraska - More Service for the Cornhusker State!

By Dan Bilka - State Director for South Dakota at the Rail Passenger Association

(Dan will be a speaker at our May 18 PRN Meeting in Gretna, NE)



The Long-Distance study process has identified two potential **new** routes through Nebraska. 1) A Twin Cities to Denver Routing that would cut through the panhandle, and a Twin Cities - Omaha- Kansas City and beyond routing. This is with continuation of the existing California Zephyr route.

This isn't the last step, ***this is only the first step***, to expand passenger rail access in Nebraska. We'll also continue making the case for more routes, ultimately, to be included for passenger rail (***North Platte, Grand Island, Ogallala, etc.***). Recall that the original 1956 US Interstate Highway Act didn't include key

interstate connections we have today. Congress passed an amendment in 1958 to add in new segments such as I-29 between Sioux Falls, SD and Fargo, ND. More segments can ultimately be added to strengthen our national network.

Often derided as "fly-over county", the Great Plains has outsized travel needs compared to our population size. We often have to travel longer distances, more frequently, compared to our coastal counterparts. With your help, support, and vocal interest to the FRA, state leaders, and the Congressional delegation, we can make this network happen.

What's next? The final round of Workshops will be held later this year after which the final report will be delivered to Congress. Once delivered, we need Congress to act on these recommendations and bring these critically needed routes into reality. Once they act on these recommendations, these proposed routes will have to go through service development planning (and likely construction activities) prior to implementation.

We need to ensure that the Congressional Delegation (Senator Fischer, Senator Ricketts, and US House Reps. Flood, Bacon, and Smith) are on-board with passenger rail. They can help ensure that the Cornhuskers are a national priority moving forward.

Key to Quote from RPA President Jim Mathews:

*"As for the naysayers you may have read on social media, well, they're entitled to their opinions. But nobody should draw conclusions about whether rail expansion is worthwhile just from looking at leaked sections of a vision map. And assuming that somehow a year and a half of concentrated full-time study would **NOT** include thinking about track conditions, capital investment, living patterns, equipment needs, or station placement and design? Well, that's just plain silly. The FRA team didn't just order out for pizza last month and sit in someone's basement to draw up a map with Magic Markers. Everyone involved knows that the next step is a broad, high-level assessment of capital needs, ridership, social and economic benefits, and stages of readiness. And that's coming in Round Four this Spring, setting the stage for additional route-specific detailed planning later on."*

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It's Time to Renew Your Membership

Letter from ProRail Nebraska's President

Dear Friend,

It is time again to ask for you to renew your support of ProRail Nebraska. Although modest, your dues allow our organization to continually move forward in support of public transportation, and more specifically, passenger rail issues. Your membership not only sustains us financially but goes to show the breadth of support for our issues.

When asked about what sets our organization apart from others, it is our work on issues other than just passenger rail. We continue to and always will advocate for increased passenger rail access and use within the State of Nebraska. Other modes of transportation do exist, and we continue to work on public access to them as well. Your contributions are furthering the acceptance of and support for passenger rail and public transportation in Nebraska.

Thank you for your continued support of ProRail Nebraska. As we continue to educate State Senators about the benefits of passenger rail, it is great knowing that you stand with us.

Enclosed with this newsletter is a ProRail membership brochure. Use the tear-off form to enclose with your payment. If you're not yet a ProRail member, please use the form to join!

Matthew Roque

President, ProRail Nebraska