

Transportation and Telecommunications Committee testimony,
LB676, blocked crossings bill.
February 26th, 2007

My name is Randy Meek, I am Chairman of the NESLB-BLET and the representative of 1000 members operating trains daily in Nebraska.

In the past we have strongly opposed these types of bills for the following reasons.

Current statute 74-594 exempted train crews from responsibility only upon presentation of reasonable proof they were complying with the railroads instructions. We felt that our members should not be guilty until proven innocent as current statute seems to imply, and secondly, we felt that the problems that caused us to block crossings for extended periods were incomplete or inaccurate instructions or complete lack of instructions.

Also past bills in 1998, 1999, and 2001 did not expressly exclude train crews from the prosecution process as other state statutes do. Language that included the word "any person" instead of "any railroad" that preceded the penalty language concerned us greatly.

Following meetings with Senator Dubas and several other co-signers of the LB 676 we were told by each that it was not their intent to include train crew workers. In light of that intent, we strongly urge the committee adopt the substitute amendment given by Senator Dubas.

We will not oppose this bill if our members are clearly excluded from prosecution, to expect working people to even be remotely exposed to the possibility of a \$5,000 dollar fine for something beyond their control is truly an injustice in our opinion.

Thank you,

Randy D Meek
Chairman NESLB-BLET
Testimony presented in the "Neutral" category