

**COMMITTEE ON
TRANSPORTATION & TELECOMMUNICATIONS**

**One Hundred Eighth Legislature
First Session
2023**

**SUMMARY OF LEGISLATION
REFERRED TO THE COMMITTEE**



**Senator Mike Moser, Chairperson
Senator Barry DeKay, Vice Chairperson
Senator Carolyn Bosn
Senator Bruce Bostelman
Senator Tom Brandt
Senator Machaela Cavanaugh
Senator Wendy DeBoer
Senator John Fredrickson**

**COMMITTEE ON
TRANSPORTATION & TELECOMMUNICATIONS**

One Hundred Eighth Legislature

First Session - 2023

Members of Committee

Senator Mike Moser, Chairperson.....Columbus - District 22
Senator Barry DeKay, Vice Chairperson.....Niobrara - District 40
Senator Carolyn Bosn.....Lincoln - District 25
Senator Bruce Bostelman.....Brainard - District 23
Senator Tom Brandt..... Plymouth - District 32
Senator Machaela Cavanaugh.....Omaha - District 6
Senator Wendy DeBoer.....Bennington - District 10
Senator John Fredrickson.....Omaha - District 20

**** Senator Suzanne Geist, Lincoln - District 25 served as chair from Jan 6, 2023 until April 6, 2023.*

Committee Staff

Committee Counsel.....Mike Hybl
Committee Clerk.....Caroline Nebel

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**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

**2023 BILLS REFERRED TO THE TRANSPORTATION &
TELECOMMUNICATIONS COMMITTEE**

Bills marked with an asterisk () were amended into LB138 or LB683 and were indefinitely postponed on the 88th Legislative Day prior to adjournment sine die.*

LB#	INTRODUCER	ONELINER	STATUS
LB26	Wayne	Adopt the Rural Municipal Broadband Access Act	In Committee
LB31	Jacobson	Require train crews of at least two individuals as prescribed	In Committee
LB37	Dungan	Change motor vehicle identification inspection requirements	In Committee
LB44	Dungan	Adopt the Midwest Interstate Passenger Rail Compact	In Committee
LB61	Brandt (Brandt Priority)	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission	General File
LB63 *	Bostar (Bostar Priority)	Require withholding of distributions to telecommunications companies from the Nebraska Telecommunications Universal Service Fund	In LB683 Sections 19, 20, 21 and 26(4) ENACTED

LB#	INTRODUCER	ONELINER	STATUS
LB66	Slama	Change provisions relating to the regulation and operation of all-terrain vehicles and utility-type vehicles	In Committee
LB91 *	Hansen (Hansen Priority)	Change motorcycle, moped, and autocycle helmet and eye protection provisions	In LB138 Sections 46 and 47 ENACTED
LB119	Bostelman	Redefine a term under the Nebraska Broadband Bridge Act	In Committee
LB122 *	Bostelman	Change provisions relating to the One-Call Notification System Act	In LB683 Sections 4,5,6,7,8,9,10,11,32 ENACTED
LB124 *	Moser	Change the termination date for the County Bridge Match Program	In LB683 Section 1 ENACTED
LB134	J. Cavanaugh	Provide requirements under the Small Wireless Facilities Deployment Act	In Committee
LB136	Geist	Change provisions relating to the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Motor Vehicle Operator's License Act	Select File
LB138	Bosn (Speaker Priority)	Adopt updates to federal law relating to motor vehicles and motor carriers, change provisions of the Motor Vehicle Operator's License Act, and change civil penalties as prescribed	ENACTED Sections 7,8,9,10,11,12,13, 14, 16,17, 20, 25, 26, 27, 28,30,31,32, 34,42, 45,48,49,51, 52,53, 54,55,56
LB140	Brandt	Provide for Czech Heritage license plates	Select File
LB155 *	DeBoer	Change provisions regarding the applicability of the Small Wireless Facilities Deployment Act	In LB683 Section 25 ENACTED

<i>LB#</i>	<i>INTRODUCER</i>	<i>ONELINER</i>	<i>STATUS</i>
LB166	Bostelman	Change provisions relating to design-build, construction manager-general contractor, and public-private-partnership proposals under the Transportation Innovation Act	In Committee
LB199*	Brewer	Provide for a driving privilege card for federally authorized aliens	In LB138 Sections 15,18,19,20,23,24,29, 32,33 ENACTED
LB212	Slama	Require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 75 and pave all unpaved state highways	In Committee
LB226	Brandt	Change provisions relating to construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act	In Committee
LB234	Walz	Require reporting of blocked railroad crossing complaints	General File
LB247	Lippincott	Change provisions relating to issuance of a certificate of title for certain motor vehicles	Select File
LB266	Brewer	Change provisions regarding eligibility for Military Honor license plates	In Committee
LB288	Bostelman	Require the Department of Motor Vehicles to establish and maintain an online verification system for accessing certain private passenger motor vehicle insurance and financial responsibility information and authorize a disclosure under the Uniform Motor Vehicle Records Disclosure Act	In Committee
LB359*	Hughes	Change application deadlines under the Nebraska Broadband Bridge Act	In LB683 Section 26(1) ENACTED

<i>LB#</i>	<i>INTRODUCER</i>	<i>ONELINER</i>	<i>STATUS</i>
LB412 *	Geist	Provide powers for the Public Service Commission under the Nebraska Broadband Bridge Act	In LB683 Section 28 ENACTED
LB449	Bostar	Adopt the Peer-to-Peer Vehicle Sharing Program Act	In Committee
LB453 *	DeKay	Provide an additional use of the Highway Cash Fund and change provisions relating to bridge replacement and road construction contracts	In LB138 Section 1,4,5,6,50 ENACTED
LB454	DeKay	Require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 81	In Committee
LB465 *	Moser (Speaker Priority)	Change the allocation of fees for operators' licenses and state identification cards	In LB138 Section 22 ENACTED
LB484	Moser	Provide for continuing education for licensed motor vehicle dealers and authorization to conduct an educational seminar for continuing education credit and eliminate a requirement for the Nebraska Motor Vehicle Industry Licensing Board to maintain an office in the State Capitol	General File
LB564	Dorn	Change provisions of the Economic Opportunity Program of the Department of Transportation	In Committee
LB600	Lippincott	Change provisions relating to the Transportation Infrastructure Bank Fund and the Economic Opportunity Program of the Department of Transportation	General File
LB607	McDonnell	Change provisions relating to grants for	General File

LB#	INTRODUCER	ONELINER	STATUS
		the 211 Information and Referral Network	
LB625	McDonnell	Provide requirements for operation of autonomous vehicles	In Committee
LB645	McDonnell	Change provisions relating to state highways and roads	In Committee
LB646	McDonnell	Change provisions relating to telecommunications	In Committee
LB683	T/T Committee (T/T Priority)	Create the Nebraska Broadband Office and provide duties	ENACTED Sections 2,3,22,23,24,27
LB688	Erdman	State intent to appropriate funds to the Department of Motor Vehicles	General File
LB721	Ballard	Appropriate funds to the Department of Transportation for the East Beltway project in Lancaster County	In Committee
LB722 *	Bostelman	Provide authority for the Public Service Commission regarding construction of broadband or other telecommunications infrastructure	In LB683 Sections 13,14,15,16,17,18 ENACTED
LB728	McDonnell	Change provisions relating to registration of trailers under the Motor Vehicle Registration Act	In Committee
LB733	Bostar	Adopt the Broadband Pole Placement and Undergrounding Fund Act	In Committee
LB738 *	Raybould	Change provisions in the Nebraska Rules of the Road relating to electric bicycles	In LB138 Sections 35,36,37,38,39, 40, 41,44 ENACTED
LB773	Vargas	Require voter approval of taxes on wireless services	In Committee
LB782	DeKay	Change provisions relating to salvage branded certificates of title and consumer care of motor vehicles	In Committee
LB796 *	Wayne	Provide for the Department of Transportation to develop and	In LB138 Section 2 ENACTED

<i>LB#</i>	<i>INTRODUCER</i>	<i>ONELINER</i>	<i>STATUS</i>
		administer a safety oversight program for rail transit systems	
LB807	von Gillern	Provide for one license plate per vehicle	In Committee

SUMMARY OF 2023 LEGISLATION

APPROVED BY THE GOVERNOR

LB 138 (Senator Bosn) AN ACT RELATED TO TRANSPORTATION SPEAKER PRIORITY BILL

All provisions of the bill become operative three calendar months after adjournment sine die, except Section 22 (LB 465) which will become operative on July 1, 2023.

LB 138 consists of original LB 138 and five other transportation- related legislative bills.

The component bills of LB 138 consist of the following:

- 1) Original LB 138 (Bosn) Update provisions of federal law and regulations;
- 2) LB 199 (Brewer) Provide a driving privilege card for federally authorized aliens;
- 3) LB 465 (Moser) Change the allocation of fees for operator’s licenses;
- 4) LB 738 (Raybould) Change the definition of an electric bicycle;
- 5) LB 453 (DeKay) Provide an additional use of the Highway Cash Fund and change provisions relating to bridge replacement and road construction contracts; and
- 6) LB 796 (Wayne) Provide for the Department of Transportation to develop and administer a safety oversight program for rail transit systems.
- 7) LB 91 (Hansen) Change requirements regarding the use of motorcycle helmets.

SUMMARY OF LEGISLATION

Original LB 138

Sections 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 20, 25, 26, 27, 28, 30, 31, 32, 34, 42, 45, 48, 49, 51, 52, 53, 54, 55, and 56 of LB 138.

LB 138 is an annual bill which updates the governing statutes under which the Nebraska State Patrol (NSP) and the Department of Motor Vehicles (DMV) operate to regulate the motor carrier industry as well as other motor vehicle–related duties. To carry out these functions the legislature has adopted and incorporated as provisions of Nebraska law a number of provisions of federal law and regulations. The federal requirements adopted and incorporated by reference in the bill are those that were in existence and operative on

January 1, 2023. Changes are also made to substantive provisions of Nebraska law to comply with minimum federal requirements. To review a full summary of the changes made by LB 138 please refer to the Standing Committee Statement to LB 138. The adoption of these regulations is required on an annual basis to incorporate new or revised federal regulations into state law. The statutes must remain current with the underlying federal law and regulations to avoid incompatibility and to ensure Nebraska continues to be eligible to receive Motor Carrier Safety Assistance Program funding from the Federal Motor Carrier Safety Administration.

LB 199 (Brewer) Authorize the issuance of an operator’s license to qualified aliens. Sections 15, 18, 19, 20, 23, 24, 29, and 33 of LB 138. Authorizes the Department of Motor Vehicles to issue a Nebraska Operator’s License or State Identification Card to any otherwise qualified individual who has been assigned parolee immigration status by the United States Department of Homeland Security. Such person must possess an unexpired foreign passport at the time they entered the United States.

LB 465 (Moser) Change the allocation of operator license fees. Section 22 of LB 138.

Currently the statutory fees established for the issuance of state identification cards operators’ licenses, replacement ignition interlock permits, and 24/7 sobriety program permits are allocated between the county general fund, the Department of Motor Vehicles Cash Fund, and the State General Fund. The bill amends the section to provide that where any portion of the fee charged is allocated to the State General Fund, that amount is instead redirected and deposited to the Department of Motor Vehicles Cash Fund. The bill does not increase the consumer’s cost of any identification card, license, or permit.

LB 738 (Raybould) Change provisions related to electric bicycles. Sections 35, 36, 37, 38, 39, 40, 41, and 44 of LB 138.

Amends the definition of “electric bicycle” for purposes of the Nebraska Rules of the Road. The current definition of electric bicycle is eliminated and electric bicycles are placed into classifications:

1. Class I Electric Bicycle:
 - 2 or 3 wheels, fully operative pedals for propulsion by human power.
 - An electric motor not exceeding 750 watts of power producing no more than 1 brake horsepower.
 - A maximum design speed of no more than 20mph.
 - Power is provided only when the rider is pedaling.
 - Power is not provided when the device is traveling more than 20 mph.
2. Class II Electric Bicycle:

- The definition of a Class II Electric Bicycle mirrors the definition of a Class I Electric Bicycle with the exception that a Class II Electric Bicycle will provide power whether or not the rider is peddling.
3. Class III Electric Bicycle:
- The definition of a Class III Electric Bicycle provides that the device shall have a maximum design speed of 28 mph. Like the Class I Electric Bicycle a Class III Electric Bicycle will only provide power when the rider is peddling.

Section 60-678 is amended to add Electric Bicycles to the list of vehicles that state and local government subdivisions may regulate and control when used in their jurisdiction.

LB 453 (DeKay) Provide an additional use of the Highway Cash Fund and change provisions relating to bridge replacement and road construction contracts. (Section references are to LB 138- Final Reading Copy.)

Sections 1, 4, 5, 6 and 50 of LB 138.

SECTION 1- Amends section 3-107- Division of Aeronautics of the Department of Transportation, Authority. The Division of Aeronautics has general supervision over aeronautics within the state. The section is amended to provide that the Department of Transportation may budget and pay any of the costs related to the operation of the Division including staff salaries and benefits from the Highway Cash Fund as determined by the Director-State Engineer. Costs paid shall not include construction and maintenance of airport infrastructure.

SECTION 4- Amends section 39-847- State Aid for Bridges, Application for Replacement; Costs; Priorities. This section provides that a county may apply to the Department of Transportation for state aid for the replacement of any bridge under the county's jurisdiction. In the application the county shall pledge to pay 50% of the costs of the project. The bill amends the county share of the cost from 50% to 20%.

SECTION 5- Amends section 39-1348- Construction; plans and specifications; advertisement for Bids. Currently this section establishes \$100,000 as the threshold for when the Department of Transportation must advertise for contracts through sealed bids. (Contracts under \$100,000 may be let by sealed bid or the Department may seek bids from three potential bidders with a designated date for reviewing bids.) The section is amended to increase the sealed bidding threshold to \$250,000. The section is also amended by the addition of a new subsection (3) that provides that the bidding threshold amount shall annually on October 1 be adjusted by the change in the Consumer Price Index for All Urban Consumers, published by the U.S. Department of Commerce.

SECTION 6- Amends Section 39-1351. The section currently provides anyone wishing to submit a bid to the Department of Transportation for road purposes shall apply to the department for prequalification. There is an exception to the prequalification requirement for projects less than \$100,000 and for contracts where the work is emergency in nature.

The threshold is increased from \$100,000 to \$250,000 when prequalification is not required.

SECTION 50- Amends section 66-4,100- Highway Cash Fund – Roads Operation Cash Fund.

The section outlines the purpose and uses of the Highway Cash fund.

The section is amended by making a reference to the change made in section 1 (Section 3-107) regarding expenses of the Division of Aeronautics and repeals obsolete language regarding transfers from the Roads Operations Cash Fund to the General Fund.

LB 796 (Wayne) Provide for the Department of Transportation to develop and administer a safety oversight program for rail transit systems.

Section 2 of LB 138.

Amends section 13-1205- Nebraska Public Transportation Act; Department of Transportation; powers, duties, and responsibilities.

The section is amended to add an additional duty to the Department of Transportation:

To develop and administer a safety oversight program to oversee rail transit systems operated by the state or any local subdivision.

LB91 (Hansen) CHANGE PROVISIONS RELATED TO MANDATORY MOTORCYCLE HELMET USE

HANSEN PERSONAL PRIORITY BILL

Sections 3,46, and 47 of LB 138.

Amends section 60-6,279; Protective Helmets Required.

Amends current law requiring use of a protective helmet meeting federal safety standards by the operator and all passengers on motorcycles or certain auto cycles operated upon public roads.

The section is amended as follows:

The requirement to wear a helmet remains, except for Individuals at least 21 years of age who have completed a basic motorcycle safety course; and

No individual shall operate a motorcycle unless they use eye protection such as glasses, a face shield attached to a helmet, goggles, or a windshield attached to the motorcycle.

The helmet requirement for auto cycles that are not fully enclosed is eliminated.

1) Changes made in motorcycle helmet requirements becomes operative on January 1, 2024;

2) Nonresidents over 20 years of age may avoid the helmet requirement upon a showing of completion of a course equivalent to the Motorcycle Safety Foundation basic motorcycle rider course or equivalent course approved by the person's state of residence;

3) The Department of Motor Vehicles shall modifying the driver information record system to allow the date of completion of a motorcycle safety course to be recorded;

4) The current penalty for a violation of the mandatory motorcycle helmet requirement is classified as a traffic infraction and a fine of \$50 is prescribed. The amendment provides that a violation shall be an infraction and the violator shall be fined \$250 for each violation; and

5) Enforcement of violations of the helmet requirement for operator's over 18 years of age, and passengers of any age shall be accomplished only as a secondary enforcement action. Any violation of the helmet requirement by an operator under the age of 18 shall be a primary violation.

LB 683 (Transportation and Telecommunications)
TRANSPORTATION COMMITTEE PRIORITY BILL
AS ENACTED BY THE LEGISLATURE
CREATE THE NEBRASKA BROADBAND OFFICE AND CHANGE
OTHER PROVISIONS OF LAW RELATED TO INFRASTRUCTURE
Operative Date: May 27, 2023

LB 683 consists of a number of bills related to infrastructure. The component bills of LB 683 consist of the following:

- 1) Original LB 683- Establish the Nebraska Broadband Office
- 2) LB 412(Moser)-Change provisions related to the Broadband Bridge Act
- 3) LB 359(Hughes)-Change Broadband Bridge Act Application Deadline
- 4) LB 155(DeBoer)-Change applicability of the Small Wireless Facilities Act
- 5) LB 122(Bostelman)-Change provisions of the One-Call Notification Act
- 6) LB 722(Bostelman)-Adopt the Rural Communications Sustainability Act
- 7) LB 124(Moser)-Change provisions related to the County Bridge Match Program
- 8) LB 63(Bostar)-Require withholding of support from the Universal Service Fund

SUMMARY OF LEGISLATION

Original LB 683- Sections 2, 3, 22, 23, 24, and 27 of LB 683 Establishes the Nebraska Broadband Office, headed by the Director of Broadband. The Director of Broadband is to be appointed by the Governor and is subject to legislative confirmation. The Office is to be located within the Nebraska Department of Transportation (DOT) for administrative and budget purposes. The DOT shall provide office space, supplies,

and other necessary support to allow the Office to function. The installation, operation, and maintenance of broadband projects shall not be funded by the DOT, other than those specifically designed to meet the needs of the State Highway System. The DOT is not authorized to own, operate, manage, construct, or maintain fiber optic, broadband, or similar technologies outside of state highway property.

The duties of the Broadband Office are:

- 1) Engage in outreach and collaborate with all interested parties;
- 2) Develop a broadband strategic plan for the state;
- 3) Coordinate the broadband activity of all state entities that maximizes all public and private resources and encourages innovative models infrastructure ownership;
- 4) Coordinate state agencies on policy matters affecting the use of federal and state funding for broadband purposes;
- 5) Provide state advocacy of broadband issues on the federal level;
- 6) Ensure funding is utilized in a cost effective manner;
- 7) Oversee the coordination of programs for schools and libraries and digital inclusion and equity projects; and
- 8) Provide public information and resources.

The duty and responsibility for the Nebraska Broadband Map is transferred from the Public Service Commission to the Nebraska Broadband Office.

A reference to the state broadband coordinator being housed in the Office of the Chief Information Officer is eliminated.

Any final funding decisions of the Broadband Office maybe appealed to the district court. An appeal shall take precedence on the trial docket over all other cases and shall be assigned for hearing at the earliest practicable date.

On or before December 1 of each year the Broadband Office shall file an annual status report with the Clerk of the Legislature and the Transportation and Telecommunications Committee shall hold a hearing on such report.

The Broadband Bridge Act Fund is amended. Currently the Fund shall consist of money appropriated by the Legislature and any federal funding designated for broadband purposes. This is revised to provide that the Governor may designate how federal funding for broadband purposes are to be administered.

LB 412 (Moser) Provide powers for the Public Service Commission under the Broadband Bridge Act.

LB 412 is the second committee priority bill of the Transportation Committee. When advanced the Committee amendment included the following additional bills: LB 359, LB 155, LB 122, and LB 722. LB 412, as amended, was incorporated into LB 683 during Select File consideration on April 5, 2023 (AM1142).

Original LB 412-Section 28 of LB 683

A new subsection (2) is added to section 86-1312 that provides that the Public Service

Commission may allocate federal Capital Project Funds in the Third Congressional District to any portion of a local exchange area containing a city of the second class or village.

LB 359 (Hughes) Change the application date for Broadband Bridge Act grants.
Section 26(1) of LB 683.

Changes the application deadline for grants from the Broadband Bridge Act to a date to be determined by the Public Service Commission. The date selected shall be posted on the PSC website.

LB 155 (DeBoer) Change provisions of the Small Wireless Facilities Act.
Section 25 of LB 683.

The Small Wireless Facilities Act is amended to state that the Act does not apply to the activities of a communications service provider that are outside the scope of the Small Wireless Facilities Deployment Act.

LB 122 (Bostelman) Change provisions of the One-Call Notification Act.
Sections 4, 5, 6, 7, 8, 9, 10, 11, and 32.

LB 122 (as amended by the Committee)

Amends the provisions of the One- Call Notification System Act.

The changes to the Act will take effect on September 1, 2024. Creates the Underground Excavation Safety Committee (UESC) The UESC will consist of the State Fire Marshall, 3 facility operators, 3 excavators, and 2 alternates- 1 representing facility operators, 1 representing excavators. The UESC is to meet monthly and no member may participate in a hearing in which the member's business possesses a conflict of interest. The duty of the UESC is to review complaints of One-Call violations, and determine if a civil penalty should be assessed when a violation is determined. The State Fire Marshall on their own, or upon information may initiate an investigation of any One-Call Act violations and may refer complaints and investigative findings to the UESC. The UESC shall review complaints and investigation, and if a violation is determined to have occurred, serve on the violator written findings of fact, conclusions of law, and the civil penalty, if any, to be paid. If a proposed civil fine exceeds \$10,000, the matter shall be referred to the Attorney General for prosecution. For violations where the proposed civil penalty is less than \$10,000 the violator shall have 30 days following service to have a hearing on the matter before the UESC. If no hearing is requested, the party shall pay the civil penalty within 30 days of receiving the notice of violation. In lieu of a civil penalty for any violation of the One-Call Act the UESC may order a violator to take and complete an education course addressing compliance with the requirements and obligations of the Act.

The UESC shall employ a hearing officer who shall have the power to compel the attendance of witnesses and subpoena documents. Following a hearing the hearing officer shall prepare findings of fact and conclusions of law and issue a final order affirming, modifying, or reversing the initial determination of the UESC. Any final order may be appealed pursuant to

the Administrative Procedures Act. It is a violation of the One Call Act for an excavator to request facility location for a location where excavation cannot be commenced within 17 days of the provision of notice. Additionally, it is a violation of the Act to request a marking refresh when excavation cannot be reasonably commenced or continued within 14 days of the date remarking is completed.

LB 722 (Bostelman) Adopt the Rural Communications Sustainability Act.

Sections 13, 14, 15, 16, 17, and 18 of LB 683.

LB 722, as amended by the Committee.

Adopts the Rural Communications Sustainability Act.

SECTION 13- Statement of Policy. The Act is intended to preserve and ensure all Nebraskans have access to affordable and reliable communications in rural high-cost of service areas.

SECTION 14- Definitions for purposes of the Act.

SECTION 15- Agencies providing grant funding to enhance communications capabilities shall collaborate with the Nebraska Broadband Office and the Nebraska Public Service Commission (NPSC) to ensure compliance with the Act.

SECTION 16- Following the final payment of any grant to improve telecommunications infrastructure to a competitive carrier the incumbent carrier may request, and the NPSC shall: Relieve the incumbent of eligible telecommunications carrier and carrier of last resort obligations in the project funding area;

Make any necessary determinations related to the allocation and distribution of support from the Nebraska Universal Service Fund (NUSF) within the project area; and

Consult with the carriers involved and the Federal Communications Commission as to whether eligible telecommunications carrier and carrier of last resort obligations should be transferred to the competitive provider.

SECTION 17- In administering the Act, the NPSC shall not:

Require a competitive carrier to accept or receive NUSF support;

Impose eligible telecommunications carrier responsibilities or carrier of last resort obligations on a competitive carrier in any project area where the incumbent or competitive carrier is not receiving NUSF support; or impose eligible telecommunications carrier or carrier of last resort obligations on an incumbent carrier that are not in existence on the date the final payment is made on any grant to enhance telecommunications service.

SECTION 18- Authorizes the NPSC to adopt any necessary rule to carry of the Act.

LB 124 (Moser) Change provisions of the County Bridge Match Program.

Section 1 of LB 683.

LB 124 was added to LB 683 via AM 1142 on April 5, 2023.

LB 124 amends section 39-2805 and changes the termination date of the County Bridge Match program from June 30, 2023 to June 30, 2029.

LB 63 (Bostar) Require withholding of support from the Nebraska Universal Service Fund. Sections 19, 20, 21, and 26(4) of LB 683.

LB 63 was added to LB 683 on April 5, 2023 (AM 1118) and was modified by AM1301 on May 8, 2023.

The Public Service Commission shall withhold support from the NUSF or the Broadband Bridge Act to any company using or providing equipment or service using any telecommunications equipment or service deemed to pose a threat to national security identified on the covered list pursuant to the federal Secure and Trusted Communications Networks Act of 2019. The ineligibility to receive funding is effective on the operative date of LB 683. Telecommunications companies shall not be required to obtain a permit or authority from any governmental entity to remove, discontinue or replace any covered service or equipment. Additionally, all telecommunications providers shall certify to the NPSC by January 1 of each year that they do not use or provide any communications equipment or service deemed to pose a threat to national security identified on the Federal Communications Commission Covered List.

SELECT FILE

LB136 (Moser) CHANGE PROVISIONS RELATING TO THE MOTOR VEHICLE CERTIFICATE OF TITLE ACT, THE MOTOR VEHICLE REGISTRATION ACT, AND THE MOTOR VEHICLE OPERATOR'S LICENSE ACT.

The purpose of LB 136 is to revise and harmonize statutes administered by the Department of Motor Vehicles as follows:

SECTION 1-Amends section 60-144; motor vehicle titles. Allows an owner of an ATV/UTV to file an application for title in any county of the state. Currently the application must be made in the applicant's county of residence.

SECTION 2- Amends section 60-146; application for title, inspection. Allows the acceptance of a United States Government Certificate to Obtain Title to a Vehicle without the performance of a title inspection. Provides that a title inspection shall include checking the National Motor Vehicle Title Information System or the Nebraska Crime Information Service. (The National Crime Information Center data base must still be checked.)

SECTION 3- Amends section 60-149; Certificate of Title, documents required. The section is amended to provide that a United States Government Certificate to Obtain Title to a Vehicle is an accepted document that may be submitted with an application for title which has not been previously titled in Nebraska.

SECTION 4- Amends section 60-172; salvaged branded titles, required disclosure. The term "damaged" is changed to "branded" to allow all brands placed on an out-of-state title is carried forward to a Nebraska Certificate of Title.

SECTION 5- Amends section 60-3,205 (1)(a)(iii). When registering apportioned motor vehicles under the International Registration plan (IRP) the director may suspend, revoke, cancel, or refuse to issue or renew a registration if the applicant has committed a violation of the IRP Act or any rule or regulation.

SECTION 6- Amends section 60-4,146.01 (3). Revises requirements regarding restricted commercial driver's licenses (CDL). Language that expired January 1, 2022 is repealed and the current requirements regarding restricted CDL'S is terminated effective January 1, 2024. The seasonal validity of the restricted CDL is increased from 180 to 210 days.

NOTE:

There are two pending amendments to LB 136.

AM1246 (Moser) – Amends LB 484 into the bill- See T&T Committee Bills on General File Summary.

AM1247 (Erdman) Amends LB 688 into the bill-See T&T Committee Bills on General File Summary.

LB140 (Brandt) PROVIDE FOR CZECH HERITAGE LICENSE PLATES

Explanation of Bill

Section 7 and 8 of the bill provides for the creation and issuance of a new license plate for motor vehicles—Czech Heritage Plates.

Plate design shall be done in consultation with the Czech Honorary Counsel of Nebraska and shall reflect Czech heritage in Nebraska. The manufacturing cost shall not exceed the cost of the standard Nebraska license plate. If the cost of manufacture exceeds the cost of standard license plates the excess cost amount shall be transferred from the Department of Motor Vehicles Cash Fund to the Highway Trust Fund.

Two types of plate shall be issued:

- 1) Alphanumeric, 5 characters with no county designator. The plate requires an additional fee of \$5; and
- 2) Personalized message, with up to 5 characters. The plate requires an additional fee of \$40.

The additional fee charged upon issuance is to be deposited to the Department of Motor Vehicles Cash Fund.

Issuance of the plate will end if the total number of plates issued is less than 500 per year in any consecutive two-year period.

LB247 (Lippincott) CHANGE PROVISIONS RELATING TO ISSUANCE OF A CERTIFICATE OF TITLE FOR CERTAIN MOTOR VEHICLES

Explanation of Bill

Amends section 28-431; property seized without warrant, subject to forfeitures, disposition.

This section prescribes the procedure for the administration and disposition of property related to the manufacture, possession, or transportation of controlled substances, including conveyances such as aircraft, vehicles, or vessels.

Subsection (7) of the section provides following the adjudication of a seizure, when such property is disposed of, the county clerk shall issue title to a purchaser, if a title is required for the transfer of property.

The bill changes the issuing officer of a title from the county clerk to the county treasurer.

GENERAL FILE

LB61 (Brandt) AUTHORIZE LEASING DARK FIBER AND ELIMINATE CERTAIN POWERS OF THE PUBLIC SERVICE COMMISSION

BRANDT PERSONAL PRIORITY BILL

The bill provides that any agency of the state or political subdivision may in addition to selling or leasing dark fiber may also license the use of such assets.

Amends section 86-577; agency or political subdivision, dark fiber leasing.

The section is amended by striking all authority possessed by the Nebraska Public Service Commission to require the filing, review and approval of dark fiber leases by state agencies and political subdivisions, including the requirement that a portion of the profit on the lease of dark fiber be deposited to the Nebraska Universal Service Fund.

The section is amended by the addition of language stating that State agencies and political subdivisions may lease or license dark fiber and related infrastructure under terms determined by the agency or subdivision.

LB63 (Bostar) REQUIRE WITHHOLDING OF DISTRIBUTIONS TO TELECOMMUNICATIONS COMPANIES FROM THE NEBRASKA TELECOMMUNICATIONS UNIVERSAL SERVICE FUND

BOSTAR PERSONAL PRIORITY BILL

Amended into LB 683- See Enacted Legislation Summary.

LB91 (Hansen) CHANGE PROVISIONS RELATED TO MANDATORY MOTORCYCLE HELMET USE

HANSEN PERSONAL PRIORITY BILL

Amended into LB 138- See Enacted Legislation Summary.

LB122 (Bostelman) CHANGE PROVISIONS RELATED TO THE ONE-CALL NOTIFICATION ACT

Amended into LB 683- See Enacted Legislation Summary.

LB124 (Moser) CHANGE TERMINATION DATE FOR COUNTY BRIDGE MATCH PROGRAM

Amended into LB 683- See Enacted Legislation Summary.

LB155 (DeBoer) CHANGE PROVISIONS RELATED TO THE APPLICABILITY OF THE SMALL WIRELESS FACILITIES DEPLOYMENT ACT

Amended into LB 683- See Enacted Legislation Summary.

LB199 (Brewer) PROVIDE FOR A DRIVING PRIVILEGE CARD FOR FEDERALLY AUTHORIZED ALIENS

Amended into LB 138- See Enacted Legislation Summary.

LB234 (Walz) REQUIRE REPORTING OF BLOCKED RAILROAD CROSSINGS

As Introduced

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.
- 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.

Explanation of Committee Amendment

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.

LB 359 (Hughes) CHANGE APPLICATION DEADLINES UNDER THE NEBRASKA BROADBAND BRIDGE ACT

Amended into LB 683- See Enacted Legislation Summary.

LB412 (Geist) PROVIDE POWERS FOR THE PUBLIC SERVICE COMMISSION UNDER THE NEBRASKA BROADBAND BRIDGE ACT TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE PRIORITY BILL

Amended into LB 683- See Enacted Legislation Summary.

LB453 (DeKay) PROVIDE AN ADDITIONAL USE OF THE HIGHWAY CASH FUND AND CHANGE PROVISIONS RELATED TO ROADS CONTRACTS

Amended into LB 138-See Enacted Legislation Summary.

LB465 (Moser) CHANGE THE ALLOCATION OF FEES FOR OPERATOR'S LICENSES

SPEAKER PRIORITY BILL

Amended into LB 138- See Enacted Legislation Summary.

LB484 (Moser) PROVIDE FOR CONTINUING EDUCATION FOR LICENSED MOTOR VEHICLE DEALERS

Amends the Nebraska Motor Vehicle Industry Licensing Act by enacting two new provisions of law.

SECTION 2- New Provision of Law

Provides that applicants for an initial motor vehicle dealer's license shall be required to complete 8 hours of continuing education and applicants for renewal of a dealer's license shall complete 4 hours of continuing education within 12 months of issuance or renewal of the license.

The continuing education requirement shall not apply to:

- 1) Salvage dealers (primary business is the sale of salvage vehicles on behalf of insurance carriers);
- 2) Dealers who only sell manufactured homes;
- 3) Dealers who only sell trailers; and
- 4) A franchised new car dealer or employee of a franchised new car dealer.

SECTION 3- New Provision of Law

Establishes the process by which an entity can apply to the Motor Vehicle Industry Licensing Board to qualify to provide a continuing education program. The bill provides for an operative date of January 1, 2024.

LB600 (Lippincott) ADOPT THE MUNICIPALITY INFRASTRUCTURE ACT

Summary of Introduced Bill

- 1) Amends section 39-2803- Transportation Infrastructure Bank Fund; created; use.

The Transportation Innovation Act Fund is used to fund the Accelerated State Highway Capital Improvement Program, the County Bridge Match Program, and the Economic Opportunity Program.

There are two sources of funding for the Fund.

A one-time appropriation to the Fund from the Cash Reserve Fund in 2016; and

An on-going funding stream representing the amount generated from the increase in motor fuel taxes generated by LB 610 (2015). This transfer will end June 30, 2033.

The section is amended as follows:

The reference to the Cash Reserve Fund transfer is stricken as obsolete and language is inserted stating that the Fund can accept any donation, gift, bequest, or other money received from any state or federal agency or private source.

- 2) Amends section 39-606- Economic Opportunity Program; Created

The Economic Opportunity Program is authorized to expend, from the Transportation Infrastructure Bank Fund up to \$20 million to finance transportation improvements to attract business and business expansions by connecting them to the transportation network. The DOT is to consult with the Department of Economic Development on projects and no project may be funded without a positive economic impact analysis.

The section is amended by providing that the Economic Opportunity Program may also fund infrastructure improvements for cities of the First Class, Second Class and villages for redevelopment plans approved under the Community Development Law that will lead to increased economic development investment by the private sector.

Explanation of Standing Committee Amendment

The Committee considered and adopted an amendment which accomplishes the following:

The Standing Committee Amendment strikes the original provisions of the bill and proposes the following:

Eight new provisions of law are enacted- the “Municipality Infrastructure Act”.

The act is to be administered by the Department of Economic Development. Entities eligible to apply for a grant are cities of the First Class, Second Class, or villages with a redevelopment plan approved under the Community Development Law.

Eligible municipalities may apply for grants to assist in funding infrastructure including water and sewer systems, roads, bridges and other site development activities.

Beginning July 1, 2023 grant applications may be filed with the Department of Economic Development. Grant applications shall include:

Infrastructure improvements must be part of a plan approved under the Community Development Law;

Explain how the improvements would attract and support new business or business expansion;

How the improvements would provide infrastructure that is sufficient for new or expanded business;

A cost-benefit analysis of the redevelopment plan; and

How the new or expanded business would provide jobs, including high-quality jobs; increase business investment; and revitalize rural and other distressed areas of the state in or near an eligible grantee.

An application for a grant shall be denied if the redevelopment plan does not provide a positive cost-benefit analysis or the grantee fails to provide a match of 25% of the amount of the grant request.

Grants are to be limited to \$5,000,000 per application.

The Department of Economic Development is directed to establish the grant process, including process to recoup funds if grant obligations are not met.

The Department of Economic Development is to consult with the Department of Transportation and Environment and Energy statewide economic developer associations on administration of the Act.

The Municipality Infrastructure Aid Fund is created. The Fund shall receive a transfer of \$10 million from the Cash Reserve Fund as soon as possible after the effective date of the Act.

LB688 (Erdman) APPROPRIATE FUNDS TO THE DEPARTMENT OF MOTOR VEHICLES FOR DRIVER TRAINING

As Introduced

Enacts a new provision of law stating that it is the intent of the Legislature to appropriate \$10,000,000 to the Department of Motor Vehicles from the General Fund for the purpose of funding grants to fund commercial driver's license and diesel technology training.

Amends section 84-612; Cash Reserve Fund

The section is amended to provide for a transfer of \$10,000,000 from the Cash Reserve Fund to the General Fund.

Adds the Emergency Clause

Explanation of committee amendment

The Committee considered and adopted an amendment which accomplishes the following:

The standing committee amendment substitutes for the bill.

Authorizes the Department of Motor Vehicles to contract with a non-profit entity based in Nebraska to approve training providers to receive grants. The non-profit entity shall receive up to 7% of the funds appropriated to pay for administrative expenses.

A training provider receiving a grant shall, at no cost, provide training to obtain a commercial driver's license or diesel technology education.

Requires that \$5 million be transferred from the Cash Reserve Fund to the General Fund beginning after September 30, 2023.

LB722 (Bostelman) PROVIDE AUTHORITY FOR THE PUBLIC SERVICE COMMISSION REGARDING CONSTRUCTION OF BROADBAND OR OTHER TELECOMMUNICATIONS INFRASTRUCTURE

Amended into LB 683- See Enacted Legislation Summary.

LB738 (Raybould) CHANGE PROVISIONS RELATED TO ELECTRIC BICYCLES

Amended into LB 138- See Enacted Legislation Summary.

LB 796 (Wayne) PROVIDE FOR THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND ADMINISTER A SAFETY OVERSIGHT PROGRAM FOR RAIL TRANSIT SYSTEMS

Amended in LB 138- See Enacted Legislation Summary.

HELD IN COMMITTEE

LB 26 (Wayne) ADOPT THE RURAL MUNICIPAL BROADBAND ACCESS ACT

Hearing Date: February 13, 2023

The legislation grants the following authority to cities of the First and Second Class and Villages: Commencing January 1, 2024 a city or village may provide retail or wholesale broadband service within their corporate limits and extraterritorial zoning jurisdiction. Such city or village must be located within an underserved (speeds less than 100-20 Mbps) or unserved (speeds under 25 Mbps) area.

The municipality must conduct a feasibility study of the proposed service.

The feasibility study shall be the subject of a public hearing. Existing providers shall be allowed to respond to the study.

The municipality's governing body may approve and adopt the creation of the broadband network by a 2/3 vote of its members. A majority vote of the governing body may allow the submission of the question of approval to the voters.

A broadband network created under the Act must provide speeds of at least 100/ 100 Mbps.

No municipality shall be allowed to exercise the power provided under this Act after January 1, 2034.

LB 31 (Jacobson) REQUIRE TWO INDIVIDUAL TRAIN CREWS AS PRESCRIBED

Hearing Date: March 6, 2023

Enacts a new provision of law.

Provides that no train or light engine used in connection with the movement of freight shall be operated unless it has a crew consisting of at least two individuals.

Train or light engine does not include trains operated for the following services:

1) Hostler service;

- 2) Helper service;
- 3) By Utility employees; or
- 4) When loading or unloading freight or grain and not operated more than 10 MPH.

Persons who willfully violate the Act are subject to fine:

First offense within a 3-year period- not less than \$250, nor more than \$1,000;

Second offense within a 3-year period- not less than \$1,000, nor more than \$10,000; and

Third offense within a 3-year period- not less than \$5,000, nor more than \$10,000.

LB37 (Dungan) CHANGE IDENTIFICATION INSPECTION REQUIREMENTS FOR MOTOR VEHICLES

Hearing Date: January 30, 2023

Amends section 60-146; application for motor vehicle title, identification inspection required.

Current law requires that when a motor vehicle under title from another jurisdiction is to be titled in Nebraska an identification inspection must first be made by the county sheriff. The county treasurer shall accept a certificate of inspection from an officer of a state police agency in another state.

The bill revises the requirement that the inspection be done by an officer from a state police agency to an officer of a law enforcement agency certified in another state.

LB 44 (Dungan) ADOPT THE MIDWEST INTERSTATE PASSENGER RAIL COMPACT

Hearing Date: March 6, 2023

The Midwest Interstate Passenger Rail Compact is created for the purpose:

- 1) to promote development and implementation of improvements to intercity passenger rail service in the Midwest;
- 2) to coordinate interaction among Midwestern state elected officials;
- 3) to promote development and implementation of long-range plans for high-speed rail passenger service in the Midwest and among other regions of the United States;

- 4) to work with the public and private sectors at the federal, state, and local levels to ensure coordination and promote Midwestern interests; and
- 5) to support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

Current Membership

The following states are members of the Compact:

Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, North Dakota, Wisconsin.

The following states are eligible for membership:

Iowa, Nebraska, Ohio, South Dakota.

NOTE: Nebraska was a member of the Compact until 2018. LB 317 was enacted in 2015 to withdraw Nebraska from the Compact. The withdrawal was effective June 30, 2018.

LB66 (Slama) CHANGE PROVISIONS RELATING TO THE REGULATION AND OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES

Hearing Date: January 23, 2023 (Amendments pending, see committee staff)

Amends section 60-6,356: All-terrain and utility-type vehicles, operation upon highways.

The section is amended to provide that an all-terrain or utility-type vehicle which is properly registered under the Motor Vehicle Registration Act may be operated on highway of the state, except:

The interstate system;

Highways that are a part of the State Highway System;

Expressways;

Freeways; and

Highways when prohibited by a city, village, or county.

ATV/UTV FEES:

- Registration Fee- \$3
- Motor Vehicle Tax- \$25
- Motor Vehicle Fee- \$5

ATV's and UTV's operators must comply with the Motor Vehicle Safety Responsibility Act (insurance) and Nebraska Operator's License Act requirements when operating a device registered for operation on the highways. When registered the vehicle shall display one license plate.

Seatbelt requirements do not apply to ATV's and UTV's when registered and operated upon a highway.

Motorcycle helmet requirements are required when an ATV/UTV is registered and operated upon a highway, except for a UTV that has a seating area that is completely enclosed.

The Act becomes operative on January 1, 2024.

NOTE: Section 624 defines the term "highway" for purposes of the Rules of the Road as "The entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel"

LB119 (Bostelman) REDEFINE A TERM FOR PURPOSES OF THE NEBRASKA BROADBAND BRIDGE ACT

Hearing Date: February 7, 2023

The term Eligible Telecommunications Carrier is a defined term utilized in the Broadband Bridge Act. The term is defined by federal law and the federal definition is incorporated by reference as a Nebraska definition. Currently this section adopts the term as it existed on January 1, 2023. The bill changes the adoption date of 47 U.S.C. 214(e) to January 1, 2023. A telecommunications carrier designated as an "eligible telecommunications carrier" (ETC is able to receive both federal and state universal service funding. The designation as an ETC is made by the Public Service Commission in Nebraska.)

LB 134 (J. Cavanaugh) PROVIDE REQUIREMENTS UNDER THE SMALL WIRELESS FACILITIES DEPLOYMENT ACT

Hearing Date: February 21, 2023 (Amendments pending, see committee staff)

Amends section 86-1236- Activities of wireless providers within the right-of-way to deploy small wireless facilities and associated utility poles.

The bill would propose to add two new subsections to the section:

A new subsection (9) provides that an authority shall provide reasonable notice to adjacent property owners or residents prior to the installation of any small wireless facility; and

A new subsection (10) is added that provides before any new facility is installed or modified the authority shall determine the installation:

- 1) complies with the Americans with Disabilities Act;
- 2) does not hinder travel or traffic or public safety in or on the right-of-way; or
- 3) does not obstruct the legal use of the right-of-way by any utility.

If the authority determines the installation does not comply with the above criteria, the authority shall not permit the installation.

NOTE: Section 86-1208 defines “Authority” as the State of Nebraska or any agency, county, city, village, or other political subdivision thereof, except as otherwise excluded herein. Authority does not include public power suppliers, state courts having jurisdiction over an authority, or an entity that does not have zoning or permit-granting authority.

LB 166 (Bostelman) CHANGE PROVISIONS RELATING TO DESIGN-BUILD, CONSTRUCTION MANAGER-GENERAL CONTRACTOR, AND PUBLIC-PRIVATE PARTNERSHIP PROPOSALS UNDER THE TRANSPORTATION INNOVATION ACT.

Hearing Date: March 7, 2023

Amends section 39-2814; Request for proposals for design-build or progressive build contract; elements.

The section provides, in part, that a contracting agency as a part of creating a request for proposal shall state the criteria for evaluation and their relative weight. The current criteria are:

- 1) Construction experience, design experience, and financial, personnel, and equipment resources of the entity;
- 2) For design-build contracts- the cost of work;
- 3) For progressive design-build contracts- historic reasonable of the progressive design-builders costs and expenses, whether using the progressive design-build process or any other bidding and contracting process; and
- 4) The relative weight that apply to any criteria is at the discretion of the contracting agency except that for all design-build contracts the historic reasonableness of the design-builders costs and expenses shall be given a relative weight of at least 50%.

The bill amends item #4 above by adding that for progressive design- build contracts the historic reasonableness of the progressive design-builder’s costs and expenses shall also be given a relative weight of at least 50%.

SECTION 2- Amends section 39-2818; Request for proposals for construction manager-general contractor contract; elements.

Currently this section only provides the contracting agency must state in the request for proposal what the criteria for evaluation and their relative weight will be. The bill provides greater definition of the required criteria, including:

- 1) Construction management experience, construction experience, and the financial, personnel, and equipment resources;
- 2) The historical reasonableness of the construction manager's costs and expenses when completing projects; and
- 3) The relative weight assigned to each criteria is at the discretion of the contracting agency except that for all construction manager-general contractor contract the historic reasonableness of the construction manager's costs and expenses shall be 50%, with at least ½ of the cost evaluation based on competitiveness of construction manager's costs on projects procured by means of traditional design-build procurement.

SECTION 3- Amends section Public-Private Partnership Delivery Method, authorized.

The section is amended by expanding the criteria used by a contracting agency to review requests for proposal for a project using a public-private partnership agreement. Currently the section only provides that the contracting agency provide evaluation and the relative weight of each.

The section is amended to provide that the evaluation factors shall include:

- 1) Each private partner's experience and the financial, personnel, and equipment resources available for the project;
- 2) The historic reasonableness of the private partners costs and expenses;
- 3) The relative weight assigned to criteria is at the discretion of the contracting agency except the historical reasonableness of costs and expenses shall be at least 50%, with 50% of the cost evaluation based upon the competitiveness of the private partner's projects procured by means of traditional open bidding to a lowest responsible bidder.

DEFINITIONS:

Contracting Agency means the DOT, an eligible county, a city of the metropolitan class, or a city of the primary class using the powers under the Transportation Innovation Act.

Construction Manager-General Contractor Contract means a contract which is subject to a qualification-based selection process between a contracting agency and a construction manager to furnish preconstruction services during the design development phase of the project and, if an agreement can be reached which is satisfactory to the contracting agency, construction services for the construction phase of the project.

Design-Build Contract means a contract between a contracting agency and a design-builder which is subject to a best value-based selection process to furnish architectural, engineering and related design services and labor, materials, supplies, equipment, and construction services.

Progressive Design Build means a project-delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection process at the earliest feasible stage of the project.

Public-Private Partnership means a project delivery method for construction or financing of capital projects or procurement of services under a written public-private partnership agreement entered into between at least one private partner and the State of Nebraska or any agency of the state.

LB 212 (Slama) REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PLAN, DESIGN, AND PURCHASE RIGHT-OF-WAY FOR HIGHWAY 75 AND PAVE UNPAVED STATE HIGHWAYS

Hearing Date: February 28, 2023

Directs the Department of Transportation to plan, design and purchase right-of-way to provide for a continuous four-lane divided highway from Plattsmouth south to the Kansas border contiguous with the existing Highway 75 corridor.

States legislative intent to appropriate General Funds for the development of the Highway 75 expressway as well as the intent to appropriate General Funds to provide for the paving of all unpaved highways remaining in the State Highway System.

LB 226 (Brewer) CHANGE PROVISIONS RELATED MILITARY HONOR PLATE ELIGIBILITY

Hearing Date: January 23, 2023 (Amendments pending, see committee staff)

Amends section 60-3,122.04; Issuance of Military Honor Plates.

A new category of individuals eligible to be issued the license plate is provided for surviving spouses of an individual who has previously applied for and received approval to display the Military Honor Plate prior to their death.

Current individuals eligible for Military License Plate issuance:

- 1) Active or reserve duty;
- 2) A veteran of any armed service discharged with honorable or general status;
- 3) Current or former commissioned officers of the United States Public Health Service or National Oceanic and Atmospheric Administration who was detailed directly to any

branch of the armed services in an active or reserve duty and was honorably discharged;
or

- 4) Who served in the armed forces and has been awarded the Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Southwest Asia service Medal, or Vietnam Service Medal.

NOTE: Section 60-3,122.03 lists the eligible armed forces of the United States as: The United States Army, United States Army Reserve, United States Navy, United States Navy Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, United States Air Force, United States Air Force Reserve, Air National Guard, and Army National Guard.

LB 266 (Brandt) CHANGE PROVISIONS RELATING TO CONSTRUCTION MANAGER-GENERAL CONTRACTOR CONTRACTS AND PUBLIC-PRIVATE PARTNERSHIPS UNDER THE TRANSPORTATION INNOVATION ACT

Hearing Date: March 7, 2023

LB 226 amends provisions of the Transportation Innovation Act.

- 1) Amends section 39-2817- Selection of construction manager; construction manager-general contractor contract; request for qualifications; prequalification; shortlist created.

This section currently provides that contracts entered into under the Transportation Innovation Act the qualification of contractor and proposal receipt process shall be two separate steps of the process.

The section is amended by the addition of a new subsection (5) that provides the qualification and proposal process may be combined into a single- step process when the contracting agency determines it to be in their best interest to utilize a single step process. All proposing construction managers shall have their qualifications considered. If only one proposal is submitted the contracting agency may cancel or proceed with the procurement.

- 2) Amends section 39-2825- Public-private delivery method; authorized.

This section lays out the process for utilizing, selecting and qualifying a private partner when this form of contracting is utilized. The section is amended by providing that services may also be secured using an unsolicited proposal process. The DOT must determine there is sufficient merit to pursue an unsolicited proposal and a reasonable opportunity for other entities to submit competing proposals for consideration. The DOT may give preference to creative and innovative proposals that provide material benefit to the state beyond traditional procurement and project delivery methods.

LB288 (Bosteman) REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO ESTABLISH AN ONLINE VERIFICATION SYSTEM FOR MOTOR VEHICLE INSURANCE AND FINANCIAL RESPONSIBILITY INFORMATION

Hearing Date: January 24, 2023

Enacts a new provision of law that will become a part of the Motor Vehicle Registration Act (sections 60-301 to 60-3,258).

The new provision provides the Department of Motor Vehicles shall establish and maintain a secure 24/7/365 online verification system for accessing private passenger motor vehicle insurance information. The system will be accessible to the DMV, courts, law enforcement, other entities authorized by DMV, and insurance carriers authorized by the Department of Insurance.

The system shall be fully operational on an implementation date determined by the Director of DMV no later than July 1, 2027.

An insurer shall submit to DMV at the end of each business day a record of each passenger motor vehicle insurance policy in effect for motor vehicles registered or garaged in Nebraska.

LB 449 (Brandt) CHANGE PROVISIONS RELATED TO THE COUNTY BRIDGE MATCH PROGRAM

Hearing Date: March 7, 2023

Amends provisions of law in the Transportation Innovation Act related to the County Bridge Match Program.

SECTION 2- Amends Section 39-2805; Creation of the County Bridge Match Program.

When enacted as a part of the Transportation Innovation Act in 2016 the County Bridge Match Program was created with a termination date of June 30, 2023. The program as enacted had a limitation of no more than \$40 million could be granted through the program.

The bill proposes that the sunset date for the County Bridge Match program be extended to June 30, 2028.

SECTION 4- Enacts a new provision of law.

Creates the County Bridge Match Program Fund. The Fund is to be administered by the Department of Transportation (DOT). Provides intent that the Legislature shall transfer \$68 annually from the General Fund to the County Bridge Match Program to pay for grants and to administer the Program.

SECTION 5- Enacts a new provision of law.

A county may apply to DOT for grants to be used for the replacement and repair of bridges that DOT has determined to be structurally deficient. Bridge-sized culverts and bridges on minimum maintenance roads are not eligible for grants. A county can file an application for a single bridge or multiple bridges, and a county may file an application for multiple bridges in multiple counties. Counties may receive up to 55% of the cost of bridge construction.

SECTION 6- Enacts a new provision of law.

The DOT shall establish a weighted scoring system to evaluate and rank grant applications. Priority is to be given to proposals from counties with higher proportions of structurally deficient bridges.

SECTION 7- Enacts a new provision of law.

As a condition of a grant the county shall agree to develop and construct the project subject to DOT requirements which may include:

Use of professional engineers;

Follow all applicable laws and regulations;

Advertising for bids; and

Entering into a contract and engaging the services of a construction engineer.

Counties using their own staff to design or construct a bridge shall provide equivalent services.

The DOT may not add to the obligations required of a grant recipient except as provided under the program or federal law.

LB 454 (DeKay) REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PLAN, DESIGN, AND PURCHASE RIGHT-OF-WAY FOR HIGHWAY 81

Hearing Date: February 28, 2023

The Department of Transportation is directed to plan, design and obtain right-of-way to complete the following segments of the Highway 81 expressway corridor:

- 1) Complete the Norfolk to the South Dakota border corridor as a four-lane divided highway; and
- 2) Complete the York to Columbus corridor as a four-lane divided highway.

States that it is the intent of the Legislature to appropriate funds for signage and to develop a gateway entrance at the Highway 81 and Highway 12 juncture to alert travelers to the location of Niobrara State Park and Lewis and Clark Lake

LB564 (Dorn) AMEND THE TRANSPORTATION INNOVATION ACT ECONOMIC OPPORTUNITY PROGRAM

Hearing Date: March 7, 2023

Amends section 39-2806- Economic Opportunity Program; Created

The Transportation Innovation Act was enacted in 2016. A part of the Act was the creation of the Economic Opportunity Program. The program was authorized to expend, from the Transportation Infrastructure Bank Fund, up to \$20 million, to finance transportation improvements to attract business and business expansions by connecting them to the transportation network.

The DOT is to consult with the Department of Economic Development and no project can be funded without a positive economic impact analysis.

LB 564 amends the section in two ways:

- 1) The program limitation is increased from \$20 million to \$40 million;
- 2) The program purpose is clarified to include livestock production and processing operations as eligible improvements.

LB 625 (McDonnell) PROVIDE REQUIREMENTS FOR THE OPERATION OF AUTONOMOUS VEHICLES

Hearing Date: February 14, 2023

Amends the Nebraska Rules of the Road by adding a new definition and new traffic offense.

SECTION 3- The term “Autonomous Vehicle” is defined as a motor vehicle that can operate itself and perform the function of operation without human intervention.

SECTION 4- Enacts a new provision of law which provides no person shall cause an autonomous motor vehicle to be operated on any highway unless a person possessing an operator's license is present who can monitor the operation of the vehicle and operate it.

NOTE: Unless another specific penalty is provided for violations of the Nebraska Rules of the Road are traffic infractions are the prescribed penalty is:

- 1) Not more than \$100 for a first offense;
- 2) Not more than \$200 for a second offense within a one year period; and
- 3) Not more than \$300 for a third and subsequent offense within a one year period.

LB 645 (McDonnell) CHANGE PROVISIONS RELATED TO STATE HIGHWAYS AND ROADS

Hearing Date: February 28, 2023

LB 645 changes a number of provisions of law governing the administration of the state highway program. The bill would make the following changes:

SECTION 1- Amends section 39-1365; development of the state highway system; legislative findings. The section adds one new finding by the Legislature- to increase the capacity of local streets that service or offset traffic on the state highway system.

The current findings are:

The accelerated completion of all improvements and expansion projects on the Interstate Highway System;

The accelerated completion of improvement projects on state highways with geometric and capacity deficiencies;

The resurfacing of highways to protect pavement integrity;

The accelerated completion of the expressway system prior to June 30, 2033; and

The general upgrading of the state highway system concerning driving surfaces concerning driving surfaces and surfaced shoulders.

SECTION 2- Amends section 39-1365.01 – State Highway System; Plans; Priorities.

This section directs the DOT to develop a specific and long-range state highway system plan.

The DOT is directed to annually formulate plans to meet the state highway needs and assign priorities to such needs. The DOT is required to report such priorities to the legislature each year prior to December 1. The section is amended in three ways:

- 1) The section is amended to provide that the DOT shall prioritize projects with the goal of ensuring the actions set forth in section 1 of the bill are completed based upon the following factors in order of importance: Safety of the traveling public; Capacity deficiencies based on current and projected traffic volumes; and The current and future economic impact of a project- determined by traffic volume and goods transported;
- 2) The bill strikes existing language that provides that the DOT shall consider preservation of the existing state highway system as its primary priority; and
- 3) Adds two new requirements to the state highway plan: The DOT shall account for highway revenue on the basis of state highway commission districts and 90% of the revenue generated in each commission district shall be allocated to projects within that district; The DOT may include local collector or arterial roads that directly affect state highway traffic volumes in the state highway system plan.

SECTION 3- Amends Section 39-1365.02- State highway system; federal funding; maximum use; department report on system needs and planning procedure.

The section currently directs the DOT to annually report to the legislature on the needs of the state highway system, the department's planning procedures, and the progress being made on the expressway system. The section is amended to provide that the DOT shall provide the criteria and date used to determine the prioritization of projects.

The section is also amended to provide that the DOT shall also provide the plan for the equitable allocation of projects between state highway commission districts and the needs specified by municipal and county planning agencies.

SECTION 4- Amends section 39-2507- Allocation of funds for county road purposes.

This section prescribes the allocation formula for funds distributed to counties from the Highway allocation Fund.

The current formula is a 7 factor formula.

- 1) Rural population of the county- 20%. This is changed to 10%
- 2) Total population of the county- 10%. This is changed to 30%.
- 3) Lineal feet of bridges 20 feet or more – 10%. This is unchanged.
- 4) Total motor vehicle registrations in the rural area of the county, other than apportioned vehicles- 20%. This is changed to 10%.
- 5) Total motor vehicle registration- 10%. This is changed to 20%.
- 6) Total miles of county roads- 20%. This is unchanged.
- 7) Value of farm products sold from the county- 10%. This criteria is eliminated.

SECTION 5- Amends section 39-2804- Accelerated State Highway Capital Improvement Plan.

The Accelerated State Highway Capital Improvement Program was created by the Transportation Innovation Act and is administered using funds from The Transportation Infrastructure Bank Fund. Projects eligible for funding under the program include construction of the expressway

system and the federally designated high priority corridors and needs-driven capacity improvements.

The section is amended by stating that needs-driven capacity improvements shall include local government collectors and arterials that service or offset traffic on the estate highway system.

LB646 (McDonnell) CHANGE REQUIREMENTS REGARDING THE E911 WIRELESS SURCHARGE

Hearing Date: March 6, 2023

Nebraska law provides for two surcharges to support E911 Emergency Service.

The Wireless E-911 surcharge is a charge administered by the Nebraska Public Service Commission (NPSC) to support the administration of E911 emergency communications within the state.

The wireline E911 surcharge is administered at the local level and is dedicated to the support of E911 services at the local level.

LB 646 addresses the Wireless E-911 surcharge only.

Currently, the Wireless Surcharge is capped at a maximum of 70 cents per wireless subscription line. An exception exists for the cap in Douglas County, and the cap there is 50 cents per month.

LB 646 amends section 86- 457 to provide that the cap for the wireless E911 surcharge shall be increased from 70 cents per month to one dollar per month. The 50 cent limitation currently existing for service provided in Douglas County is eliminated. If enacted the wireless surcharge for service in Douglas County will be capped at one dollar per month, consistent with the new statewide cap.

There is no change to the wireline surcharge.

LB721 (Ballard) APPROPRIATE FUNDS FOR THE PLANNING OF THE EAST BELTWAY PROJECT IN LANCASTER COUNTY

Hearing Date: February 28, 2023

Appropriates \$25,000,000 for FY23-24 to the Department of Transportation to undertake the planning for the Lancaster County East Beltway Project. Planning shall include estimating costs and the creation of a projected schedule for the completion of the project.

Provides for the Emergency Clause.

LB728 (McDonnell) PROVIDE FOR BOAT TRAILER REGISTRATION AND LICENSE PLATES

Hearing Date: January 31, 2023

LB 728 amends the Motor Vehicle Registration Act by providing a definition of “Boat Trailer” and the issuance of boat trailer license plates.

Boat Trailer is defined as a trailer that is exclusively used to haul a boat.

The registration fee for a boat trailer is \$10 and is to be valid for a period of 3 years. The boat trailer license plate shall, in addition to the registration number, display the words boat trailer.

The bill has an operative date of January 1, 2024.

LB733 (Bostar) ADOPT THE BROADBAND POLE REPLACEMENT AND UNDERGROUNDING FUND ACT

Hearing Date: February 21, 2023 (Amendments pending, see committee staff)

Section 4 of the bill establishes the program. The Public Service Commission (PSC) is designated to administer the provisions of the Act. Grants shall be awarded by the PSC within 60 days of receipt of a completed application for:

- 1) Mid-span pole placement costs;
- 2) Pole replacement costs; or
- 3) undergrounding costs.

Amount of grant availability:

For midspan pole placement cost and pole replacement costs- lesser of \$5,000 or 50% of the costs paid.

For undergrounding costs, 50% of the applicants costs, but not to exceed a yet-to-be determined amount.

100% of the applicant’s documented and reasonable administrative expenses- not to exceed 5% of the total awarded.

Section 3 of the bill establishes the Broadband Pole Replacement and Undergrounding Fund.

The Fund shall consist of money appropriated or transferred by the Legislature, including any available federal funds. Section 5 of the bill \$15,000,000 from the American Rescue Plan Act to the Fund for FY2022-2023.

Adds the Emergency Clause

Terms Defined:

“Mid-span Pole Placement” the installation of a new pole between two existing utility poles to comply with clearance, load-bearing, or other safety and engineering requirements.

“Pole Replacement Costs” the actual and reasonable costs in performing pole replacement.

“Undergrounding Costs” the actual and reasonable costs of undergrounding including material costs (including conduit), installation costs (including the cost of cable, plowing, digging, and sealing a trench, directional boring and installing conduit, engineering, and permitting and engineering costs.

LB773 (Vargas) REQUIRE MUNICIPALITIES TO OBTAIN VOTER APPROVAL TO IMPOSE AN OCCUPATION TAX ON WIRELESS TELECOMMUNICATIONS SERVICES

Hearing Date: February 13, 2023

Enacts a new provision of law that provides no municipality shall levy an occupation tax upon wireless or prepaid wireless telecommunications service until the issue of the tax has been presented to the voters for approval. If a municipality, on the effective date of the act, imposes an occupation tax it shall be suspended until an election approving the tax has been successfully conducted.

LB782 (DeKay) CHANGE PROVISIONS RELATING TO SALVAGED BRANDED CERTIFICATES OF TITLE AND CONSUMER CARE OF MOTOR VEHICLES

Hearing Date: January 31, 2023 (Amendments pending, see committee staff)

SECTION 1- Amends section 60-171; definitions for purposes of salvaged branded certificates of title. The term “consumer care” is defined. The term is defined as provided for is section 60-

1401.01 from the Motor Vehicle Industry Regulation Act: Consumer care means the performance, for the public, of necessary maintenance and repairs to motor vehicles. The defined term “Salvage” is modified. Currently “salvage” is defined as:

- 1) A late model vehicle that has been damaged to the extent that the total cost of repair to its immediate pre-damage condition meets or exceeds 75% of the retail value of the vehicle prior to the damage;
- 2) Any vehicle voluntarily designated by the owner as a salvage vehicle. The definition is amended by the addition of a third element: A vehicle deemed structurally totaled by a facility that performs consumer care and by an insurance company that insured the vehicle at the time it sustained the damage.

Adds a new definition. The term “Structurally Totaled Vehicle” which means a vehicle totaled due to a kink or crease in a frame rail, unibody, or structural component, including the engine cradle or rear differential. “Structurally Totaled Vehicle” does not include a vehicle deemed a total loss due to hail or other cosmetic damage and does not include a vehicle which the cost of repairs does not exceed 75% of the actual cash value of the vehicle.

SECTION 5- Adds a new definition to the Motor Vehicle Industry Regulation Act. The term “Original Equipment Manufacturer Part” means a motor vehicle part manufactured by manufacturer of the motor vehicle.

SECTION 6- Adds a new definition to the Motor Vehicle Industry Regulation Act. The term “Original Equipment Procedure” means the best practice to provide consumer care through manuals and guidance provided by the vehicle’s manufacturer.

SECTION 7- Adds a new section to the Motor Vehicle Regulation Act. Any person who performs consumer care shall follow the estimating system used by insurance companies for guidelines for all motor vehicle repairs except for the use of original equipment manufacturer parts.

LB807- (von Gillern) PROVIDE FOR ONE LICENSE PLATE PER VEHICLE

Hearing Date: February 14, 2023

The bill would propose that motor vehicles registered for operation in the state shall only be required to display one license plate. The operative provisions of the bill are found in sections 27, 28, and 29. (Pages 30-32 of the introduction copy) Page 31, line 26 and 27 provides that the single plate shall be displayed on the rear of the vehicle.

Additionally, the bill in sections 86- 88 reorganizes statutes and creates a new category of license plates “Alternative License Plates”. These license plates are what are currently referred to as “specialty license plates”. The plates are:

- Cornhusker Spirit Plates
- Nebraska Sesquicentennial Plates
- Mountain Lion Conservation Plates
- Breast Cancer Awareness Plates
- Choose Life License Plates
- Native American Cultural Awareness and History Plate
- Wildlife Conservation Plates
- Prostate Cancer Awareness Plate
- Sammy’s Superheroes Plates
- Support Our Troops Plates
- Donate Life Plates
- Down Syndrome Awareness Plates
- Pets for Vets Plates
- Support the Arts Plates
- Nebraska History Plates
- Josh the Otter Be Safe Around Water Plates.

Currently each type of plate listed above has a separate and specific process detailing the administrative process for application, design and administration of the plate. The process over time has developed in a largely uniform manner.

Section 86 and 87 provides for a uniform and common process to govern the process to apply for and receive alternative license plates, including the requirements relating to the design of the license plates.

Section 88 delineates each specific type of alternative license plate, which is consistent with the license plate types listed above. If a type of plate has requirements or restrictions different from the common requirements provided for in sections 86 and 87 those differences are outlined in the specific description on the plate.

The outright repealer clause (section 110) eliminates current statutory provisions governing specialty license plates. No existing license plate type is eliminated.

INTERIM STUDY RESOLUTIONS

LR 130 (Ballard) – Study the potential construction of the East Beltway in Lancaster County.

LR172 (Vargas) – Examine occupation taxes imposed upon wireless carriers.

LR 184 (Moser) – Study the deployment of broadband services in Nebraska.

LR 185 (Moser) – Examine any issue within the jurisdiction of the Transportation and Telecommunications Committee.

LR 195 (McDonnell) – Examine the Nebraska Highway System, including priorities and resource allocation methods

LR 214 (Ibach) - Examine the possible creation of an intrastate airline.

LR 227 (Aguilar) – Examine public rest areas on the highways of the state.

**REPORT ON THE PRIORITIZING
OF INTERIM STUDY RESOLUTIONS
Pursuant to Rule 4, Section 3(c)**

COMMITTEE: Transportation & Telecommunications

DATE: May 31, 2023

The following resolutions were referred to the Committee on Transportation and Telecommunications. The committee has prioritized the resolutions in the following order:

Resolution No.	Subject
184	(Moser) Study the deployment of broadband services in Nebraska
185	(Moser) Examine any issue within the jurisdiction of the Transportation and Telecommunications Committee
227	(Aguilar) Examine public rest areas on the highways of the state
130	(Ballard) Study the potential construction of the East Beltway in Lancaster County
172	(Vargas) Examine occupation taxes imposed upon wireless carriers
214	(Ibach) Examine the possible creation of an intrastate airline
195	(McDonnell) Examine the Nebraska Highway System, including priorities and resource allocation methods

LEGISLATIVE RESOLUTION 130

Introduced by Ballard, 21.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the potential construction of the proposed East Beltway administered jointly by the City of Lincoln and Lancaster County and analyze various potential policies to incentivize the completion of the East Beltway. (1) The interim study shall include, but need not be limited to: (a) A completed economic analysis detailing the financial impact of the East Beltway to the State of Nebraska; (b) A review of potential policy or statutory changes that would help incentivize the creation of the East Beltway; (c) An examination of any federal assistance that could assist in the financing of the East Beltway; and (d) A review of any other information deemed important for purposes of the study by the committee. (2) In order to carry out the purpose of this resolution, the committee shall seek the input of: (a) The Nebraska Department of Transportation, preferably its director or in the alternative another designee; (b) Elected officials representing areas that will be impacted by the creation of the East Beltway; (c) The City of Lincoln Transportation and Utilities Department, preferably its director or in the alternative another designee; (d) The office of the Lancaster County Engineer, preferably the County Engineer or in the alternative another designee; (e) The Nebraska congressional delegation to provide input on financing opportunities; (f) The Nebraska Chamber of Commerce and Industry, local chambers of commerce, and other business organizations; (g) Statewide associations of contractors, engineers, and engineering firms; and (h) Any other interested parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 172

Introduced by Vargas, 7.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the occupation taxes imposed on wireless telecommunication services. Nebraska has the fourth highest rate of taxation on wireless telecommunication consumers in the country with a rate of 19.49% as of July 2022, partly due to occupation taxes. There is no limit on the occupation tax

rate that may be imposed on wireless telecommunication services. The occupation tax is a regressive tax, burdening lower-income customers at the same rate as higher-income customers. Occupation taxes burden the development of new wireless telecommunication services and the growth of existing wireless telecommunication services. The State of Nebraska covers a large geographic area, and it is in the interest of all Nebraskans to have affordable statewide wireless telecommunication services. This interim study should focus on the occupation taxes imposed on wireless telecommunication services in Nebraska and determine ways the state can maintain and advance the efficiency and availability of telecommunication services in the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 184

Introduced by Moser, 22.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the deployment of broadband services within the State of Nebraska. The study shall include, but need not be limited to: (1) A review of the activity of the Nebraska Public Service Commission in the administration of the Nebraska Telecommunications Universal Service Fund high-cost program, the Nebraska Broadband Bridge Act, and the federal Capital Projects Fund; (2) A review of the activity of the Broadband Office of the Nebraska Department of Transportation and the office's administration of the federal Broadband, Equity, Access, and Deployment Program, including an examination of the need for legislation that would authorize municipalities and public power districts to enter partnerships with private telecommunications providers to offer broadband telecommunications services; (3) A review of the potential implementation by the Nebraska Public Service Commission of the Rural Communications Sustainability Act from Legislative Bill 683 introduced by the One Hundred Eighth Legislature; and (4) Taking public comment on the potential need to enact further legislation to ensure the long-term sustainability of rural high-cost broadband networks.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the

conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 185

Introduced by Moser, 22.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature that may arise during the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 195

Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of Nebraska's state highway system and the priorities and resource allocation methods for the system. The Department of Transportation has consistently supported the state's highways and allocated available resources in a traditional manner and has not deviated from that course. Sections 39-1365 and 39-1365.01 specifically outline the priorities of the state's transportation system as a whole. As the state nears the completion of the designated expressway system and high-dollar projects accumulate in the higher population regions of the state, a reflection is needed on the state's current priority emphasis and what the determining factors of resource allocation should be going forward into the future. This study should examine several factors of state highway priorities and resource allocation in Nebraska, including, but not limited to: (1) An analysis of the current resource allocation for highways by Department of Transportation district, including the amount of revenue collected in each district and the percentage of total funding allocated back to that district; (2) The needs of the metropolitan areas of the state with input from the metropolitan planning organizations and municipalities; (3) Whether state resources should be expended for local collector and arterial roads to relieve

congestion on state highways; and (4) An analysis of the extension of the Build Nebraska Act and the potential use of resources under the act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 214

Introduced by Ibach, 44.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the possibility of the creation of an intrastate airline to assist with statewide travel. The study shall include, but need not be limited to: (1) A review of the history of intrastate airline services; (2) An examination of intrastate airline services in other states; (3) An evaluation of funding sources to help provide for intrastate airline services such as the federal Essential Air Service program; (4) An examination of potential locations where intrastate airline hubs could be located; and (5) An examination of federal and state laws governing a potential intrastate airline in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

LEGISLATIVE RESOLUTION 227

Introduced by Aguilar, 35.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues related to public rest areas of highways in Nebraska and the lack of updates, maintenance, and cleanliness of facilities for such rest areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION: 1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. 2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.
