

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission, on)	RULE AND REGULATION NO. 182
Its own motion, seeking to amend)	
Title 291, Chapter 3, Motor Carrier)	RESPONSE TO ORDER
)	RELEASING SECOND
Rules and Regulations, to rewrite)	SET OF PROPOSED RULES
the chapter in its entirety.)	FOR COMMENTS AND
)	SCHEDULING HEARING
)	

Comments of Union Pacific Railroad

Comments of Union Pacific Railroad Company regarding the second set of proposed Rules and Regulations to Title 291, Chapter 3, Motor Carrier Rules and Regulations.

The proposed changes to Section 006.02 of the Rule and Regulation No. 182 are a solution to a perceived problem, do not promote increased safety, and only serve to increase costs for the transportation provider and railroad. The proposed changes are unnecessary because the railroad employees already have recourse for their injuries. The proposed changes increase insurance coverage for accidents involving uninsured/underinsured motorists. The transportation providers already respond to the injuries of railroad employees in these situations. As stated in our previous comments, Union Pacific employees are protected in the event of an automobile accident, regardless of fault, through Union Pacific's contractual requirements for companies transporting Union Pacific employees. The transportation providers are required to maintain commercial general liability coverage in an amount no less than \$5 million dollars per occurrence and \$10 million dollars in the aggregate. Regardless of fault, the transportation companies are required to indemnify Union Pacific for any injury or death to railroad employees.

Rule 006.02A, a proposal to require uninsured/underinsured insurance coverage for carriers transporting railroad train crews, would only serve to add additional financial burden to the contract carriers, and would not provide any additional protection for injuries incurred involving contract carriers.