

A BILL

FOR AN ACT TO REQUIRE RAILWAY COMPANIES TO PROTECT PEDESTRIANS AND OTHERS TRAVELING IN THE STREETS AND PUBLIC HIGHWAYS CROSSING THE TRACK OF SAID RAILWAY COMPANY AT GRADE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Within one year after this act shall become a law every corporation operating on a fixed track or tracks, freight or passenger trains or cars propelled by steam or electric power, within this state, except street car lines and tracks used principally for street car purposes, shall provide protection to pedestrians and the traveling public at every public road or street crossing of its tracks at grade; provided, that when several crossings upon any line or tracks lie so close together that an audible signal at one crossing may be sufficiently heard at the others near it, such crossings may be arranged into groups, and each group protected by such device or signals as will sufficiently protect all crossings in the group; and provided, further, that when on any line as part thereof all traffic is discontinued for any part of the night no crossing guards need be operated during such time as traffic is discontinued. Such protection may be in the form of safety gates, flagman, electric bell, electric signs or other recognized system of alarm or protection which shall receive the approval of the board of railroad commissioners of this state.

Sec. 2. All corporations coming within the provisions of this act shall file with the board of railroad commissioners of this state, within ninety days following the passage of this act, their plans for such protection, and upon approval thereof shall provide such protection within the time limited by this act. Any municipality or any citizen dissatisfied with the protection provided or the failure to provide any or sufficient protection at any crossing or crossings within the borders of such municipality or used by such citizen, may apply to the railroad commission for an order compelling proper compliance with this act, which application shall be considered and acted upon forthwith, or the said commission may act upon its own initiative.

Sec. 3. The provisions of this act shall be enforced by the board of railroad commissioners in the same manner and by the same methods as are provided by an act entitled "An act concerning public utilities; to create a board of railroad commissioners and to prescribe its duties and powers," approved and the amendments thereof and supplements thereto.

Sec. 4. Violation of the provisions of this act shall be subject to the same penalties pro-

2 vided in the act to which this act is a supplement as fully as if this act were originally a part
3 thereof.

Sec. 5. The provisions of this act shall be construed to be mandatory provisions, and shall
2 be operative without order or direction of the board of railroad commissioners, and shall be
3 enforced by such board as such.

Sec. 6. The words "public road" as contained in section one of this act shall be construed
2 to mean all roads or streets which have been improved by joint action of the state and a
3 municipality, county or township, under the laws of this state relating to the improvement
4 of public roads, and shall not include roads not so improved; provided, however, that noth-
5 ing in this act shall in any way whatsoever nullify the power of compelling protection at other
6 crossings at grade, now vested in the board of railroad commissioners by virtue of any previ-
7 ous enactment.