

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rulemaking related to notification of railroad accidents or incidents

The Department of Transportation hereby rescinds Chapter 802, “Notification of Railroad Accidents/ Incidents,” and adopts a new Chapter 802, “Notification of Railroad Accidents or Incidents,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 307.12.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code sections 327C.37 and 327C.41.

Purpose and Summary

Chapter 802 explains the notification requirements when certain railroad accidents or incidents occur in Iowa and requires that railroads notify the Department’s Traffic Management Center by telephone within 4 hours of a certain accident or incident and within 24 hours of a property-damage-only accident or incident. The Traffic Management Center promptly distributes the collected information and details to the Department’s Modal Transportation Bureau for a review and a determination if an investigation is necessary. In accordance with Iowa Code section 327C.37, the Department must decide when it is necessary to notify the Governor when a railroad accident or incident occurs in Iowa.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 10, 2025, as **ARC 9791C**. Public hearings were held on the following date:

- December 31, 2025

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on February 17, 2026.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. The chapter is in accordance with Executive Order 10 and compliance with the Iowa Code. This rulemaking implements Iowa Code section 327C.37 regarding railroad accidents and incidents within the State. Resources are only utilized in the event of an incident or accident occurrence.

Jobs Impact

This rulemaking has no jobs impact to the State of Iowa. The chapter is in accordance with Executive Order 10.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on April 22, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind 761—Chapter 802 and adopt the following **new** chapter in lieu thereof:

CHAPTER 802
NOTIFICATION OF RAILROAD ACCIDENTS OR INCIDENTS

761—802.1(307,327C) Notification of railroad accidents or incidents.

802.1(1) *Accidents or incidents requiring notification.* Any accident or incident involving train movement that results in any of the following must be reported within 4 hours of the accident or incident to the department's traffic management center by telephone at 515.237.3300 (open year-round, 24 hours a day, including legal holidays):

- a. Fatality.
- b. Personal injury requiring hospitalization.
- c. Derailment of ten or more rail cars and locomotives.
- d. Derailment of any number of cars or locomotives when one or more are not upright.
- e. Derailment or other incident involving a railroad passenger train.
- f. Release or potential release of hazardous materials that presents a risk or potential risk to public safety, including injury, fatality, evacuation or shelter-in-place of persons.
- g. Damage to public or private transportation infrastructure not owned by the involved railroad.

802.1(2) *Property damage only.* Any accident or incident involving train movement that results in property damage only must be reported within 24 hours of the accident or incident in the same manner as provided in subrule 802.1(1).

802.1(3) *Content of notice.* The notice of an accident or incident is to provide, at a minimum, the following information:

- a. Name of the railroad involved.
- b. Name and contact information of the individual calling to file the notice.
- c. Date and time the accident or incident occurred.
- d. Location of the accident or incident, described as accurately as possible, including the nearest city and the U.S. DOT crossing identification number or railroad milepost.
- e. Description of the accident or incident.
- f. Impact on motor vehicle travel, if known.
- g. Number of injuries and fatalities.
- h. Hazardous materials involved in the incident and actions taken in the event of a release.
- i. Number of rail cars derailed.

This rule is intended to implement Iowa Code sections 307.12(1) "j," 327C.37 and 327C.41.

[Filed 2/25/26, effective 4/22/26]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/18/26.