

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: paragraph 800.1(3)“a”
“Items of General Application for Railroads”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)“j,” 327D.201 and 327G.24
State or federal law(s) implemented by the rulemaking: Iowa Code sections 307.12(1)“j,” 307.26, 327C.38, 327C.41, 327C.42, 327D.201, 327F.31 and 327G.24

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 18, 2026
1 to 1:30 p.m.

[Microsoft Teams](#)
Or dial: 515.817.6093
Conference ID: 159 581 407#

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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800 Lincoln Way
Ames, Iowa 50010
Email: ryan.pell@iowadot.us

Purpose and Summary

The proposed amendment is intended to comply with Iowa Code chapters 327D and 327G governing operations of railroads. The rules implement annual reporting standards consistent with the Surface Transportation Board requirements, adopt by date certain federal laws addressing the removal of railroad tracks after abandonment or discontinuance and the process to review and approve a local jurisdiction’s train speed ordinance, and reference the procedure for acquisition or use of railroad rights-of-way proposed for abandonment or trail use per 16 U.S.C. 1247(d). The amendment to this paragraph will bring uniformity and consistency to the industry.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
Iowa railroad operators will bear the costs.
 - **Classes of persons that will benefit from the proposed rulemaking:**
Public roadway users will benefit.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
 - **Quantitative description of impact:**

Reports are filed annually at the same prescribed date, electronically and consistent with those required by the Surface Transportation Board by all operating railroads in Iowa. Local jurisdictions cover implementation and enforcement of train speed ordinances, coordination of track removal through roadways, and potential trail development of abandoned rail lines.

- **Qualitative description of impact:**

Documentation is received annually by the Department, and the statistical information provided is used in developing Department planning documents. Compliance with a train speed ordinance would be enforced by political subdivisions and local jurisdictions. Restoring roadway surface material and removal of tracks from discontinued railroad lines provides safety and continuity of road surface material. This proposed amendment provides consistent abandonment and discontinuance of rail lines.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department bears minimal costs of resources for oversight, review and enforcement to implement the proposed amendment.

- **Anticipated effect on State revenues:**

There is no anticipated impact on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The benefits of information received and data collected outweigh the minimal costs of resources used to process reports. The cost to local roadway jurisdictions varies depending on the enforcement of train speed ordinances. The level of effort required for Departmental review of submissions for train speed ordinances is minimal, and the volume does not create a negative impact. The cost to consider the use of abandoned railroad lines for interim trail use and rail banking processes would be a cost to the entity making the request of the rights-of-way. The coordination to restore roadway surfaces with the railroads is at the expense of the railroad corporation.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

There are no less costly or less intrusive methods to achieve the purpose of the proposed amendment.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Department did not consider alternatives for the proposed amendment. The annual report submittal by railroad operators is consistent with the reports filed with the Surface Transportation Board. This proposed amendment adopts federal law guidance and standards setting consistency and uniformity for these rules.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed amendment has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **800.1(3)“a”** as follows:

a. The department adopts the following portions of the Code of Federal Regulations, which are referenced throughout this chapter:

- (1) 49 CFR Part 1152 (~~October 1, 2024~~ February 3, 2026).
- (2) 49 CFR Part 1241 (~~October 1, 2024~~ May 8, 2026).
- (3) No change.