RA 26-381

TRANSPORTATION DEPARTMENT[761]

Regulatory Analysis

Notice of Intended Action to be published: paragraph 810.1(1)"a"
"Railroad Safety Standards"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 307.12(1)"j," 327F.38 and 327F.39

State or federal law(s) implemented by the rulemaking: Iowa Code sections 307.12(1)"j," 307.26, 321.449A, 327C.4, 327F.38 and 327F.39

Public Hearing

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

November 18, 2026 1:30 to 2 p.m.	Microsoft Teams Or dial: 515.817.6093 Conference ID: 162 002 862#

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:

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

Purpose and Summary

This proposed amendment is intended to comply with Iowa Code sections 321.449A, 327C.4, 327F.38 and 327F.39 governing safety standards for railroad tracks and employee conditions. The rules adopt by reference, with date certain, the Federal Railroad Administrations' federal regulation (49 CFR Part 213) and the Federal Motor Carrier Safety Administration's regulation (49 CFR Section 393.77). These federal regulations address track safety standards and heater equipment requirements in motor vehicles used to transport railroad workers. The proposed amendment establishes guidance regarding the availability of first aid and medical treatment for railroad employees and sets expectations for track inspection credentials. Additionally, the amendment implements procedures for addressing violations of heating equipment requirements in vehicles used to transport railroad workers and rest periods for drivers transporting railroad workers. This proposed amendment creates consistency and uniformity of standard safety measures.

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:**

Railroad employees and the Department will benefit from this chapter.

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:**

Track inspections are conducted on railroad tracks by two track inspectors for the entire State. The inspections and heater requirements are consistent with the standards required by the Federal Railroad Administration for all railroads in Iowa.

- **Qualitative description of impact:**

Inspection of track conditions for the movement of freight and safety standards of railroad operations provides continuity of track conditions for the operations and movement of freight. Provisions to provide first aid and medical treatment to railroad employees are provided by the railroad operators. This proposed rulemaking provides consistent track standards for the industry and safe, comfortable transport of railroad employees.

3. **Costs to the State:**

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

The Department bears the costs of two track inspectors to conduct track inspections and enforcement in the State. There are minimal costs for the review, oversight and enforcement of the railroad employee safety provisions.

- **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 benefit of track safety standards and oversight of employee safety conditions outweigh the cost of resources used to complete the inspection and process review of complaints filed. Compliance with the safety conditions for first aid and medical treatment of railroad employees and the transport vehicle standards fall to the railroad operators. Railroad operators will benefit from the consistent requirements to operate and maintain track conditions in the industry. Railroad employees will benefit from access to medical resources and safe transport in vehicles.

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 track inspection and safety standards are consistent with the standards of the Federal Railroad Administration. This proposed amendment adopts federal law guidance and safety standards, setting consistency and uniformity for these rules. The vehicle transportation equipment standards are minimal and provide basic conditions for the transport of railroad employees.

- **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?

The proposed amendment has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend paragraph **810.1(1)"a"** as follows:

a. The department adopts the following portions of the Code of Federal Regulations concerning railroad track safety standards and heaters in vehicles.

(1) 49 CFR Part 213 (~~July 1, 2025~~ April 28, 2026).

(2) No change.