CHAPTER 1152

RAILROAD CROSSING VIOLATIONS

H.F. 2380

AN ACT relating to railroad crossing violations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 321.344A REPORTED VIOLATIONS FOR FAILURE TO STOP AT A RAILROAD CROSSING.

The employee of a railroad who observes a violation of section 321.341, 321.342, 321.343, or 321.344, may prepare a written report on a form provided by the department of public safety indicating that a violation has occurred. The railroad employee may deliver the report not more than seventy-two hours after the violation occurred to a peace officer of the state or a peace officer of the county or municipality in which the violation occurred. The report shall state the time and the location at which the violation occurred and shall include the registration plate number and a description of the vehicle involved in the violation.

A peace officer may initiate an investigation not more than seven calendar days after receiving a report of a violation pursuant to this section. The peace officer may request that the owner of the vehicle supply information identifying the driver of the vehicle in accordance with section 321.484. If from the investigation, the peace officer is able to identify the driver of the vehicle and has reasonable cause to believe a violation has occurred, the peace officer shall prepare a uniform traffic citation for the violation and shall serve it personally or by certified mail on the driver of the vehicle.

Sec. 2. Section 321.484, unnumbered paragraph 3, Code 1991, is amended to read as follows:

If a peace officer as defined in section 801.4 has reasonable cause to believe the driver of a motor vehicle has violated sections 321.261, 321.262, 321.264, 321.341, 321.342, 321.343, 321.344, or 321.372, the officer may request any owner of the motor vehicle to supply information identifying the driver. When requested, the owner of the vehicle shall identify the driver to the best of the owner's ability. However, the owner of the vehicle is not required to supply identification information to the officer if the owner believes the information is self-incriminating.

Approved April 27, 1992

CHAPTER 1153

PUBLIC ROAD RIGHTS-OF-WAY

H.F. 2391

AN ACT defining public road rights-of-way.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 306.3, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 12. "Public road right-of-way" means the area of land, the right to possession of which is secured or reserved by a governmental subdivision for roadway purposes. The right-of-way for all secondary roads is sixty-six feet in width, unless otherwise specified by the county board of supervisors of the respective counties.

Approved April 27, 1992