

327G.62 Controversies hearing order review.

When a disagreement arises between a railroad corporation, its grantee, or its successor in interest, and the owner, lessee, or licensee of a building or other improvement, including trackage, used for receiving, storing, transporting, or manufacturing an article of commerce transported or to be transported, situated on a present or former railroad right-of-way or on land owned or controlled by the railroad corporation, its grantee, or its successor in interest, as to the terms and conditions on which the article is to be continued or removed, the railway corporation, its grantee, or its successor in interest, or the owner, lessee, or licensee may make written application to the department. The department shall notify the department of inspections and appeals which shall hear and determine the controversy and make an order which is just and equitable between the parties. That order is subject to review by the state department of transportation. The decision of the state department of transportation is final agency action.

[S13, § 2110-1; C24, 27, 31, 35, 39, § **8169**; C46, 50, 54, 58, 62, 66, 71, 73, 75, § 481.1; C77, 79, 81, § 327G.62; 81 Acts, ch 22, § 22; 82 Acts, ch 1207, § 2]

86 Acts, ch 1245, § 1964; 89 Acts, ch 273, § 38