

**314.30 Cattle guards.**

Notwithstanding [chapter 169C](#) or [318](#), or any other provision of law to the contrary:

1. A landowner may install a cattle guard on a street or highway if all of the following apply:

a. The street or highway is classified as area service “B” or area service “C” as described in [section 309.57](#).

b. The street or highway terminates in a dead end, is completely or partially located in a floodplain, serves no residence, and exits to a secondary road.

c. The landowner owns property on both sides of the street or highway and owns property on both sides of any access to the street or highway.

d. The effective purpose of restraining livestock using a fence along the street or highway is continually impaired by flooding or other natural forces.

e. Flooding or other natural forces have and will, with a reasonable probability, continue to create liability for the landowner and risk of injury to the public from livestock straying on to the secondary road to which the street or highway exits.

2. A cattle guard installed pursuant to [this section](#) shall be installed on the street or highway at the landowner’s expense at a distance of not less than sixty-six feet from the secondary road to which the street or highway exits.

3. After a landowner installs a cattle guard pursuant to [this section](#), the landowner and each successive landowner shall not be required to install or maintain a fence along the street or highway between the point at which the cattle guard is installed and the point at which the street or highway terminates in a dead end. All of the following shall apply to a landowner who is not required to install or maintain a fence along the street or highway pursuant to [this subsection](#):

a. The landowner shall not be liable to a local authority as provided in [section 169C.4, subsection 1](#), paragraph “c”, for livestock straying on to the street or highway.

b. A local authority shall not take custody of the landowner’s livestock on the street or highway as provided in [section 169C.2](#).

c. The landowner shall not be subject to [section 169C.6](#) for livestock straying on to the street or highway.

4. a. A landowner who installs a cattle guard pursuant to [this section](#) and each successive landowner shall be liable for injury to any person, for damage to any vehicle or equipment, and for damage to the contents of any vehicle or equipment, which occurs proximately as a result of the construction, installation, or maintenance of the cattle guard or as a result of livestock straying on to the street or highway between the point at which the cattle guard is installed and the point at which the street or highway terminates in a dead end.

b. Upon the installation of a cattle guard pursuant to [this section](#), and before July 1 of each year thereafter, the landowner who installed the cattle guard or a successive landowner shall submit to the appropriate county office of the county having jurisdiction over the street or highway on which the cattle guard is installed, as designated by the county, proof of liability coverage in effect for the following one-year period which covers any injury or loss arising from the landowner’s liability as set forth in paragraph “a”.

c. [This section](#) shall not be construed to alter, limit, or nullify the maintenance requirements assigned to a county, and a county’s liability relating to such maintenance requirements, pursuant to [section 309.57](#) for the street or highway on which the cattle guard is installed.

5. As used in [this section](#):

a. “Cattle guard” means a structure consisting of parallel bars placed over a shallow ditch that allows motor vehicles to pass over the ditch, but prevents cattle and other livestock from passing over the ditch.

b. “Fence” means as defined in [section 169C.1](#).

c. “Landowner” means as defined in [section 169C.1](#).

d. “Local authority” means as defined in [section 169C.1](#).

e. “*Secondary road*” means as defined in [section 306.3](#).

[2018 Acts, ch 1118, §1, 3](#); [2018 Acts, ch 1172, §47, 49, 50](#)

Referred to in [§321.285](#)

For provisions limiting a county from taking action after April 25, 2018, regarding cattle guards installed in compliance with the requirements of 2018 Acts, ch 1118 on or before April 25, 2018, see 2018 Acts, ch 1172, §48 – 50

NEW section