

327G.17 Hearing — order.

1. The department of inspections, appeals, and licensing shall hear the evidence of each party to the controversy and shall make an order, which may include, pursuant to [chapters 6A](#) and [6B](#), authority to condemn, resolving the controversy. The order shall include the portion of the expense to be paid by each party to the controversy. In determining what portion of the expense shall be paid by each party, the department of inspections, appeals, and licensing may consider the ratio of the benefits accruing to the railroad or the governmental unit or both, to the general public use and benefit.

2. The order of the department of inspections, appeals, and licensing is subject to review by the state department of transportation. The decision of the state department of transportation is the final agency action.

[SS15, §2017; C24, 27, 31, 35, 39, §8022; C46, 50, 54, 58, 62, 66, 71, 73, 75, §478.23; C77, 79, 81, §327G.17; [81 Acts, ch 22, §22](#)]

[89 Acts, ch 273, §36](#); [2018 Acts, ch 1041, §127](#); [2023 Acts, ch 19, §2003](#)

Referred to in [§327G.31](#)

Section amended