

CHAPTER 810
RAILROAD SAFETY STANDARDS
[Prior to 6/3/87, Transportation Department [820]—(10,B)Ch 1]

761—810.1(327C) Track standards. The department adopts the railroad track safety standards contained in 49 CFR Part 213 (October 1, 2002).

This rule is intended to implement Iowa Code sections 307.26, 327C.2, and 327C.4.

761—810.2(327C) Track inspection.

810.2(1) Credentials required. Authorized departmental employees shall be admitted to any railroad property to conduct safety inspections of the track and track structures and shall present state identification cards upon request.

810.2(2) Measurement tools and vehicles. Rescinded IAB 8/6/03, effective 9/10/03.

This rule is intended to implement Iowa Code section 327C.4.

761—810.3 Reserved.

761—810.4(327F) First aid and medical treatment for railroad employees.

810.4(1) Railroad employees who are injured in the course of employment shall have reasonable and adequate access to first aid or medical treatment. A railroad or railroad employee shall not:

a. Deny, delay or interfere with first aid or medical treatment for any railroad employee who is injured in the course of employment.

b. Discipline or threaten to discipline any railroad employee for requesting first aid or medical treatment when the employee is injured in the course of employment.

810.4(2) All railroads operating in the state must make reasonable efforts to have emergency first-aid kits available at locations where railroad employees perform their employment duties.

810.4(3) Nothing in this rule shall be construed to require a railroad or railroad employee to perform first aid or medical care.

This rule is intended to implement Iowa Code section 327F.38.

761—810.5(327F) Worker transportation.

810.5(1) Heater requirement. Pursuant to Iowa Code subsection 327F.39(4), a motor vehicle used to transport railroad workers shall be equipped with a heating system that maintains a reasonable comfort level in the vehicle spaces where the workers are required to ride. The heating system shall comply with the safety standards established in 49 CFR 393.77, as adopted in rule 761—520.1(321).

810.5(2) Report procedure.

a. A person shall report an alleged violation in writing to the responsible railroad company at its corporate headquarters. If within 30 days the railroad company does not respond or if the response is unsatisfactory, the person may report the alleged violation to the department at the following address: Office of Rail Transportation, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010.

b. The report shall be written and shall include the date, time, weather conditions and all facts pertinent to the alleged violation. The report shall also include a copy of the railroad's response or, if the railroad failed to respond, proof of the date the report was submitted to the railroad.

c. The department may request additional information from the person or the railroad. The director of the office of rail transportation or the director's designee shall issue a decision within 20 days after the report is received by the department or after the additional information is received. The department shall notify the person and the railroad of the decision, which is the final decision of the department.

This rule is intended to implement Iowa Code section 327F.39.

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