



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

March 30, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 2288, an Act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry E. Branstad".

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



Senate File 2288

AN ACT

RELATING TO REQUIREMENTS FOR DRIVERS OF VEHICLES AT RAILROAD GRADE CROSSINGS UPON THE APPROACH OR PRESENCE OF RAILROAD TRACK EQUIPMENT, AND MAKING A PENALTY APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.341, Code 2011, is amended to read as follows:

321.341 Obedience to signal ~~of~~ indicating approach of railroad train or railroad track equipment.

1. When a person driving a vehicle approaches a railroad grade crossing and warning is given by automatic signal, crossing gates, a flag person, or otherwise of the immediate approach of a railroad train or railroad track equipment, the driver of the vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail and shall not proceed until the driver can do so safely.

2. The driver of a vehicle shall stop and remain standing and not traverse such a grade crossing when a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train or railroad track equipment.

Sec. 2. Section 321.342, subsection 1, Code 2011, is amended to read as follows:

1. The driver of any vehicle approaching a railroad grade crossing across which traffic is regulated by a stop sign, a

railroad sign directing traffic to stop, or an official traffic control signal displaying a flashing red or steady circular red colored light shall stop prior to ~~crossing~~ driving across the railroad grade crossing at the first opportunity at either the clearly marked stop line or at a point near the crossing where the driver has a clear view of the approaching railroad ~~traffic~~ train or railroad track equipment.

Sec. 3. Section 321.343, subsection 1, Code 2011, is amended to read as follows:

1. The driver of a motor vehicle carrying passengers for hire, a school bus, or a vehicle carrying hazardous material and required to stop before ~~crossing~~ driving across a railroad track by motor carrier safety rules adopted under section 321.449, before ~~crossing~~ driving across at grade any track of a railroad, shall stop the vehicle within fifty feet but not less than fifteen feet from the nearest rail. While stopped, the driver shall listen and look in both directions for an approaching railroad train or railroad track equipment, and for signals indicating the approach of a railroad train or railroad track equipment, and shall not proceed until the driver can do so safely.

Sec. 4. Section 321.343, subsection 2, paragraph a, Code 2011, is amended to read as follows:

a. If the driver is not always required to stop at a railroad crossing, slow down when approaching the crossing and check that the railroad tracks are clear of an approaching railroad train or railroad track equipment before proceeding.

Sec. 5. Section 321.344, subsections 2, 3, and 4, Code 2011, are amended to read as follows:

2. Notice of ~~any such~~ the intended crossing shall be given to a superintendent of ~~such the~~ the railroad, and a reasonable time shall be given to ~~such the~~ the railroad to provide proper protection at ~~such the~~ the crossing.

3. Before making ~~any such~~ the crossing, the person operating or moving ~~any such~~ the vehicle or equipment shall first stop the ~~same~~ vehicle or equipment not less than ten feet nor more than fifty feet from the nearest rail of ~~such railway the~~ the railroad and, while ~~so~~ stopped, shall listen and look in both directions along ~~such the~~ the track for any approaching railroad train or railroad track equipment and for signals indicating the approach of a railroad train or railroad track equipment, and shall not proceed until the crossing can be made safely.

4. No such crossing shall be made when warning is given by