

APR 4 1975

Place On Calendar

HOUSE FILE 623

By COMMITTEE ON TRANSPORTATION

*Substituted for S.F. 472 6/10*

Passed House, Date 5-14-75 (1757) Passed Senate, Date 6-10-75 (1854)  
Vote: Ayes 89 Nays 6 Vote: Ayes 46 Nays 1  
Approved 6-29

## A BILL FOR

1 An Act providing for the approval of the transportation  
2 regulation board of ordinances and resolutions adopted by  
3 political subdivisions of the state which regulate the  
4 operation of railroad trains within the political subdivi-  
5 sions of the state.

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

7  
8  
~

House File 623

H-3787

1 Amend House File 623 Page 1, by striking lines  
2 4 through 18 and inserting in lieu thereof the follow-  
3 ing new subsection:  
4 NEW SUBSECTION. Approve any ordinance or resolution  
5 adopted by a political subdivision of this state which  
6 relates to the speed of a train in an area within the  
7 jurisdiction of the political subdivision. Any such  
8 speed ordinance or resolution adopted by a political  
9 subdivision of the state prior to July 1, 1975 which  
10 has not been approved by the Iowa state commerce comm-  
11 ission shall be referred to the board by the political  
12 subdivision and shall be in full force and effect upon  
13 approval of the ordinance or resolution by the board.  
14 Nothing in this subsection shall be construed to abrogate,  
15 modify, or alter any historical or contractual agree-  
16 ment between a political subdivision of the state and a  
17 railroad corporation in existence on the effective date  
18 of this Act.

H-3787 FILED - *Adopted 5/14 (1757)*  
MAY 7, 1975

BY SCHROEDER of Pottawattamie  
WELLS of Linn  
KRAUSE of Palo Alto  
AVENSON of Fayette  
BITTLE of Polk  
JUNKER of Woodbury  
JESSE of Polk  
NEILSEN of Polk  
LIPSKY of Linn

1 Section 1. Section three hundred seven point eighteen  
2 (307.18), Code 1975, is amended by adding the following new  
3 subsection:

4 NEW SUBSECTION. Approve any ordinance or resolution adopted  
5 by a political subdivision of the state which relates to the  
6 speed of a train, the hours and time of operation, and other  
7 train movements in an area within the jurisdiction of the  
8 political subdivision. Any ordinance or resolution adopted  
9 by a political subdivision of the state prior to July 1, 1975  
10 which has not been approved by the Iowa state commerce  
11 commission is referred to the board and shall be in full force  
12 and effect on and after July 1, 1975, unless disapproved by  
13 the board or the ordinance or resolution is repealed by the  
14 political subdivision. Nothing in this subsection shall be  
15 construed to abrogate, modify, or alter any historical or  
16 contractual agreement between a political subdivision of the  
17 state and a railroad corporation in existence on the effective  
18 date of this Act.

19 EXPLANATION

20 The bill requires the transportation regulation board to  
21 approve any ordinance or resolution adopted by a political  
22 subdivision of the state which regulates railroad operations.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

AN ACT

PROVIDING FOR THE APPROVAL OF THE TRANSPORTATION REGULATION BOARD OF ORDINANCES AND RESOLUTIONS ADOPTED BY POLITICAL SUBDIVISIONS OF THE STATE WHICH REGULATE THE OPERATION OF RAILROAD TRAINS WITHIN THE POLITICAL SUBDIVISIONS OF THE STATE.

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

Section 1. Section three hundred seven point eighteen (307.18), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. Approve any ordinance or resolution adopted by a political subdivision of this state which relates to the speed of a train in an area within the jurisdiction of the political subdivision. Any such speed ordinance or resolution adopted by a political subdivision of the state prior to July 1, 1975 which has not been approved by the Iowa state commerce commission shall be referred to the board by the political subdivision and shall be in full force and effect upon approval of the ordinance or resolution by the board. Nothing in this subsection shall be construed to abrogate, modify, or alter any historical or contractual agreement between a political subdivision of the state and a railroad corporation in existence on the effective date of this Act.

---

DALE M. COCHRAN  
Speaker of the House

---

ARTHUR A. NEU  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 623, Sixty-sixth General Assembly.

Approved June 29, 1975

---

DAVID L. WRAY  
Chief Clerk of the House

---

ROBERT D. RAY  
Governor