

See Transportation 3/7 So Res 4/9/91 (p. 1129)

HOUSE FILE 275
BY ADMINISTRATIVE RULES
REVIEW COMMITTEE

FEB 18 1991

TRANSPORTATION

No Pass 2/28

(SUCCESSOR TO LSB 2096HH)

(COMPANION TO LSB 2096SV BY
ADMINISTRATIVE RULES REVIEW
COMMITTEE)

Passed House, Date 3/5/91 (p. 544) Passed Senate, Date 4/16/91 (p. 1274)
Vote: Ayes 99 Nays 0 Vote: Ayes 49 Nays 0
Approved April 29, 1991 (p. 1905)

A BILL FOR

1 An Act requiring the state department of transportation to adopt
2 administrative rules relating to damage to highways and
3 highway structures.

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

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HF 275

1 Section 1. Section 321.475, Code 1991, is amended by
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. The department shall adopt rules
4 pursuant to chapter 17A, stating the department's policy for
5 recovery of damages to highways or highway structures pursuant
6 to this section. The policy shall exclude from recoverable
7 damages the costs of traffic control at the scene of an
8 accident.

9 Sec. 2. FILING DATE FOR RULES. The rules required to be
10 adopted by section 1 of this Act shall be filed within six
11 months of the enactment of this Act.

12 EXPLANATION

13 This bill requires the state department of transportation
14 to adopt administrative rules pursuant to chapter 17A which
15 state the policy used by the department for recovery of
16 damages to highways and highway structures. The policy cannot
17 allow as recoverable damages, the inclusion of traffic control
18 costs at the scene of an accident. The rules must be filed
19 within six months of the enactment of the bill.

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Sec. 2. FILING DATE FOR RULES. The rules required to be adopted by section 1 of this Act shall be filed within six months of the enactment of this Act.

.....
ROBERT C. ARNOULD
Speaker of the House

.....
JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 275, Seventy-fourth General Assembly.

.....
JOSEPH O'HERN
Chief Clerk of the House

Approved *April 29*, 1991

.....
TERRY E. BRANSTAD
Governor

HOUSE FILE 275

AN ACT

REQUIRING THE STATE DEPARTMENT OF TRANSPORTATION TO ADOPT ADMINISTRATIVE RULES RELATING TO DAMAGE TO HIGHWAYS AND HIGHWAY STRUCTURES.

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

Section 1. Section 321.475, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall adopt rules pursuant to chapter 17A, stating the department's policy for recovery of damages to highways or highway structures pursuant to this section. The policy shall exclude from recoverable damages the costs of traffic control at the scene of an accident.

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