

3/19/97 Transportation

MAR 14 1997

Place On Calendar

HOUSE FILE 646  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 173)

Passed House, Date 3-19-97 <sup>(P.622)</sup> Passed Senate, Date \_\_\_\_\_  
Vote: Ayes 95 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to a study on responses to hazardous conditions  
2 by the director of transportation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HT 646

1 Section 1. STUDY.

2 1. The director of transportation or the director's  
3 designee shall convene a committee to study emergency response  
4 activities and associated costs of responding to hazardous  
5 incidents involving the transportation of hazardous substances  
6 on the highways of this state.

7 2. The committee shall include all of the following:

8 a. The commissioner of public safety or the commissioner's  
9 designee.

10 b. The director of the department of natural resources or  
11 the director's designee.

12 c. A representative selected by the Iowa firemen's  
13 association.

14 d. A representative selected by the Iowa association of  
15 professional fire fighters.

16 e. A representative selected by the petroleum marketers of  
17 Iowa.

18 f. A representative selected by the Iowa motor truck  
19 association.

20 g. A representative selected by the agribusiness  
21 association of Iowa.

22 h. A representative selected by the Iowa propane gas  
23 association.

24 i. A representative selected by the Iowa state association  
25 of counties.

26 j. A representative of the Iowa hazardous materials task  
27 force.

28 3. The committee shall study and develop recommendations  
29 on appropriate response levels to incidents involving  
30 hazardous materials, duration of response, incident command  
31 system at the scene of an incident involving the  
32 transportation of hazardous materials on the highways of this  
33 state, and measures to control the costs of responding to such  
34 incidents. By January 1, 1998, the committee shall submit a  
35 report to the general assembly which shall include, but not be

1 limited to, recommendations by the committee relating to the  
2 areas of study enumerated in this subsection.

3 EXPLANATION

4 This bill provides that the director of transportation  
5 convene a committee of designated representatives of various  
6 associations and state agencies to study emergency response  
7 activities and associated costs of responding to hazardous  
8 incidents involving the transportation of hazardous  
9 substances. The bill provides the committee shall submit a  
10 report by January 1, 1998, to the general assembly on its  
11 findings and recommendations.

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Welter, Ch  
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HSB 17.

LOCAL GOVERNMENT

Succeeded By  
SF/HD 646

HOUSE FILE  
BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON VANDE HOEF)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to responses to hazardous conditions by the  
2 director of the department of natural resources.

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

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1 Section 1. Section 455B.387, subsection 1, Code 1997, is  
2 amended to read as follows:

3 1. When any hazardous condition exists, the director may  
4 remove or provide for the removal and disposal of the  
5 hazardous substance at any time, unless the director  
6 determines such removal will be properly and promptly  
7 accomplished by the owner or operator of the vessel, vehicle,  
8 container, pipeline, or other facility. Any response by the  
9 director to a hazardous condition shall be reasonable and  
10 prudent in light of the severity of the hazardous condition.

11 EXPLANATION

12 This bill provides that when a hazardous condition exists,  
13 any response by the director of the department of natural  
14 resources to remove or provide for the removal and disposal of  
15 the hazardous substance shall be reasonable and prudent  
16 considering the severity of the hazardous condition.

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