

S- 3/31/97 Droney

MAR 18 1997

Place On Calendar

HOUSE FILE 684
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 170)

Passed House, ^(P878) Date 3/27/97 Passed Senate, Date _____
Vote: Ayes 96 Nays 1 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to county regulation of road rights-of-way.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 684

1 Section 1. NEW SECTION. 309.4 REGULATION OF ACTIVITIES
2 ALONG ROADWAYS.

3 A county may regulate burning, brush clearing, and other
4 uses of the rights-of-way of streets or highways under the
5 jurisdiction of the county by persons other than the state, to
6 the extent that the regulation does not conflict with a
7 provision of chapter 321.

8 However, the board of supervisors shall not impose
9 standards which conflict with the standards adopted by the
10 utilities board pursuant to chapter 390, 474, 476, 476A, 477,
11 478, 479, 479A, or 480, with other authority which has been
12 granted to utilities to place lines, cables, and physical
13 plants within secondary road rights-of-way, or with rules of
14 the department of natural resources relating to hunting,
15 trapping, or fishing on secondary road rights-of-way.

16 EXPLANATION

17 This bill provides that a county may regulate burning,
18 brush clearing, and other uses of the rights-of-way of streets
19 or highways under the jurisdiction of the county by persons
20 other than the state, to the extent that the regulation does
21 not conflict with a provision of the utilities board, other
22 authority granted to utilities, or a provision regarding
23 hunting, trapping, or fishing adopted by the department of
24 natural resources.

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Carroll, Ch
Vande Hoef
Scherrman

HSB 170
TRANSPORTATION

HOUSE FILE SF/HE 684 Succeeded By
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON WELTER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to county regulation of road rights-of-way.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.236, Code 1997, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 14. Regulating burning, brush clearing,
4 and other uses of the rights-of-way of streets or highways
5 under the jurisdiction of a county by persons other than the
6 state to the extent that the regulation does not conflict with
7 a provision of this chapter.

8 Sec. 2. Section 331.362, Code 1997, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 10. A county may regulate burning, brush
11 clearing, and other uses of the rights-of-way of streets or
12 highways under the jurisdiction of the county by persons other
13 than the state, to the extent that the regulation does not
14 conflict with a provision of chapter 321.

15 EXPLANATION

16 This bill provides that a county may regulate burning,
17 brush clearing, and other uses of the rights-of-way of streets
18 or highways under the jurisdiction of the county by persons
19 other than the state, to the extent that the regulation does
20 not conflict with a provision of Code chapter 321.

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