

*Rayhan, Chair*  
*Amended*  
*Drees*

**HSB 686**

TRANSPORTATION

Succeeded by  
SF/HF 241

HOUSE FILE \_\_\_\_\_  
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 the vacation of roads and 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 306.11, Code 1999, is amended to read  
2 as follows:

3 306.11 HEARING -- PLACE -- DATE.

4 In proceeding to the vacation and closing of any a road,  
5 part thereof, or railroad crossing, the agency in control of  
6 said the road, or road system, shall fix a date for a hearing  
7 thereon on the vacation and closing in the county where said  
8 the road, or part thereof, or crossing, is located, and if  
9 located in more than one county, then in a county wherein in  
10 which any part of such the road or crossing is located. If  
11 the road to be vacated or changed is a secondary road located  
12 in more than one county, the boards of supervisors of such the  
13 counties, acting jointly, shall fix a date for a hearing  
14 thereon on the vacation or change in either or any of the  
15 counties where such the road, or part thereof, is located. If  
16 the proposed vacation is of a road right-of-way held by  
17 easement and will not change the existing traveled portion of  
18 the road or deny access to the road by adjoining landowners, a  
19 hearing is not required.

20 Sec. 2. Section 306.12, Code 1999, is amended to read as  
21 follows:

22 306.12 NOTICE -- SERVICE.

23 Notice of the hearing under section 306.11 shall be  
24 published in a newspaper of general circulation in the county  
25 or counties where the road is located, not less than four nor  
26 more than twenty days prior to the date of hearing. The  
27 agency which is holding the hearing shall notify all adjoining  
28 property owners, all utility companies whose facilities adjoin  
29 the road right-of-way or are on the road right-of-way, and the  
30 department, boards of supervisors, or agency in control of  
31 affected state lands, of the time and place of the hearing, by  
32 ~~certified mail, and shall notify all property owners located~~  
33 ~~outside the boundary of a city, who own ten or more acres of~~  
34 ~~land within one mile of the road, by regular mail.~~

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EXPLANATION

ASB 686

1 This bill provides that the agency which has jurisdiction  
2 over a road may vacate a road right-of-way held by easement  
3 without a public hearing if the vacation will not change the  
4 existing traveled portion of the road or deny access to the  
5 road by adjoining landowners.

6 The bill also eliminates a requirement that an agency  
7 holding a hearing on the vacation of a road, part of a road,  
8 or railroad crossing within its jurisdiction notify by regular  
9 mail all property owners located outside the boundary of a  
10 city who own 10 or more acres of land within one mile of the  
11 road. The public notice requirements and the notice  
12 requirements for adjoining landowners remain in place.

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*Substituted for by SF 2194*

*3-27-00*

*(P.1004)*

FEB 28 2000

Place On Calendar

HOUSE FILE

**2478**

BY COMMITTEE ON TRANSPORTATION

# WITHDRAWN (SUCCESSOR TO HSB 686)

*3-27-00  
(P.1004)*

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

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*HF 2478*

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29 the road right-of-way or are on the road right-of-way, and the  
30 department, boards of supervisors, or agency in control of  
31 affected state lands, of the time and place of the hearing, by  
32 certified mail, ~~and shall notify all property owners located~~  
33 ~~outside the boundary of a city, who own ten or more acres of~~  
34 ~~land within one mile of the road, by regular mail.~~

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