

# Senate Study Bill 1159

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON RIELLY)

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

## A BILL FOR

1 An Act requiring the posting of close-clearance warning devices  
2 by railroads and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1871SC 82  
5 dea/es/88

PAG LIN

1 1 Section 1. NEW SECTION. 327F.13 CLOSE-CLEARANCE WARNING  
1 2 DEVICES.  
1 3 1. A railroad company shall place a warning device at a  
1 4 location where the close clearance between a railway owned by  
1 5 the railroad company and a building, machinery, trees, brush,  
1 6 or other object is such that the building, machinery, trees,  
1 7 brush, or other object physically impedes a person who is  
1 8 lawfully riding the side of the train in the course of the  
1 9 person's duties in service to the railroad company from  
1 10 clearing the building, machinery, trees, brush, or other  
1 11 object.  
1 12 2. The warning device shall be placed in a location which  
1 13 provides adequate notice to a person riding the side of a  
1 14 train so that the person may prepare for the close clearance.  
1 15 3. Placement of a warning device pursuant to this section  
1 16 does not relieve a railroad company from any duties required  
1 17 under chapter 317 or section 327F.27.  
1 18 4. A violation of this section is punishable as a schedule  
1 19 "one" penalty under section 327C.5.  
1 20 EXPLANATION  
1 21 This bill requires a railroad company to place warning  
1 22 devices at locations along its railways where there is close  
1 23 clearance between the railway and any object such that the  
1 24 object physically impedes the clearance of a person lawfully  
1 25 riding the side of a train in the course of the person's  
1 26 duties in service to the railroad. Placement of a warning  
1 27 device does not relieve a railroad company from its duties  
1 28 concerning control of vegetation and weeds along a railroad  
1 29 right-of-way.  
1 30 A violation of the bill is punishable as a schedule "one"  
1 31 penalty, which carries a monetary penalty of \$100 per  
1 32 violation.  
1 33 LSB 1871SC 82  
1 34 dea:nh/es/88