

Senate Study Bill 1254

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LABOR AND BUSINESS RELATIONS
BILL BY CHAIRPERSON DEARDEN)

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 1871XC 82
5 dea/es/88

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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 1871XC 82
1 34 dea:nh/es/88