

**House File 197 - Introduced**

HOUSE FILE 197

BY WESSEL-KROESCHELL

**A BILL FOR**

1 An Act relating to signals at certain railroad grade crossings.

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

1 Section 1. Section 321.342, subsection 2, Code 2023, is  
2 amended to read as follows:

3 2. The department, city, or county shall be required to  
4 post the standard sign as prescribed by the manual on uniform  
5 traffic-control devices adopted by the department pursuant to  
6 section 321.252 in advance of each railroad grade crossing to  
7 warn the motorist that the motorist is approaching a railroad  
8 grade crossing. Upon properly posting all railroad grade  
9 crossings within its jurisdiction, placing crossing signals  
10 if required in accordance with section 327G.15, and ~~upon~~  
11 implementing the standards established in accordance with  
12 section 307.26, the department, city, or county shall not have  
13 any other affirmative duty to warn a motor vehicle operator  
14 approaching or at the railroad grade crossing.

15 Sec. 2. Section 327G.15, subsection 1, Code 2023, is amended  
16 to read as follows:

17 1. ~~Wherever a railway track crosses or shall hereafter cross~~  
18 ~~a highway, street or alley, the railway corporation owning such~~  
19 ~~track and the~~ The department, in the case of primary highways  
20 crossed by railway tracks, the board of supervisors of the  
21 county in which ~~such~~ a crossing is located, in the case of  
22 secondary roads crossed by railway tracks, or the city council  
23 of the city in which a crossing is located, in the case of  
24 streets and alleys ~~located~~ crossed by railway tracks within  
25 a city, may agree with the railway corporation owning such  
26 tracks upon the location, manner, vacation, physical structure,  
27 characteristics, and maintenance of the crossing and ~~flasher~~  
28 ~~lights~~ crossing signals or gate arm signals at the crossing  
29 and allocation of costs thereof. The department shall become  
30 a party to the agreement if grade crossing safety ~~funds~~ fund  
31 moneys are to be used. Up to seventy-five percent of the  
32 maintenance cost of ~~flasher lights~~ crossing signals or gate arm  
33 signals at the crossing and an unlimited portion of the cost of  
34 installing ~~flasher lights~~ crossing signals or gate arm signals  
35 at the crossing may be paid from the grade crossing safety

1 fund.

2 Sec. 3. Section 327G.15, Code 2023, is amended by adding the  
3 following new subsections:

4 NEW SUBSECTION. 1A. A crossing signal shall be placed by  
5 the appropriate entity at every railroad grade crossing where a  
6 railway track crosses a paved highway, street, or alley. The  
7 crossing signal must be placed so the signal is visible on  
8 approach to the crossing from such an intersected roadway.

9 NEW SUBSECTION. 5. For purposes of this section, "*crossing*  
10 *signal*" means any device, whether manually, electrically,  
11 or mechanically operated, capable of displaying a flashing  
12 red light, that is placed at a railroad grade crossing and  
13 programmed to flash a red light to warn of the immediate  
14 approach of a train or railroad track equipment.

15

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 Under current law, wherever a railway track crosses a  
19 highway, street, or alley, the railway corporation owning such  
20 track and the department of transportation (DOT), in the case  
21 of primary highways, the board of supervisors of the county in  
22 which such crossing is located, in the case of secondary roads,  
23 or the council of the city, in the case of streets and alleys  
24 located within a city, may agree upon the location, manner,  
25 vacation, physical structure, characteristics, and maintenance  
26 of the crossing and flasher lights or gate arm signals at the  
27 crossing and allocation of costs thereof. The DOT, city, or  
28 county, as applicable, is required to post the standard sign  
29 as prescribed by the manual on uniform traffic-control devices  
30 adopted by the DOT in advance of each railroad grade crossing  
31 to warn a motorist that the motorist is approaching a railroad  
32 grade crossing. Upon properly posting all railroad grade  
33 crossings within its jurisdiction and implementing standards  
34 established by the DOT for modal programs and activities, the  
35 DOT, city, or county, as applicable, does not have any other

1 affirmative duty to warn a motor vehicle operator approaching  
2 or at the railroad grade crossing.

3 This bill requires railroad grade crossings that cross a  
4 paved highway, street, or alley to have a crossing signal  
5 installed by the appropriate entity. The signal must be placed  
6 so it is visible on approach to the crossing from such an  
7 intersected roadway. The bill defines "crossing signal" as  
8 any device, whether manually, electrically, or mechanically  
9 operated, capable of displaying a flashing red light, that is  
10 placed at a railway grade crossing and programmed to flash a  
11 red light when a train or railroad track equipment approaches  
12 the crossing.

13 Under current law, the DOT is required to become a party to  
14 a crossing agreement if grade crossing safety fund moneys are  
15 to be used, and may contribute from the grade crossing safety  
16 fund up to 75 percent of the maintenance cost and an unlimited  
17 portion of the installation cost for flasher lights and gate  
18 arm signals. The bill extends this funding authorization to  
19 installing and maintaining official traffic control signals  
20 required under the bill.

21 In accordance with current law, maintenance of flasher  
22 lights or gate signals installed or ordered to be installed  
23 before July 1, 1973, are assumed wholly by the railroad  
24 corporation owning the track. Such flasher lights may not meet  
25 the requirements relating to crossing signals and necessary  
26 locations for signals under the bill.

27 The bill makes conforming changes to Code section 327G.15.