

House File 2120 - Introduced

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BY COLLINS

A BILL FOR

1 An Act relating to road construction, modification, and repair
2 project standards.

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

1 Section 1. NEW SECTION. 306.9A Road construction,
2 modification, or repair standards.

3 The department or county board of supervisors, as
4 applicable, shall do all of the following prior to, during, and
5 after the completion of a road construction, modification, or
6 repair project, as applicable:

7 1. Submit a project plan to landowners and tenants of
8 property adjacent to the location of a planned project prior to
9 the commencement of the project.

10 2. Restore areas used for field entrances and temporary
11 roads after the project is completed in a manner that minimizes
12 crop damage and disruptions to seasonal field operations. A
13 restored field entrance must match the original field entrance
14 width, in accordance with applicable administrative rules.
15 The department shall adopt a uniform classification for field
16 entrance widths to be used across all department publications
17 and administrative rules.

18 3. Ensure reasonable opportunities to cross the median of
19 a road during projects so a person operating an implement of
20 husbandry, as defined in section 321.1, maintains continued
21 access to, and use of, farm field entrances.

22 4. Repair lines of tile and restore drainage capacity of
23 farm fields affected by the project.

24 5. If the project causes damage to crops or real property as
25 a result of drainage disruptions, compensate the person whose
26 crops or real property was damaged in an amount equal to the
27 damage caused.

28 EXPLANATION

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

31 Under current law, the agency which has control and
32 jurisdiction over a road has the power, on its own motion, to
33 alter or vacate and close any such road and to establish new
34 roads which are or are intended to become a part of the road
35 system over which the agency has jurisdiction and control.

1 This bill requires the department of transportation (DOT)
2 or county board of supervisors, as applicable, to take extra
3 actions relating to notice, access, and restoration, listed
4 in the bill, prior to, during, and after a road construction,
5 modification, or repair project. The requirements do not apply
6 to projects of cities.

7 The bill also requires the DOT to adopt a uniform
8 classification for field entrance widths. Currently, the DOT
9 classifies field entrances in different classes when addressed
10 in different contexts, including in DOT rules and published
11 manuals.