

Senate File 349 - Introduced

SENATE FILE 349

BY SHIPLEY

A BILL FOR

1 An Act relating to required railway crossing signs, signals,
2 and gate arms.

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

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

3 **327G.2 Crossings — signs, gate arms, and signals.**

4 1. Every Notwithstanding the requirements under section
5 327G.15, every railroad corporation constructing or operating
6 a railway shall make and construct at all points where such
7 railway crosses any public road good, sufficient, and safe
8 crossings, and erect at such points, at a sufficient elevation
9 from such road as to admit a free passage of vehicles of every
10 kind, ~~a sign~~ at least two signs with large and distinct letters
11 placed thereon, and install a sufficient number of gate arms,
12 gate arm signals, and crossing signal lights designed to flash
13 when a train approaches a crossing, to give notice of the
14 proximity of the railway, and warn persons of the necessity
15 of looking out for trains. The railroad corporation is
16 responsible for all costs associated with complying with this
17 subsection.

18 2. Any railway ~~company~~ railroad corporation neglecting or

19 refusing to comply with the provisions of **this section** shall be
20 liable for all damages sustained by reason of such refusal or
21 neglect, and it shall only be necessary, in order to recover,
22 for the injured party to prove such neglect or refusal.

23 EXPLANATION

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

26 Under current law, wherever a railway track crosses a
27 highway, street, or alley, the railroad corporation owning
28 such track and the applicable governmental entity with
29 jurisdiction over the crossed highway, street, or alley may
30 agree upon the location, manner, vacation, physical structure,
31 characteristics, and maintenance of the crossing and flasher
32 lights or gate arm signals at the crossing and the allocation
33 of associated costs thereof (Code section 327G.15). In
34 addition, every corporation constructing or operating a railway
35 is required to make and construct at all points where such

1 railway crosses any public road good, sufficient, and safe
2 crossings and erect at such points, at a sufficient elevation
3 from such road as to admit a free passage of vehicles of every
4 kind, a sign with large and distinct letters placed thereon, to
5 give notice of the proximity of the railway, and warn persons
6 of the necessity of looking out for trains.

7 This bill requires a railroad corporation constructing or
8 operating a railway to erect at least two such signs, and
9 install a sufficient number of gate arms, gate arm signals,
10 and crossing signal lights designed to flash when a train
11 approaches a crossing, to give notice of the proximity of the
12 railway and warn persons of the necessity of looking out for
13 trains. The bill provides that the railroad corporation is
14 responsible for all associated costs.