

House Study Bill 174 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON YOUNG)

A BILL FOR

1 An Act relating to train accidents resulting in personal injury
2 or death, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 327C.37, Code 2025, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **327C.37 Accidents resulting in personal injury or death —**
4 **investigations — reports — confidentiality.**

5 1. If an accident occurs on any railroad within this state
6 that results in personal injury or death, the railway corporation
7 operating the railroad shall immediately notify the department.
8 If the department deems it necessary, the department shall
9 conduct an investigation and submit a report to the governor
10 detailing the extent of the injuries and any fatalities, and
11 whether the accident was caused by mismanagement or neglect on
12 the part of the railway corporation operating the railroad.
13 This report is not subject to chapter 22, including disclosure
14 as described in section 22.7, and shall not be admissible as
15 evidence or referenced in any proceeding in any court.

16 2. In the event of an accident resulting in the death of a
17 train crew member, personal information of a train crew member
18 who died is confidential and shall not be released to the
19 public, including personal information contained in any report
20 regarding the accident or contained in any communication between
21 law enforcement officers and train crew members involved in
22 such an accident. A law enforcement agency and any person
23 in subsequent possession of such personal information shall
24 maintain the personal information in a manner that ensures the
25 confidentiality and privacy of the personal information. An
26 unredacted report including personal information of a train crew
27 member who died may be accessed upon written or electronic
28 request by any of the following:

29 a. The railway corporation operating the railroad.

30 b. The railway corporation operating the train involved in
31 the accident.

32 c. A person authorized by court order.

33 d. A law enforcement officer, if necessary for the officer's
34 official duties.

35

EXPLANATION

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

3 Under current law, upon the occurrence of any serious accident
4 upon any railroad, which results in personal injury or loss of
5 life, the corporation operating the road upon which the accident
6 occurred is required to give immediate notice thereof to the
7 department of transportation (DOT) whose duty it is, if they deem
8 it necessary, to investigate the same, and promptly report to
9 the governor the extent of the personal injuries, or loss of
10 life, and whether the same was the result of mismanagement or
11 neglect of the corporation on whose line the injury or loss of
12 life occurred; but such report is prohibited from being evidence
13 or referred to in any case in any court (Code section 327C.37).
14 This bill rewrites Code section 327C.37 to enhance readability
15 and specifies that the required reports to the governor are not
16 subject to Code chapter 22 (open records).

17 The bill also requires personal information of a train crew
18 member who died in an accident to be kept confidential. An
19 unredacted report with otherwise protected, confidential personal
20 information may be accessed by certain persons described in the
21 bill.

22 By operation of law, a violation of the bill is a schedule
23 "one" penalty under Code section 327C.5. A schedule "one"
24 penalty is punishable by a fine of \$100 per violation.