

**Senate File 290 - Introduced**

SENATE FILE 290  
BY SHIPLEY

**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.

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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.