

House File 2793 - Introduced

HOUSE FILE 2793

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 882)

(SUCCESSOR TO HF 729)

A BILL FOR

1 An Act relating to a railway tracks overpass and underpass
2 fund, and making appropriations.

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

1 Section 1. NEW SECTION. 307.19 Railway tracks overpass and
2 underpass fund.

3 1. A railway tracks overpass and underpass fund is created
4 in the state treasury under the control of the department. The
5 fund shall consist of all moneys appropriated to the fund.

6 2. Moneys in the fund are appropriated to the department
7 to distribute in the form of grants to cities and counties
8 to assist with the construction of highway overpasses and
9 underpasses across railway tracks.

10 3. Notwithstanding section 12C.7, subsection 2, interest
11 or earnings on moneys deposited in the fund shall be credited
12 to the fund. Notwithstanding section 8.33, moneys in the fund
13 shall not revert at the close of a fiscal year.

14 EXPLANATION

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

17 Under current law, a city may by ordinance require a railway
18 company operating railway tracks on or across a city street
19 to construct and maintain an overpass or underpass over or
20 under the tracks, and may establish specifications for the
21 construction of such an overpass or underpass (see Code
22 section 364.8). The department of transportation (DOT) must
23 approve the overpass or underpass specifications and determine
24 whether an overpass or underpass is necessary for public safety
25 and convenience. A city must pay one half of all required
26 maintenance costs, and may allocate costs between railway
27 companies whose tracks are to be crossed by an overpass or
28 underpass. Similar provisions for secondary roads under county
29 jurisdiction do not exist.

30 This bill creates the railway tracks overpass and underpass
31 fund (fund) under the control of the DOT. Moneys in the fund
32 are appropriated to the DOT to distribute in the form of grants
33 to cities and counties to assist with the construction of
34 highway overpasses and underpasses across railway tracks.