

CHAPTER 206

RAILROADS

H. F. 70

AN ACT to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That chapter three hundred sixty-eight (368) of the
2 code of Iowa, 1935, be amended by adding thereto following section
3 seventy-eight hundred seventy-seven (7877) the following:

4 "7877-a1. It shall be unlawful for any railroad company owning or
5 operating, or which may hereafter own or operate, any railroad in
6 whole or in part in this state, to abandon any station in any city, town
7 or village on its line of railroad, within this state, or to remove the
8 depot therefrom, or to withdraw agency service therefrom, unless it
9 shall first have filed notice of its intention with the Board of Railroad
10 Commissioners and otherwise complied with the provisions of this
11 act. Upon the filing of such notice the board shall designate the place
12 or places within such town or village where notice shall be posted
13 and the railroad company shall thereupon, at its own expense, cause
14 to be posted at the place or places so designated, fifteen (15) days'
15 notice of intention to abandon or discontinue such station or agency,
16 or remove such depot, and shall file proof of such posting with the
17 board. The notice shall be in such form as prescribed by the board."

18 "7877-a2. Any person or persons directly affected by the proposed
19 abandonment or discontinuance of any station or agency, or removal
20 of any depot, may file written objections thereto with the Board of
21 Railroad Commissioners, stating the grounds for such objections,
22 within fifteen (15) days from the time of the posting of the notice as
23 provided in the preceding section. Upon the filing of such objections
24 the board shall fix the time and place for hearing thereon, which hear-
25 ing shall be held within sixty (60) days from the filing of such ob-
26 jections. Written notice of the time and place of such hearing shall
27 be mailed by the board to the railroad company and the person or per-
28 sons filing objections at least ten days prior to the date fixed for such
29 hearing.

30 "7877-a3. Upon said hearing the Board of Railroad Commissioners
31 may prohibit the abandonment or discontinuance of such station or
32 agency, or the removal of the depot, or may make such other order as
33 is warranted by the evidence produced at such hearing. But if no ob-
34 jections are filed as hereinbefore provided, the board shall make an
35 order permitting the railroad company to proceed with such abandon-
36 ment or discontinuance, or removal of the depot."

1 SEC. 2. This act, being deemed of importance, shall take effect and
2 be in force from and after its passage and publication in the Liver-
3 more Gazette, a newspaper published at Livermore, Iowa, and in the
4 Belmond Independent, a newspaper published at Belmond, Iowa.

House File 70. Approved April 2, 1937.

I hereby certify that the foregoing act was published in the Belmond Independent, April 8, 1937, and the Livermore Gazette, April 15, 1937.

ROBERT E. O'BRIAN, *Secretary of State.*