

House File 2451 - Introduced

HOUSE FILE 2451

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 2120)

A BILL FOR

1 An Act relating to road construction, modification, and repair
2 project standards.

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

1 Section 1. NEW SECTION. 306.9A Road construction,
2 modification, or repair standards.

3 The department or county board of supervisors, as
4 applicable, shall do all of the following prior to, during, and
5 after the completion of a road construction, modification, or
6 repair project, as applicable:

7 1. Submit a project plan to landowners and tenants of
8 property adjacent to the location of a planned primary road
9 project prior to the commencement of the project. This
10 subsection applies only to the department.

11 2. Restore areas used for field entrances and temporary
12 roads after the project is completed in a manner that minimizes
13 crop damage and disruptions to seasonal field operations. A
14 restored field entrance must match the original field entrance
15 width, or the minimum field entrance width in accordance
16 with applicable administrative rules, unless a different
17 field entrance width is agreed to by the person who owns the
18 field entrance property and the department or county board
19 of supervisors, as applicable. The department shall adopt a
20 uniform classification for field entrance widths to be used
21 across all department publications and administrative rules.

22 3. Ensure reasonable opportunities to cross the median of
23 a road during projects so a person operating an implement of
24 husbandry, as defined in section 321.1, maintains continued
25 access to, and use of, farm field entrances.

26 4. Repair lines of tile and restore drainage capacity of
27 farm fields affected by the project.

28 5. If the project causes damage to crops or real property as
29 a result of drainage disruptions, compensate the person whose
30 crops or real property was damaged in an amount equal to the
31 damage caused.

32 EXPLANATION

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

35 Under current law, the agency which has control and

1 jurisdiction over a road has the power, on its own motion, to
2 alter or vacate and close any such road and to establish new
3 roads which are or are intended to become a part of the road
4 system over which the agency has jurisdiction and control.

5 This bill requires the department of transportation (DOT)
6 or county board of supervisors, as applicable, to take extra
7 actions relating to notice, access, and restoration, listed
8 in the bill, prior to, during, and after a road construction,
9 modification, or repair project. The requirements do not apply
10 to projects of cities.

11 The bill also requires the DOT to adopt a uniform
12 classification for field entrance widths. Currently, the DOT
13 classifies field entrances in different classes when addressed
14 in different contexts, including in DOT rules and published
15 manuals.