

Red Tape Review Rule Report (Due: September 30, 2025)

Department Name:	Transportation	Date:	07-17-25	Total Rule Count:	2
IAC #:	761	Chapter/ SubChapter/ Rule(s):	802	Iowa Code Section Authorizing Rule:	307.12(1)"j"
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Chapter 802 implements Iowa Code sections 327C.37 and 327C.41 and concerns written reports submitted by railroads to the Department and the Federal Railroad Administration and notifications provided to the Department by railroads when there are railroad accidents/incidents.

Is the benefit being achieved? Please provide evidence.

Yes. The Department's Traffic Management Center receives timely notification from the railroads when train accidents/incidents occur in the state. Information and details of the accident/incident are used to determine if additional investigation is necessary and to report to the governor, if necessary, details of the event will be provided. Notification is emailed to the rail office so staff can review the accident/incidents and follow up with additional details from the railroad. Staff from the Traffic Management Center work with Department staff to determine if roadways or at-grade crossings are blocked and if there is a need to redirect traffic to limit delays, and unsafe interactions at affected locations.

What are the costs incurred by the public to comply with the rule?

There are no costs incurred by the public to comply with this chapter.

What are the costs to the agency or any other agency to implement/enforce the rule?

The Department would only use resources when a formal review of an accident/incident occurs and is reported to the Traffic Management Center by the railroads. Phone calls and investigation details can be obtained with minimal resources.

Do the costs justify the benefits achieved? Please explain.

Rule 800.2(327C) provides information for timely notification on railroad accidents/incidents and is vital for the continuity of Iowa's transportation system and the safety of the transportation users and community responders.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES x ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The Department determined there was no less restrictive alternatives to rules. The Department must receive prompt notification of any railroad accident/incident to notify appropriate staff and to determine if additional investigation is necessary.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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802.1 removes unnecessary and outdated content.

802.2 removes an unnecessarily restrictive term.

RULES PROPOSED FOR REPEAL (list rule number[s]):

802.1

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

802.1

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	73
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	4

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

Yes, the Department believes that Iowa Code section 327C.37 should be amended to include specific rulemaking authority regarding railroad accidents/incidents in accordance to ensure the prompt notification of incidents and take any corresponding action necessary.