

## Red Tape Review Rule Report

### (Due: September 1, 2025)

<b>Department Name:</b>	Transportation	<b>Date:</b>	08-14-25	<b>Total Rule Count:</b>	5
<b>IAC #:</b>	761	<b>Chapter/ SubChapter/ Rule(s):</b>	810	<b>Iowa Code Section Authorizing Rule:</b>	307.12(1)"j" 327F.38 327F.39
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

#### What is the intended benefit of the rule?

This chapter is intended to comply with Iowa Code sections 321.449A, 327C.4, 327F.38 and chapter 327F.39 governing safety standards for railroad tracks and employee conditions. The rules adopt by date certain the Federal Railroad Administrations' federal regulation (49 CFR Part 213) and the Federal Motor Carrier Safety Administration's regulation (49 CFR Part 393.77). These federal regulations address track safety standards and heater equipment requirements in motor vehicles used to transport railroad workers. The chapter establishes guidance regarding the availability of first aid and medical treatment for railroad employees and sets expectations for track inspection credentials. Additionally, the chapter implements procedures for addressing violations of heating equipment requirements in vehicles used to transport railroad workers and rest periods for drivers transporting railroad workers. The rules create consistency and uniformity of standard safety measures.

#### Is the benefit being achieved? Please provide evidence.

Yes. Inspection of track safety standards are consistent, and track inspectors conduct railroad inspections of track, track structures and operations for all railroad operators. The enforcement of safety practices for railroad employees provides for needed first aid equipment and medical treatment without threat of discipline or retaliation by railroads operating in the state. Improved employee transportation conditions provide railroad employees with access to heating standards consistent with federal regulations in transport vehicles and rest periods for drivers of those vehicles.

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

There are no costs to the public to comply with the rules.

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

The Department employs two track inspectors to carry out the inspection of railroad operators in Iowa. This inspection process brings uniformity and consistency to the railroad operations in Iowa with those at the federal level. The Department only utilizes resources when a complaint is filed concerning railroad safety standards.

#### Do the costs justify the benefits achieved? Please explain.

Yes, the benefits of rules provide consistency in the compliance of railroad track safety standards. The inspections, review, and enforcement of track safety standards for the movement of freight outweigh the cost of resources. The Department's review and enforcement of complaints concerning a railroad employee's first aid, access to medical treatment, or safety transportation standards is minimal.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ 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 chapter adopts by date certain federal regulations addressing track safety standards for track inspection that covers 4,058 miles of railroad track and heating requirements in a motor vehicle used to transport railroad employees. Additionally, these rules reference safety standards to provide for first aid or medical treatment and required rest periods for transport vehicles drivers on behalf of railroad employees and outline the complaint procedure.

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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**810.1** removes unnecessary wording.

**810.2** removes an unnecessarily restrictive term.

**810.4** removes unnecessarily restrictive terms.

**810.5** removes unnecessarily restrictive terms, duplicate statutory language, and some redundant language concerning the requirements of 49 CFR 393.77.

**810.6** removes unnecessarily restrictive terms.

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

810.2 Track Inspection. This rule is proposed to be reworded and moved to rule 810.1 (2).

810.4 First aid and medical treatment for railroad employees. This rule is proposed to be reworded and moved to rule 810.2(1).

810.5 Worker transportation motor vehicle equipment. This rule is proposed to be reworded and moved to paragraph 810.2(2)"a."

810.6 Worker transportation rest periods. This rule is proposed to be reworded and moved to paragraph 810.2(2)"b."

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

810.1

810.2

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

#### METRICS

Total number of rules repealed:	3
Proposed word count reduction after repeal and/or re-promulgation	227
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	23

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

Yes, the Department believes that Iowa Code section 327C.4 should be amended to include specific rulemaking authority regarding railroad inspections in accordance to ensure the condition of rail facilities, equipment and operations to make prompt notification of defects and take any corresponding action necessary.