

Reported Recommending .....  
Ind. Postponed .....  
Passed Senate .....  
Failed to Pass Senate .....  
Passed House .....  
Failed to Pass House .....

Senate File 206

February 5, 1947.  
Passed on File.

By CITIES and TOWNS.

## A BILL FOR

An Act to repeal sections four hundred seventy-eight point twenty-one (478.21), four hundred seventy-eight point twenty-five (478.25), and four hundred seventy-eight point twenty-six (478.26), Code 1946, and to enact a substitute therefor relating to railway crossings with highways, streets and alleys.

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

1 Section 1. Section four hundred seventy-eight point  
2 twenty-one (478.21), Code 1946, is repealed and the following  
3 enacted in lieu thereof:  
4 "Wherever a railway track crosses or shall hereafter  
5 cross a highway, street or alley, the railway company owning  
6 such track and the state highway commission, in the case of  
7 primary highways, the board of supervisors of the county in  
8 which such crossing is located, in the case of secondary  
9 roads, or the council of the city or town, in the case of  
10 streets and alleys located within such city or town, may  
11 agree upon the location and manner of crossing, or upon a  
12 separation of grades so as to carry such highway over or  
13 under the railway track, and upon any change, alteration,  
14 vacation or relocation of such highway, street or alley, and

15 upon repairs, alteration, or elimination of any crossing, and  
16 upon the expense each party shall pay for such changes;  
17 provided, however, nothing contained herein shall be construed  
18 to affect any of the provisions of chapter 387.”

1 Sec. 2. Sections four hundred seventy-eight point  
2 twenty-five (478.25) and four hundred seventy-eight point  
3 twenty-six (478.26), Code 1946, are repealed.

1 Sec. 3. The provisions of this act shall be applicable  
2 to cities under special charter.