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FEDERAL PREEMPTION - IOWA

Iowa Northern Railway Company v. Floyd County Board of Supervisors

Supreme Court of Iowa - December 19, 2025 - N.W.3d - 2025 WL 3682851

Short-line railroad filed petition for writ of mandamus prohibiting drainage district from requiring it to install steel pipe culvert through embankment supporting one of its rail lines.

Following bench trial, the District Court granted petition, and district appealed. The Court of Appeals affirmed. District's application for further review was granted.

The Supreme Court held that district's project was not preempted by Interstate Commerce Commission Termination Act (ICCTA).

Drainage district's project to install steel pipe culvert through embankment supporting rail line presented only incidental effects on rail transportation, and thus was not preempted by Interstate Commerce Commission Termination Act (ICCTA), despite railroad's contention that allowing any trains to operate over site during jack-and-bore construction would be inherently unsafe; trenchless-construction expert testified about his company's many thousands of projects using jack-and-bore method without incident, and explained that sole instance of botched installment identified by railroad was caused by construction contractor's "total incompetence," and railroad's decision not to permit any of its trains to use railway during construction was voluntary.

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