



Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference-International Brotherhood of Teamsters

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RAYMOND A. HOLMES
 Vice President &
 National Legislative Representative

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MAY 16 2005

BLET-WRGCA

FRA-1999-6439

Final Rule

LOCOMOTIVE HORNS

MEMORANDUM

TO: All Advisory Board Members
 All General Chairmen
 All State Legislative Board Chairmen

FROM: R. A. Holmes, VP & NLR

CC: R. A. Harvey, RRC

DATE: April 27, 2005

RE: Docket Number FRA-1999-6439 Final Rule On Use Of Locomotive Horns

Enclosed is a copy of an excerpt from the April 27, 2005 issue of the *Federal Register* wherein the Federal Railroad Administration (FRA) has issued a Final Rule On The Use Of Locomotive Horns.

On December 18, 2003, FRA published an Interim Final Rule that required that the locomotive horn be sounded while trains approach and enter public highway-rail grade crossings. The Interim Final Rule contained an exception to the above requirement in circumstances in which there is not a significant risk of loss of life or serious personal injury, use of the locomotive horn is impractical, or safety measures fully compensate for the absence of the warning provided by the locomotive horn. Communities that qualify for this exception may create "quiet zones" within which locomotive horns would not be routinely sounded. The final rule issued today amends certain provisions of the Interim Final Rule to facilitate the development of quiet zones, while balancing the needs of railroads, States and local communities.

The effective date of this final rule is June 24, 2005. However, public authorities may begin to provide quiet zone-related documentation to FRA and other parties 30 days after April 27, 2005. This final rule supercedes the interim final rule, which was published on December 18, 2003. Therefore, the interim final rule will not take effect.