

Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference — International Brotherhood of Teamsters

NATIONAL LEGISLATIVE OFFICE

25 Louisiana Avenue, NW, 7th Floor Annex • Washington, DC 20001
Phone: (202) 624-8776 • Fax: (202) 624-3086 • tolman@ble-t.org

JOHN P. TOLMAN

Vice President and

National Legislative Representative

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BLET-WRGCA

FRCA - Final Rule
Horns

August 29, 2006

BLET Advisory Board
All General Chairmen
All State Legislative Board Chairmen

Dear Sirs and Brothers,

On August 17, 2006, the Federal Railroad Administration published a Final Rule with respect to the use of locomotive horns at highway-rail grade crossings, a copy of which is enclosed for your information and files. The Final Rule, which becomes effective on September 18th, addresses a number of issues that were raised in petitions for reconsideration — including one filed by the BLET — following publication of the initial Final Rule on April 27, 2005.

Of particular interest to our membership are the following changes:

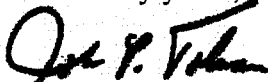
- These amendments extend the compliance date of the time-based locomotive horn sounding requirements until December 15, 2006. (See § 222.21(b) for more information.)
- A “good faith” exception has been incorporated into the time-based locomotive horn sounding requirements for locomotive engineers who are unable to precisely estimate their time of arrival at upcoming grade crossings. (See § 222.21(b)(2) for more information.)
- An exception has been added to the 15-second minimum locomotive horn sounding requirement for locomotives and trains that re-initiate movement after having stopped in close proximity to a public highway-rail grade crossing. (See § 222.21(d) for more information.)
- These amendments expand the scope of the time-based locomotive horn sounding requirements to cover the sounding of any locomotive audible warning device (i.e., locomotive bells) at public highway-rail grade crossings. (See § 222.21(e) for more information.)

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All BLET General Chairmen
All BLET State Legislative Board Chairmen
August 29, 2006
Page 2

- If State law requires the sounding of locomotive audible warning devices at private and/or pedestrian crossings, these amendments will require railroads to sound the locomotive audible warning device in a time-based manner. (See §§ 222.25 and 222.27 for more information.)
- An exception has been added to the locomotive horn sounding requirements for locomotives equipped with defective horns that are being moved for repair. (See § 222.21(b)(2) for more information.)

For ease of review, I also am enclosing separate copies of revised Sections 222.21, 222.25, and 222.27, along with a reproduction of the Section-by-Section Analysis for each. With warmest personal regards, I remain

Fraternally yours,

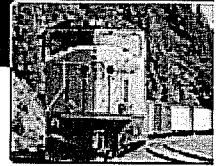


Vice President and National Legislative Representative

enclosures

cc: Thomas A. Pontolillo, Director of Regulatory Affairs

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Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings



Get Updates to the Train Horn Rule by e-mail.

In response to a legislative mandate, FRA has issued a Final Rule on the Use of Locomotive Horns Grade Crossings. This final rule, which requires that locomotive horns be sounded as a warning to public highway-rail crossings, will take effect on June 24, 2005. Until June 24, 2005, the sounding of horns at public crossings will remain subject to applicable State and local laws. The final rule provides an opportunity, not available until now, for thousands of localities nationwide to mitigate the effect of noise by establishing new "quiet zones." The rule also details actions communities with pre-existing quiet zones can take to preserve the quiet they have become accustomed to.

In this section...

[Overview](#)

[Rulemaking History and Reports](#)

[Points of Contact](#)

[Interim Final Rule](#)

[Train Horn Final Rule as amended on August 17, 2006](#)

[Summary of Major Changes to Final Rule](#)

[Record of Decision: Use of Locomotive Horns Final Rule](#)

[Final Environmental Impact Statement](#)

[Guidance on the Quiet Zone Creation Process](#)

[Quiet Zone Calculator](#)

[Flow Chart Explanatory Text](#)

[Chart 1A -- Pre-Rule Quiet Zones and Pre-Rule Quiet Zones Qualifying for Automatic Approval](#)

[Chart 1B: Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones Not Qualified for Automatic Approval](#)

[Chart 2: Intermediate Quiet Zones and Intermediate Partial Quiet Zones](#)

[Chart 3: Creating a New Quiet Zone or New Partial Quiet Zone using SSMS](#)

[Chart 4A: Creating a Quiet Zone using Modified SSMS](#)

[Chart 4B: Creating a Quiet Zone using Engineering ASMs](#)

[Chart 4C: Creating a Quiet Zone using Non-Engineering ASMs](#)

[Notifications](#)

[Locations Providing Quiet Zone Notifications](#)

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[Safety / Issues Update](#)

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