

## **APPENDIX D**

### Federal Railroad Administration Train Horn Rule Fact Sheet



MOVING THE  
**AMERICAN  
ECONOMY**

**Federal Railroad Administration  
Train Horn Rule Fact Sheet**

**Purpose:**

The goal of the Federal Railroad Administration (FRA) in developing the train horn rule is to ensure safety for motorists at highway-rail grade crossings while allowing communities the opportunity to preserve or enhance quality of life for their residents by establishing areas/times in which train horns are silenced.

**Historical Background:**

Since their inception, railroads have sounded locomotive horns or whistles in advance of grade crossings and under other circumstances as a universal safety precaution. During the 20<sup>th</sup> century, nearly every state in the nation enacted laws requiring railroads to do so. Some states allowed local communities to create whistle bans where the train horn was not routinely sounded.

In the early 1990's, the FRA observed a significant increase in train-vehicle collisions at certain gated grade crossings in Florida which coincided with a statewide whistle ban on the Florida East Coast Railroad (FECR). In 1993, FRA issued Emergency Order #15 requiring trains on the FECR to sound their horns again, pre-empting the 1984 Florida statute that created the ban. The number and rate of collisions at affected crossings returned to pre-whistle ban levels.

In 1994, Congress mandated that the FRA issue a federal regulation requiring the sounding of locomotive horns or whistles at all public highway-rail grade crossings; and to provide for exceptions to that requirement by allowing communities to establish "quiet zones." In 1996, Congress added that special consideration be given to communities with long-standing or legacy whistle bans.

Before finalizing the rule, FRA held public meetings around the country and solicited comment from scores of affected communities and stakeholders. Based upon the voluminous input received, FRA published an Interim Final Rule in December 2003, refining its original proposal and inviting additional public comment. The final federal train horn rule became effective on June 24, 2005.

The rule provides the first opportunity ever for many local communities around the country affected by train horn noise the option of silencing horns by establishing quiet zones.

### **Sounding the Locomotive Horn:**

Under the Train Horn Rule, locomotive engineers must sound train horns for a minimum of 15 seconds, and a maximum of 20 seconds, in advance of all public grade crossings, except:

- If a train is traveling faster than 45mph, engineers will not sound the horn until it is within ¼ mile of the crossing, even if the advance warning is less than 15 seconds.
- If a train stops in close proximity to a crossing, the horn does not have to be sounded when the train begins to move again.
- There is a "good faith" exception for locations where engineers can't precisely estimate their arrival at a crossing.

Wherever feasible, train horns must be sounded in a standardized pattern of 2 long, 1 short and 1 long. The horn must continue to sound until the lead locomotive or train car occupies the grade crossing.

For the first time, a maximum volume level for the train horn has been established at 110 decibels. The minimum sound level remains 96 decibels. Railroads have until 2010 to fully comply with the maximum volume level requirement.

### **Establishing a New Quiet Zone:**

A new quiet zone must be at least ½ mile in length and have at least one public highway-rail grade crossing. Every public grade crossing in a new quiet zone must be equipped at minimum with the standard or conventional flashing light and gate automatic warning system. A quiet zone may be established to cover a full 24-hour period or only during the overnight period from 10:00 P.M. to 7:00 A.M.

Local governments must work in cooperation with the railroad that owns the track, and the appropriate state transportation authority to form a diagnostic team to assess the risk of collision at each grade crossing where they wish to silence the horn. An objective determination is made about where and what type of additional safety engineering improvements are necessary to effectively reduce the risk associated with silencing the horns based on localized conditions such as highway traffic volumes, train traffic volumes, the accident history and physical characteristics of the crossing, including existing safety measures.

Examples of additional safety engineering improvements that may be necessary to reduce the risk of collisions include: medians on one or both sides of the tracks to prevent a motorist from driving around a lowered gate; a four-quadrant gate system to block all lanes of highway traffic; converting a two-way street into a one-way street; permanent closure of the crossing to highway traffic; or use of wayside horns posted at the crossing directed at highway traffic only.

Once all necessary safety engineering improvements are made, the local community must certify to FRA that the required level of risk reduction has been achieved. A quiet zone becomes effective and train horns go silent only when all necessary additional safety measures are installed and operational.

**Quiet Zone Exceptions:**

In a quiet zone, engineers have no legal duty to sound the horn, but do have discretion to do so during emergency situations (i.e. the presence of a vehicle or a person on the track).

Under federal regulations, engineers must sound the horn to warn railroad maintenance employees or contractors working on the tracks.

**Monitoring Quiet Zones:**

If a railroad or particular engineer is observed failing to sound horns as required or is repeatedly and unnecessarily sounding the horn in an established quiet zone, FRA will seek to remedy the situation or take enforcement action.

**Effect of the Rule on Pre-Existing Whistle Bans:**

Legacy whistle bans were established by local ordinance or through agreements with specific railroads in accordance with existing state law, or through informal agreements honored or abided by a railroad. The new rule required communities with whistle bans to affirmatively state their intention to preserve it by submitting specific paperwork converting the ban to a "pre-rule quiet zone." Those that failed to do so by a specified deadline lost their special status and railroads resumed routine sounding of horns.

Pre-rule quiet zone communities that completed the required paperwork have been granted an extended grace period (from 5 to 8 years) to achieve compliance with certain rule requirements. During the grace period, local communities must periodically file paperwork to demonstrate their progress toward compliance or the horns will start sounding again.

The Chicago area's numerous pre-existing whistle bans are temporarily excepted from compliance with the rule because of their unique experience with this issue. After an ongoing collaborative review is completed, the FRA will determine the final status of the Chicago pre-rule quiet zones.

**For a list of key terms and definitions click here**  
**To view the Federal Register posting of the Train Horn Rule click here**  
**For more detailed information about the Train Horn Rule click here**

For additional information, please contact  
FRA Public Affairs (202) 493-6024 or [www.fra.dot.gov](http://www.fra.dot.gov).  
December 2006