Pre-Rule Quiet Zone Notification[1]

Parties to be notified

A public authority that wants to continue silencing the locomotive horn at grade crossings within a Pre-Rule Quiet Zone must provide written notice to several parties. These parties include the following:

- All railroads operating over the public highway-rail grade crossing within the quiet zone,
- The highway or traffic control authority, or the law enforcement authority with jurisdiction over motor vehicle traffic at the quiet zone crossings,
- Landowners with control over any private crossings within the quiet zone,
- The State agency responsible for highway and road safety, and
- The FRA Associate Administrator.

All notices must be provided by certified mail, return receipt requested.

Deadlines

Notice of the continuation of a Pre-Rule Quiet Zone must be served no later than December 18, 2004.

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[1] This collection of information will be used by FRA to increase safety at highway-rail grade crossings. Public reporting burden is estimated to average five (5) hours per response for notifications, and thirty-five (35) hours per response for the certification, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 2130-0560.

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Notification contents

- ❑ The notice must unambiguously state which crossings are contained within the quiet zone. All public and private crossings must be identified by both the U.S. DOT National Highway-Rail Grade Crossing Inventory Number, and by street or highway name.

- ❑ The notification must clearly cite the regulatory provision that provides the basis for continuing the Quiet Zone.

  Note: The continuation of Pre-Rule Quiet Zones that qualify for automatic approval is governed by § 222.41(a). All other Pre-Rule Quiet Zones are governed by § 222.41(b).

- ❑ The notification must also include an explanation as to how the quiet zone is in compliance with § 222.41.

- ❑ If the quiet zone is being continued on the basis of §222.41(a) (automatic approval), the notification must include a copy of the FRA web page containing the quiet zone data upon which the public authority is relying.

- ❑ All notifications must contain a certificate of service. This certificate of service shall show to whom the notice was provided, and by what means the notice was provided.

Additional information that must be submitted to FRA

The items listed above must be submitted to each of the parties listed in the section labeled "Parties to be notified". Public authorities are also required to submit the following information in their submission to FRA:

- ❑ An accurate and complete Grade Crossing Inventory Form for each public and private crossing within the quiet zone, dated within six months prior to designation of the quiet zone;

- ❑ An accurate, complete, and current Grade Crossing Inventory Form reflecting the SSMs and ASMs implemented within the quiet zone;

- ❑ The name and title of the person responsible for monitoring compliance with the requirements of the rule and his/her contact information. In addition to the person's name, title, and organization, contact

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information should include his/her business address, telephone number, fax number, and email address;

- ❑ A list of all parties notified in accordance with the rule; and

- ❑ A statement signed by the Chief Executive Officer (CEO) of each public authority continuing the quiet zone. In the CEO's statement, he or she must certify that responsible officials of the public authority have reviewed the documentation prepared by or for the FRA, and filed in Docket No. FREA-1999-6439, sufficient to make an informed decision regarding the advisability of establishing the quiet zone.

Note: Pre-Rule Quiet Zones that do not qualify for automatic approval can only be maintained for an interim period. Continuation of the quiet zone beyond the interim period will require submission of a detailed plan, as well as implementation of SSMs or ASMs in accordance with section 222.39. Please refer to sections 222.39 and 222.41 for more information.

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