

# Brotherhood of Locomotive Engineers and Trainmen

*A Division of the Rail Conference — International Brotherhood of Teamsters*

## NATIONAL LEGISLATIVE OFFICE

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**JOHN P. TOLMAN**

*Vice President and*

*National Legislative Representative*

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 18<sup>th</sup>, 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:

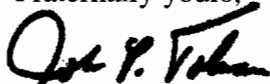
- These amendments extend the compliance date of the time-based locomotive horn sounding requirements until December 15, 2006. (See § 222.21(b) for more information.)
- A “good faith” exception has been incorporated into the time-based locomotive horn sounding requirements for locomotive engineers who 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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- 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