



The Town of
HAYMARKET
Established in 1799-

Subject: Notice of Intent for Haymarket-Gainesville Train Horn Quiet Zone

To: Mr. Ron Ries
Highway-Rail Grade Crossing And Trespasser Prevention
Office of Railroad Safety
Federal Railroad Administration
1200 New Jersey Avenue, SE, Mail Stop 25
Washington, DC 20590
(202) 493-6285

Mr. Donald P. Thomas
Region 2 includes Delaware, Maryland, Ohio, Pennsylvania,
Virginia, West Virginia and Washington, D.C.
U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
(610) 521-8212

Mr. W. L. (Bill) Barringer
Norfolk Southern Corporation
Director Grade Crossing Safety
Norfolk Southern Corporation
1200 Peachtree St., NE, Box 36
Atlanta, GA 30309-0036
(404) 582-5781

Mr. Rick Ray
Administrator Highway Grade Crossings
Norfolk Southern Corporation
1200 Peachtree St. NE
Atlanta, GA 30309
(404) 529-1234

Ms Georgia Lewis
NS VA area rep
Norfolk Southern Corporation
435 Kimball Ave
Roanoke, VA 24016
(540) 524-4496

Mr. Garrett Moore, PE
VDOT
4975 Alliance Drive
Fairfax, VA 22030
(800) 367-7623

Ms Maria Sinner
VDOT
4975 Alliance Drive
Fairfax, VA 22030
(800) 367-7623



The Town of HAYMARKET

Established in 1799

August 9, 2011

To All Concerned,

1. Greetings from the Town of Haymarket. As development grows within and around Haymarket, new and established residents are calling for a Train Horn Quiet Zone to abate the disturbance and discomfort of train horns through the numerous crossings in the area. In order to improve the quality of life for our town and near-by residents, and after consultation with the Federal Railroad Administration (FRA) and Norfolk Southern Corporation (NS), the Town of Haymarket is sending out this Notice of Intent to establish such a Quiet Zone once certain supplemental safety measures (SSM) have been completed on two of the crossings within the proposed Quiet Zone. Although some of the crossings in the Zone lie outside the jurisdiction of Haymarket, the Town has been designated as the requesting public authority through a resolution of Prince William County (Attachment 1).

2. The Town is establishing this Quiet Zone under Title 49 of the Code of Federal Regulations, Chapter II - Federal Railroad Administration, Department Of Transportation, Part 222.39(a)(3), "A quiet zone may be established if SSMs are implemented which are sufficient to reduce the Quiet Zone Risk Index to a level at or below the risk level which would exist if locomotive horns sounded at all public crossings in the quiet zone."

3. The proposed Quiet Zone would be known as the Haymarket-Gainesville Quiet Zone and consists of the following crossings (from west to east):

**US DOT National Highway-Rail
Grade Crossing Inventory #**

Street

714370C	VA Route 55
714369H	Thoroughfare Rd
714367U	VA Route 15 Haymarket
714366M	Private Crossing
714365F	VA Route 682
714364Y	Gallagher Rd
714363S	VA Route 29

A full inventory of the crossings can be found at Attachment 2. Full grade separation is planned for crossings 714364Y and 714363S and is currently scheduled for completion in June 2014, at which time the Town will issue a Notice of Quiet Zone Establishment. Upon completion of these SSMs, and in combination of the current SSMs in place on the other crossings, the calculated QZRI will be 23,611.47. The RIWH is currently 47,614.97. The FRA Quiet Zone Calculator report, accomplished by Mr. Eric M. Teitelman, PE, is included as Attachment 3. **The Town does request that a diagnostic team composed of NS, VDOT, FRA officials and Mr. Teitelman be assembled to evaluate the private crossing, 714366M, and will be in contact with the FRA for guidance.**

4. Train horns in the Haymarket-Gainesville Quiet Zone will be restricted 24 hours per day.

5. The Vice-Mayor of Haymarket will be the point of contact during the development of this Quiet Zone. He can be reached through the Haymarket Town Hall with the following contact information:

John C. Cole, Vice-Mayor
Town of Haymarket, Virginia
P.O. Box 1230
Haymarket, VA 20168
(703) 753-2600

6. All parties listed as addressees in this letter are assumed to be the primary contacts for any actions related to the establishment of the Haymarket-Gainesville Quiet Zone. Any corrections to this list are requested and welcome.

7. I appreciate and thank all of you for your guidance and cooperation in this matter. Please contact Vice-Mayor Cole if you have any questions.

Sincerely,



Pam Stutz
Mayor, Town of Haymarket

3 Attach

1. PWC Resolution
2. Crossing Inventory
3. FRA Quiet Zone Calculator Report



Federal Railroad Administration

Quiet Zone Designation Information

Name Eric M. Teitelman, PE		Job Title Professional Civil Engineer		Organization c/o Town of Haymarket, VA	
Address P.O.Box 1230		City Haymarket		State VA	Zip Code 20168
Phone 530-828-8029		Fax		Email ETeitelman@att.net	

714363S LEE HWY	Proposed Warning Device Gates	Estimated Cost 4,000,000.00	Wayside Horn No	Risk Index 0.00
Crossing Type Public	SSM Grade Separation of a Public Highway-Rail Grade Crossing		Pre-Existing SSM None	

714364Y GALLERHER RD	Proposed Warning Device Gates	Estimated Cost 4,000,000.00	Wayside Horn No	Risk Index 0.00
Crossing Type Public	SSM Grade Separation of a Public Highway-Rail Grade Crossing		Pre-Existing SSM None	

714365F JEFFERSON ST	Proposed Warning Device Gates	Estimated Cost 0.00	Wayside Horn No	Risk Index 41,064.38
Crossing Type Public	SSM None		Pre-Existing SSM None	

714366M NO NAME	Proposed Warning Device Crossbucks	Estimated Cost 0.00	Wayside Horn No	Risk Index 0.00
Crossing Type Private	SSM None		Pre-Existing SSM None	

714367U JAMES MADISON HWY	Proposed Warning Device Gates	Estimated Cost 0.00	Wayside Horn No	Risk Index 46,712.68
Crossing Type Public	SSM None	Pre-Existing SSM None		
714369H THOROUGHFARE RD	Proposed Warning Device Gates	Estimated Cost 0.00	Wayside Horn No	Risk Index 17,850.08
Crossing Type Public	SSM None	Pre-Existing SSM None		
714370C JOHN MARSHALL HWY	Proposed Warning Device Gates	Estimated Cost 0.00	Wayside Horn No	Risk Index 36,041.70
Crossing Type Public	SSM None	Pre-Existing SSM None		

Note: If zone is a partial new quiet zone, gates are not required if the crossing is to be closed during partial quiet zone period, permanently closed, or grade separated.

Zone ID : 25531		Scenario ID : 33812		
Date : 10/19/2010 9:48:55 AM				
Railroad NS	Pre Rule? NO	Partial? NO	Time of Partial Quiet Zone	Total Traffic 107,180
Estimated Total Cost \$8,000,000.00	Nationwide Significant Risk Threshold 18775		Risk Index with Horns 47,614.97	Quiet Zone Risk Index 23,611.47

Basis for Establishment or Continuation of Quiet Zone

This quiet zone is being established in compliance with the following (check one)

- § 222.39(a)(1), implementation of SSMs at every public crossing in the New Quiet Zone or New Partial Quiet Zone;
- § 222.39(a)(2)(i), the QZRI is at or below the NSRT without installation of any SSMs at the New Quiet Zone or New Partial Quiet Zone;
- § 222.39(a)(2)(ii), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the NSRT;
- § 222.39(a)(3), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the RIWH; or
- § 222.39(b), public authority application to the FRA for a New Quiet Zone or New Partial Quiet Zone.
- § 222.41(a)(1)(i) Pre-Rule Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,
- § 222.41(a)(1)(ii) Pre-Rule Quiet Zones that qualify for automatic approval because $QZRI \leq NSRT$,
- § 222.41(a)(1)(iii) Pre-Rule Quiet Zones that qualify for automatic approval because $NSRT < QZRI < 2 * NSRT$, and there have been no relevant collisions within the 5 years preceding April 27,2005
- § 222.41(a)(1)(iv) Pre-Rule Quiet Zones that qualify for automatic approval because $NSRT < RIWH$.
- § 222.41(b)(1)(i) Pre-Rule Partial Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,
- § 222.41(b)(1)(ii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because $QZRI \leq NSRT$,
- § 222.41(b)(1)(iii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because $NSRT < QZRI < 2 * NSRT$, and there have been no relevant collisions within the 5 years preceding April 27,2005.
- § 222.41(b)(1)(iv) Pre-Rule Partial Quiet Zones that qualify for automatic approval because $NSRT < RIWH$.
- § 222.41(c) Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones that do not qualify for automatic approval

- § 222.41(d) Pre-Rule Partial Quiet Zones that will be converted to 24-hour New Quiet Zones
- § 222.42(a) Intermediate Quiet Zones or Intermediate Partial Quiet Zones
- § 222.42(b) Intermediate Partial Quiet Zones that will be converted to 24-hour New Quiet Zones.

Applicant Signature



Date

5 AUGUST 2011

Chief Executive Officer Statement.

I hereby certify that the information submitted in this notification is accurate and complete to the best of my knowledge and belief.

Signature



Date

8 August 2011

Note: A copy of this report along with other required contents (see § 222.43(e)(2)) must be sent to all of the parties required in § 222.43(a)(4). FRA's notification should be mailed to:

Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, SE, MS-25
Washington, DC 20590



Federal Railroad Administration

Quiet Zone Designation Information

Public At-grade Open Crossing Information

Crossing:	714363S	Urban(U)/Rural(R):	R.Prin. Arterial
Warning Device:	Gates	Highway Paved:	yes
aadt:	62600	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	4
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	2
Other Tracks:	0	Total Switching Trains:	

Crossing:	714364Y	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	22650	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	1	Total Switching Trains:	

Crossing:	714365F	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	5850	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	

Crossing:	714367U	Urban(U)/Rural(R):	R.Minor Arterial
Warning Device:	Gates	Highway Paved:	yes
aadt:	10400	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	
<hr/>			
Crossing:	714369H	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	no
aadt:	280	Maximum Timetable Speed :	45
Total Trains:	14	Highway Lanes:	2
Day Through Trains:	7	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	
<hr/>			
Crossing:	714370C	Urban(U)/Rural(R):	R.Major Collector
Warning Device:	Gates	Highway Paved:	yes
aadt:	5400	Maximum Timetable Speed :	40
Total Trains:	14	Highway Lanes:	2
Day Through Trains:	7	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
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MOTION: STIRRUP
SECOND: CADDIGAN

December 14, 2010
Regular Meeting
Res. No. 10-928

RE: DESIGNATE THE TOWN OF HAYMARKET TO ACT AS APPLICANT FOR THE GAINESVILLE/HAYMARKET QUIET ZONE

ACTION: APPROVED

WHEREAS, the Norfolk Southern Railroad currently runs through the Town of Haymarket; and

WHEREAS, current regulations require trains to sound warning horns when coming to a rail crossing to alert people of the approaching train; and

WHEREAS, these horns negatively affect the quality of life for residents living in and around the Town of Haymarket; and

WHEREAS, the Federal Railroad Administration allows localities to request a Quiet Zone; and

WHEREAS, it is likely that the following crossings would qualify under Federal Railroad Administration guidelines for a quiet zone; and

<u>Crossing Number</u>	<u>Street</u>
714370C	Route 55
714369H	Thoroughfare Road
714367U	Route 15 Haymarket
714366M	Private Crossing
714365F	Route 682
714364Y	Gallagher Road
714363S	Route 29

WHEREAS, the proposed Quiet Zone consists of crossings in the Town of Haymarket and Prince William County; and

WHEREAS, the Federal Railroad Administration requires a single locality or entity to act as the applicant and point of contact for a Quiet Zone application and submitter of associated reports;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors designates the Town of Haymarket to act as the applicant and representative for the Haymarket-Gainesville Quiet Zone.

December 14, 2010
Regular Meeting
Res. No. 10-928
Page Two

Votes:

Ayes: Caddigan, Covington, Jenkins, May, Nohe, Principi, Stewart, Stirrup

Nays: None

Absent from Vote: None

Absent from Meeting: None

ATTEST: _____


Clerk to the Board



Federal Railroad Administration

Quiet Zone Designation Information

Name Eric M. Teitelman, PE	Job Title Professional Civil Engineer	Organization c/o Town of Haymarket, VA	
Address P.O.Box 1230	City Haymarket	State VA	Zip Code 20168
Phone 530-828-8029	Fax	Email Eteitelman@att.net	

714363S LEE HWY	Proposed Warning Device Gates	Estimated Cost 4,000,000.00	Wayside Horn No	Risk Index 0.00
Crossing Type Public	SSM Grade Separation of a Public Highway-Rail Grade Crossing		Pre-Existing SSM None	

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§ 222.42(a) Intermediate Quiet Zones or Intermediate Partial Quiet Zones

§ 222.42(b) Intermediate Partial Quiet Zones that will be converted to 24-hour New Quiet Zones.

Applicant Signature _____

Date _____

Chief Executive Officer Statement.

I hereby certify that the information submitted in this notification is accurate and complete to the best of my knowledge and belief.

Signature _____

Date _____

Note: A copy of this report along with other required contents (see § 222.43(e)(2)) must be sent to all of the parties required in § 222.43(a)(4). FRA's notification should be mailed to:

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Federal Railroad Administration

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Other Tracks:	0	Total Switching Trains:	

Crossing:	714364Y	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	22650	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	1	Total Switching Trains:	

Crossing:	714365F	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	5850	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	

Crossing:	714367U	Urban(U)/Rural(R):	R.Minor Arterial
Warning Device:	Gates	Highway Paved:	yes
aadt:	10400	Maximum Timetable Speed :	45
Total Trains:	18	Highway Lanes:	2
Day Through Trains:	8	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	

Crossing:	714369H	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	no
aadt:	280	Maximum Timetable Speed :	45
Total Trains:	14	Highway Lanes:	2
Day Through Trains:	7	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	

Crossing:	714370C	Urban(U)/Rural(R):	R.Major Collector
Warning Device:	Gates	Highway Paved:	yes
aadt:	5400	Maximum Timetable Speed :	40
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COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

GREGORY A. WHIRLEY
COMMISSIONER

August 18, 2011

Mr. John C. Cole
Vice Mayor, Town of Haymarket
Post Office Box 1230
Haymarket, VA 20168

RE: Notice of Intent for Haymarket-Gainesville Train Horn Quiet Zone

Dear Vice-Mayor Cole,

On behalf of the Virginia Department of Transportation (VDOT) we wanted to thank you and Mayor Stutz for the notification regarding the proposed Haymarket-Gainesville Train Horn Quiet Zone. Ms. Maria Sinner is out of the office until late next week; however, upon her return she or one of her appointed staff will be able to participate on the diagnostic team committee.

We will look forward to working with you in this endeavor and will wait to hear further details. Please feel free to contact me if I may be of any assistance in the interim.

Sincerely,

A handwritten signature in cursive script that reads "Renée A. Hamilton".

Renée Hamilton
Virginia Department of Transportation

Copy: Garrett Moore, District Administrator
Maria Sinner, P.E.



GUIDE TO THE QUIET ZONE ESTABLISHMENT PROCESS

AN INFORMATION GUIDE

Federal Railroad Administration

1200 New Jersey Avenue S.E.

Washington, DC 20590

Telephone: 202-493-6299

www.fra.dot.gov

Federal Railroad Administration

Highway-Rail Crossing and Trespasser Programs Division

Follow FRA on [Facebook](#) and [Twitter](#)

Purpose of the Guide

This brochure was developed to serve as a guide for local decision makers seeking a greater understanding of train horn sounding requirements and how to establish quiet zones. Its purpose is to provide a general overview and thus does not contain every detail about the quiet zone establishment process. For more detailed and authoritative information, the reader is encouraged to review the official regulations governing the use of locomotive horns at public highway-rail grade crossings and the establishment of quiet zones that are contained in 49 CFR Part 222. A copy of the rule can be downloaded or printed at <http://www.fra.dot.gov/eLib/Details/L02809>.

About Quiet Zones



FRA is committed to reducing the number of collisions at highway-rail grade crossings, while establishing a consistent standard for communities who opt to preserve or enhance quality of life for their residents by establishing quiet zones within which routine use of train horns at crossings is prohibited.

Federal regulation requires that locomotive horns begin sounding 15–20 seconds before entering public highway-rail grade crossings, no more than one-quarter mile in advance. Only a public authority, the governmental entity responsible for traffic control or law enforcement at the crossings, is permitted to create quiet zones.

A quiet zone is a section of a rail line at least one-half mile in length that contains one or more consecutive public highway-rail grade crossings at which locomotive horns are not routinely sounded when trains are approaching the crossings. The prohibited use of train horns at quiet zones only applies to trains when approaching and entering crossings and does not include train horn use within passenger stations or rail yards. Train horns may be sounded in emergency situations or to comply with other railroad or FRA rules even within a quiet zone. Quiet zone regulations also do not eliminate the use of locomotive bells at crossings. Therefore, a more appropriate description of a designated quiet zone would be a “reduced train horn area.”

Communities wishing to establish quiet zones must work through the appropriate public authority that is responsible for traffic control or law enforcement at the crossings.

Historical Context

Historically, railroads have sounded locomotive horns or whistles in advance of grade crossings and under other circumstances as a universal safety precaution. Some States allowed local communities to create whistle bans where the train horn was not routinely sounded. In other States, communities created whistle bans through informal agreements with railroads.

In the late 1980's, FRA observed a significant increase in nighttime train-vehicle collisions at certain gated highway-rail grade crossings on the Florida East Coast Railway (FEC) at which nighttime whistle bans had been established in accordance with State statute. In 1991, FRA issued Emergency Order #15 requiring trains on the FEC to sound their horns again. The number and rate of collisions at affected crossings returned to pre-whistle ban levels.



In 1994, Congress enacted a law that required FRA to issue a Federal regulation requiring the sounding of locomotive horns at public highway-rail grade crossings. It also gave FRA the ability to provide for exceptions to that requirement by allowing communities under some circumstances to establish "quiet zones."

The Train Horn Rule became effective on June 24, 2005. The rule set nationwide standards for the sounding of train horns at public highway-rail grade crossings. This rule changed the criteria for sounding the horn from distance-based to time-based. It also set limits on the volume of a train horn. The rule also established a process for communities to obtain relief from the routine sounding of train horns by providing criteria for the establishment of quiet zones. Locomotive horns may still be used in the case of an emergency and to comply with Federal regulations or certain railroad rules.

Because the absence of routine horn sounding increases the risk of a crossing collision, a public authority that desires to establish a quiet zone usually will be required to mitigate this additional risk. At a minimum, each public highway–rail crossing within a quiet zone must be equipped with active warning devices: flashing lights, gates, constant warning time devices (except in rare circumstances) and power out indicators.

In order to create a quiet zone, one of the following conditions must be met

1. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT)*** with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs) described below. The QZRI is the average risk for all public highway-rail crossings in the quiet zone, including the additional risk for absence of train horns and any reduction in risk due to the risk mitigation measures. The NSRT is the level of risk calculated annually by averaging the risk at all of the Nation’s public highway-rail grade crossings equipped with flashing lights and gates where train horns are routinely sounded.
2. ***The Quiet Zone Risk Index (QZRI) is less than or equal to the Risk Index With Horns (RIWH)*** with additional safety measures such as SSMs or ASMs. The RIWH is the average risk for all public highway-rail crossings in the proposed quiet zone when locomotive horns are routinely sounded.
3. ***Install SSMs at every public highway-rail crossing.*** This is the best method to reduce to reduce risks in a proposed quiet zone and to enhance safety.

SSMs are pre-approved risk reduction engineering treatments installed at certain public highway-rail crossings within the quiet zone and can help maximize safety benefits and minimize risk. SSMs include: medians or channelization devices, one-way streets with gates, four quadrant gate systems, and temporary or permanent crossing closures. Examples of SSMs are shown on the next page.

ASMs are safety systems, other than SSMs, that are used to reduce risk in a quiet zone. ASMs typically are improvements that do not fully meet the requirements to be SSMs and their risk reduction effectiveness must be submitted in writing and approved by FRA.

FRA strongly recommends that all crossings in the quiet zone be reviewed by a diagnostic team. A diagnostic team typically consists of representatives from the public authority, railroad, and State agency responsible for crossing safety and FRA grade crossing managers.

Public Safety Considerations continued

Examples of SSMs



Wayside Horns The train horn rule also provides another method for reducing the impact of routine locomotive horn sounding when trains approach public highway-rail grade crossings. A wayside horn may be installed at highway-rail grade crossings that have flashing lights, gates, constant warning time devices (except in rare circumstances), and power out indicators. The wayside horn is positioned at the crossing and will sound when the warning devices are activated. The sound is directed down the roadway, which greatly reduces the noise footprint of the audible warning. Use of wayside horns is not the same as establishing a quiet zone although they may be used within quiet zones.

Cost Considerations

The enabling Federal statute did not provide funding for the establishment of quiet zones. Public authorities seeking to establish quiet zones should be prepared to finance the installation of SSMs and ASMs used. Costs can vary from \$30,000 per crossing to more than \$1 million depending on the number of crossings and the types of safety improvements required.

Legal Considerations

The courts will ultimately determine who will be held liable if a collision occurs at a grade crossing located within a quiet zone, based upon the facts of each case, as a collision may have been caused by factors other than the absence of an audible warning. FRA's rule is intended to remove failure to sound the horn as a cause of action in lawsuits involving collisions that have occurred at grade crossings within duly established quiet zones.

The Quiet Zone Establishment Process

Under the Train Horn Rule, only public authorities are permitted to establish quiet zones. Citizens who wish to have a quiet zone in their neighborhood should contact their local government to pursue the establishment of a quiet zone. The following is a typical example of the steps taken to establish a quiet zone:

1. **Determine** which crossings will be included in the quiet zone. All public highway-rail crossings in the quiet zone must have, at a minimum, an automatic warning system consisting of flashing lights and gates. The warning systems must be equipped with constant warning time devices (except in rare circumstances) and power out indicators. The length of the quiet zone must be at least one-half mile in length.
2. **Identify** any private highway-rail grade crossings within the proposed quiet zone. If they allow access to the public or provide access to active industrial or commercial sites, a diagnostic review must be conducted and the crossing(s) treated in accordance with the recommendations of the diagnostic team.
3. **Identify** any pedestrian crossings within the proposed quiet zone and conduct a diagnostic review of those crossings too. They also must be treated in accordance with the diagnostic team's recommendations. *NOTE:* While it is not required by the regulations, FRA recommends that every crossing within a proposed quiet zone be reviewed for safety concerns.
4. **Update** the U.S. DOT Crossing Inventory Form to reflect current physical and operating conditions at each public, private, and pedestrian crossing located within a proposed quiet zone.
5. **Provide** a Notice of Intent (NOI) to all of the railroads that operate over crossings in the proposed quiet zone, the State agency responsible for highway safety and the State agency responsible for crossing safety. The NOI must list all of the crossings in the proposed quiet zone and give a brief explanation of the tentative plans for implementing improvements within the quiet zone. Additional required elements of the NOI can be found in 49 CFR 222.43(b). The railroads and State agencies have 60 days in which to provide comments to the public authority on the proposed plan.
6. **Alternative Safety Measures** – If ASMs are going to be used to reduce risk, an application to FRA must be made. The application must include all of the elements provided in 49 CFR 222.39(b)(1) and copies of the application must be sent to the entities listed in 49 CFR 222.39(b)(3). They will have 60 days to provide comments to FRA on the application. FRA will provide a written decision on the application typically within three to four months after it is received.

The Quiet Zone Establishment Process continued

7. **Determine** how the quiet zone will be established using one of the following criteria: (Note that Options 2 through 4 will require the use of the FRA Quiet Zone Calculator available at [http://safetydata.fra.dot.gov/quiet/.](http://safetydata.fra.dot.gov/quiet/))

1. Every public highway-rail crossing in the proposed quiet zone is equipped with one or more SSMs.
2. The Quiet Zone Risk Index (QZRI) of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) without installing SSMs or ASMs.
3. The QZRI of the proposed quiet zone is less than or equal to the Nationwide Significant Risk Threshold (NSRT) after the installation of SSMs or ASMs.
4. The QZRI of the proposed quiet zone is less than or equal to the Risk Index with Horns (RIWH) after the installation of SSMs or ASMs.



8. **Complete** the installation of SSMs and ASMs and any other required improvements determined by the diagnostic team at all public, private, and pedestrian crossings within the proposed quiet zone.

9. **Ensure** that the required signage at each public, private, and pedestrian crossing is installed in accordance with 49 CFR Sections 222.25, 222.27, and 222.35, and the standards outlined in the Manual on Uniform Traffic Control Devices. These signs may need to be covered until the quiet zone is in effect.

10. **Establish** the quiet zone by providing a Notice of Quiet Zone Establishment to all of the parties that are listed in 49 CFR Section 222.43(a)(3). Be sure to include all of the required contents in the notice as listed in 49 CFR Section 222.43(d). The quiet zone can take effect no earlier than 21 days after the date on which the Notice of Quiet Zone Establishment is mailed.

*****Appendix C to the Train Horn Rule provides detailed, step by step guidance on how to create a quiet zone.*****

Required Documentation

Public authorities interested in establishing a quiet zone are required to submit certain documentation during the establishment process. FRA has provided checklists for the various documents that can be found at <http://www.fra.dot.gov/Elib/Details/L03055>.

FRA's Regional Grade Crossing Managers are available to provide technical assistance. A State's department of transportation or rail regulatory agency also may be able to provide assistance to communities pursuing quiet zones.

Public authorities are encouraged to consult with the agencies in their State that have responsibility for crossing safety. Some States may have additional administrative or legal requirements that must be met in order to modify a public highway-rail grade crossing.

Role of Railroads

Communities seeking to establish a quiet zone are required to send a Notice of Intent and a Notice of Quiet Zone Establishment to railroads operating over the public highway-rail grade crossings within the proposed quiet zone. Railroad officials can provide valuable input during the quiet zone establishment process and should be included on all diagnostic teams. Listed below are links to the Class I Railroads and Amtrak.

BNSF Railway (BNSF)	Canadian Pacific (CP)
CSX Transportation (CSX)	Norfolk Southern (NS)
Canadian National (CN)	Union Pacific (UP)
Kansas City Southern (KCS)	Amtrak (ATK)

FINAL NOTE

The information contained in this brochure is provided as general guidance related to the Quiet Zone Establishment Process and should not be considered as a definitive resource. FRA strongly recommends that any public authority desiring to establish quiet zones take the opportunity to review all aspects of safety along its rail corridor. Particular attention should be given to measures that prevent trespassing on railroad tracks since investments made to establish a quiet zone may be negated if the horn has to be routinely sounded to warn trespassers.

POINTS OF CONTACT

General Questions:

Inga Toye, 202-493-6305
Debra Chappell, 202-493-6018
Ron Ries, 202-493-6285

Regional Contacts

Region 1 Connecticut, Maine, Massachusetts, New Hampshire, New Jersey,
New York, Rhode Island, and Vermont
1-800-724-5991

Region 2 Delaware, Maryland, Ohio, Pennsylvania, Virginia, West Virginia ,
and Washington, D.C.
1-800-724-5992

Region 3 Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina,
South Carolina, and Tennessee
1-800-724-5993

Region 4 Illinois, Indiana, Michigan, Minnesota, and Wisconsin
1-800-724-5040

Region 5 Arkansas, Louisiana, New Mexico, Oklahoma, and Texas
1-800-724-5995

Region 6 Colorado, Iowa, Kansas, Missouri, and Nebraska
1-800-724-5996

Region 7 Arizona, California, Nevada, and Utah
1-800-724-5997

Region 8 Alaska, Idaho, Montana, North Dakota, South Dakota, Oregon,
Washington, and Wyoming
1-800-724-5998



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September 2013

LII > Electronic Code of Federal Regulations (e-CFR) > Title 49 - Transportation
> Subtitle B - Other Regulations Relating to Transportation
> CHAPTER II - FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF
TRANSPORTATION
> PART 222 - USE OF LOCOMOTIVE HORNS AT PUBLIC HIGHWAY-RAIL GRADE
CROSSINGS
> Subpart C - Exceptions to the Use of the Locomotive Horn
> Silenced Horns at Groups of Crossings - Quiet Zones
> **§ 222.43 What notices and other information are required to create or
continue a quiet zone?**

49 CFR § 222.43 - What notices and other information are required to create or continue a quiet zone?

CFR

§ 222.43 What notices and other information are required to create or continue a quiet zone?

(a)

(1) The public authority shall provide written notice, by certified mail, return receipt requested, of its intent to create a New Quiet Zone or New Partial Quiet Zone under § 222.39 of this part or to implement new SSMs or ASMs within a Pre-Rule Quiet Zone or Pre-Rule Partial Quiet Zone under § 222.41(c) or (d) of this part. Such notification shall be provided to: All railroads operating over the public highway-rail grade crossings within the quiet zone; the State agency responsible for highway and road safety; and the State agency responsible for grade crossing safety.

(2) The public authority shall provide written notification, by certified mail, return receipt requested, to continue a Pre-Rule Quiet Zone or Pre-Rule Partial Quiet Zone under § 222.41 of this part or to continue an Intermediate Quiet Zone or Intermediate Partial Quiet Zone under § 222.42 of this part. Such notification shall be provided to: All railroads operating over the public highway-rail grade crossings within the quiet zone; the highway or traffic control or law enforcement authority having jurisdiction over vehicular traffic at grade crossings within the quiet zone; the landowner having control over any private highway-rail grade crossings within the quiet zone; the State agency responsible for highway and road safety; the State agency responsible for grade crossing safety; and the Associate Administrator.

(3) The public authority shall provided written notice, by certified mail, return receipt requested, of the establishment of a quiet zone under § 222.39 or § 222.41 of this part. Such notification shall be provided to: All railroads operating over the public highway-rail grade crossings within the quiet zone; the highway or traffic control or law enforcement authority having jurisdiction over vehicular traffic at grade crossings within the quiet zone; the landowner having control over any private highway-rail grade crossings within the quiet zone; the State agency responsible for highway and road safety; the State agency responsible for grade crossing safety; and the Associate Administrator.

(b) Notice of Intent -

(1) Timing.

(i) The Notice of Intent shall be mailed at least 60 days before the mailing of the Notice of Quiet Zone Establishment, unless the public authority obtains written comments and/or "no-comment" statements from each railroad operating over public highway-rail grade crossings within the quiet zone, the State agency responsible for grade crossing safety, and the State agency responsible for highway and road safety, in accordance with paragraph (b)(3)(ii) of this section.

(ii) The Notice of Intent shall be mailed no later than February 24, 2008 for all Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones governed by §§ 222.41(c) and (d) of this part, in order to continue existing locomotive horn sounding restrictions beyond June 24, 2008 without interruption.

(2) Required Contents. The Notice of Intent shall include the following:

(i) A list of each public, private, and pedestrian grade crossing within the quiet zone, identified by both U.S. DOT National Highway-Rail Grade Crossing Inventory Number and street or highway name, if applicable.

(ii) A statement of the time period within which restrictions would be imposed on the routine sounding of the locomotive horn (i.e., 24 hours or from 10 p.m. until 7 a.m.).

(iii) A brief explanation of the public authority's tentative plans for implementing improvements within the proposed quiet zone.

(iv) The name and title of the person who will act as point of contact during the quiet zone development process and the manner in which that person can be contacted.

(v) A list of the names and addresses of each party that will receive notification in accordance with paragraph (a)(1) of this section.

(3) 60-day comment period.

(i) A party that receives a copy of the public authority's Notice of Intent may submit information or comments about the proposed quiet zone to the public authority during the 60-day period after the date on which the Notice of Intent was mailed.

(ii) The 60-day comment period established under paragraph (b)(3)(i) of this section may terminate when the public authority obtains from each railroad operating over public highway-rail grade crossings within the proposed quiet zone, the State agency responsible for grade crossing safety, and the State agency responsible for highway and road safety:

(A) Written comments; or

(B) Written statements that the railroad and State agency do not have any comments on the Notice of Intent ("no-comment statements").

(c) Notice of Quiet Zone Continuation -

(1) Timing.

(i) In order to prevent the resumption of locomotive horn sounding on June 24, 2005, the Notice of Quiet Zone Continuation under § 222.41 or § 222.42 of this part shall be served no later than June 3, 2005.

(ii) If the Notice of Quiet Zone Continuation under § 222.41 or § 222.42 of this part is mailed after June 3, 2005, the Notice of Quiet Zone Continuation shall state on which date locomotive horn use at grade crossings within the quiet zone shall cease, but in no event shall that date be earlier than 21 days after the date of mailing.

(2) Required contents. The Notice of Quiet Zone Continuation shall include the following:

(i) A list of each public, private, and pedestrian grade crossing within the quiet zone, identified by both U.S. DOT National Highway-Rail Grade Crossing Inventory Number and street or highway name.

(ii) A specific reference to the regulatory provision that provides the basis for quiet zone continuation, citing as appropriate, § 222.41 or § 222.42 of this part.

(iii) A statement of the time period within which restrictions on the routine sounding of the locomotive horn will be imposed (i.e., 24 hours or nighttime hours only.)

(iv) An accurate and complete Grade Crossing Inventory Form for each public, private, and pedestrian grade crossing within the quiet zone that reflects conditions currently existing at the crossing.

(v) The name and title of the person responsible for monitoring compliance with the requirements of this part and the manner in which that person can be contacted.

(vi) A list of the names and addresses of each party that will receive notification in accordance with paragraph (a)(2) of this section.

(vii) A statement signed by the chief executive officer of each public authority participating in the continuation of the quiet zone, in which the chief executive officer certifies that the information submitted by the public authority is accurate and complete to the best of his/her knowledge and belief.

(d) Notice of Quiet Zone Establishment -

(1) Timing.

(i) The Notice of Quiet Zone Establishment shall provide the date upon which the quiet zone will be established, but in no event shall the date be earlier than 21 days after the date of mailing.

(ii) If the public authority was required to provide a Notice of Intent, in accordance with paragraph (a)(1) of this section, the Notice of Quiet Zone Establishment shall not be mailed less than 60 days after the date on which the Notice of Intent was mailed, unless the Notice of Quiet Zone Establishment contains a written statement affirming that written comments and/or "no-comment" statements have been received from each railroad operating over public highway-rail grade crossings within the proposed quiet zone, the State agency responsible for grade crossing safety, and the State agency responsible for highway and road safety, in accordance with paragraph (b)(3)(ii) of this section.

(2) Required contents. The Notice of Quiet Zone Establishment shall include the following:

(i) A list of each public, private, and pedestrian grade crossing within the quiet zone, identified by both U.S. DOT National Highway-Rail Grade Crossing Inventory Number and street or highway name, if applicable.

(ii) A specific reference to the regulatory provision that provides the basis for quiet zone establishment, citing as appropriate, § 222.39(a)(1), 222.39(a)(2)(i), 222.39(a)(2)(ii), 222.39(a)(3), 222.39(b), 222.41(a)(1)(i), § 222.41(a)(1)(ii), 222.41(a)(1)(iii), 222.41(a)(1)(iv), 222.41(b)(1)(i), 222.41(b)(1)(ii), 222.41(b)(1)(iii), or 222.41(b)(1)(iv) of this part.

(A) If the Notice contains a specific reference to § 222.39(a)(2)(i), 222.39(a)(2)(ii), 222.39(a)(3), § 222.41(a)(1)(ii), 222.41(a)(1)(iii), 222.41(a)(1)(iv), 222.41(b)(1)(ii), 222.41(b)(1)(iii), or 222.41(b)(1)(iv) of this part, it shall include a copy of the FRA Web page that contains the quiet zone data upon which the public authority is relying (<http://www.fra.dot.gov/us/content/1337>).

(B) If the Notice contains a specific reference to § 222.39(b) of this part, it shall include a copy of FRA's notification of approval.

(iii) If a diagnostic team review was required under § 222.25 or § 222.27 of this part, the Notice shall include a statement affirming that the State agency responsible for grade crossing safety and all affected railroads were provided an opportunity to participate in the diagnostic team review. The Notice shall also include a list of recommendations made by the diagnostic team.

- (iv)** A statement of the time period within which restrictions on the routine sounding of the locomotive horn will be imposed (i.e., 24 hours or from 10 p.m. until 7 a.m.).
- (v)** An accurate and complete Grade Crossing Inventory Form for each public, private, and pedestrian grade crossing within the quiet zone that reflects the conditions existing at the crossing before any new SSMs or ASMs were implemented.
- (vi)** An accurate, complete and current Grade Crossing Inventory Form for each public, private, and pedestrian grade crossing within the quiet zone that reflects SSMs and ASMs in place upon establishment of the quiet zone. SSMs and ASMs that cannot be fully described on the Inventory Form shall be separately described.
- (vii)** If the public authority was required to provide a Notice of Intent, in accordance with paragraph (a)(1) of this section, the Notice of Quiet Zone Establishment shall contain a written statement affirming that the Notice of Intent was provided in accordance with paragraph (a)(1) of this section. This statement shall also state the date on which the Notice of Intent was mailed.
- (viii)** If the public authority was required to provide a Notice of Intent, in accordance with paragraph (a)(1) of this section, and the Notice of Intent was mailed less than 60 days before the mailing of the Notice of Quiet Zone Establishment, the Notice of Quiet Zone Establishment shall also contain a written statement affirming that written comments and/or "no-comment" statements have been received from each railroad operating over public highway-rail grade crossings within the proposed quiet zone, the State agency responsible for grade crossing safety, and the State agency responsible for highway and road safety, in accordance with paragraph (b)(3)(ii) of this section.
- (ix)** The name and title of the person responsible for monitoring compliance with the requirements of this part and the manner in which that person can be contacted.
- (x)** A list of the names and addresses of each party that shall be notified in accordance with paragraph (a)(3) of this section.
- (xi)** A statement signed by the chief executive officer of each public authority participating in the establishment of the quiet zone, in which the chief executive officer shall certify that the information submitted by

the public authority is accurate and complete to the best of his/her knowledge and belief.

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Quiet Zone is: "A segment of Railroad Lines where Train Crews are exempt from sounding the Horn AT Grade Crossings."

15000 Washington Street
 Suite 100
 Haymarket, Virginia 20169
 Twitter: @townofhaymarket



703-753-2600
 Fax 703-753-2800
 www.townofhaymarket.org
 Facebook: Haymarket Town Hall

Town of Haymarket- Quiet Zone Initiative:

Introduction:

Since 2011, The Town of Haymarket has sought to establish a railroad quiet zone through the Town and the surrounding area. Grade crossing elimination in the Gainesville area as a result of VDOT's I-66-29 Linton Hall Interchange Improvements enabled the Town to submit the intent for the quiet zone, with the goal of improving the quality of life for residents within carshot of the seven crossings in Haymarket and Prince William County. Finalizing the application has garnered significant safety improvements to the existing crossings at no cost to the county, with the benefits extending to all County residents, which includes the Town. The Town is seeking to create a partnership for the final funding with the County for design, material and installation costs to complete the crossing safety needs for the quiet zone. The costs being requested are a small percentage of the total benefit to the area surrounding the seven crossings and efforts that have been made to this point by the Town.

Grants Received:

In the Spring of 2014, after consultation with VDOT, FRA and Norfolk Southern, the Town initiated a grant applications through the Commonwealth Transportation Board's Highway and Rails grant program. The Town applied for four grants to make safety improvements at the railroad crossings at Thoroughfare Rd., Route 55 (John Marshall Highway), Route 15 (Jefferson Davis Highway) and Jefferson Street. The Town was successful in obtaining three of the four grant applications.

Index of Terminology:

- FLG - Flashing Lights and Gates
- CWT - Constant Warning Time is a railroad signal system element that uses a train's approach speed to determine when it will reach a grade crossing, and then start the crossing cycle a specified time before the train reaches the crossing.
- POI - Power Out Indicator is a wayside device that notifies approaching train crews whether or not the active warning system at a grade crossing has the appropriate power.

105537-0015-076-166-FS-701 **Route 15 (Jefferson Davis Highway) - \$295,000**

Upgrades the FLG, CWT and installs POI

105542-0055-076-167-FS-701 **Route 55 (John Marshall Highway) - \$250,000**

Installs FLG, CWT and POI

105546-0625-076-168-FS-701 **Jefferson Street (in Town) - \$250,000**

Installs CWT and POI

TOTAL GRANT FUNDS AWARDED: \$795,000

As stated in the brief summary, the Town applied for a fourth grant opportunity for the crossing at Thoroughfare Road, however the application was not successful. It was discovered that this crossing had been recently upgraded within the past couple of years with new flashing lights and crossing gates, and constant warning time controls; therefore, a grant could not be justified to fund the power out indicators necessary to complete the upgrade of the crossing and finalize the Quiet Zone application process, as there were other critical safety priorities throughout the Commonwealth.

Volunteered Hours:

This initiative has been taken on mainly by resident volunteers within the surrounding Haymarket area. The following is the calculated volunteer hours given during the initiative.

Mr. Eric Teitelman, Chief, Capital Projects and Operations Division for Fairfax County, resident of Prince William County, just outside of the Town.

Approximately 45 hours at \$150 (senior level consultant rate)-\$6,750

Mr. John C. Cole, former Council member of the Town of Haymarket, Town resident:

Approximately 40 hours at \$150 (senior level consultant rate) - \$6,000

Mr. Joe Pasanello, current Council member of the Town of Haymarket, Town resident:

Approximately 15 hours at \$150 (senior level consultant rate) - \$2,250

Total Value of Volunteer Hours offered: \$15,000

Handwritten calculation:
 795,000
 15,000

 *810,000
 415,000

 395,000

4.1% - 5.3%

for every \$1 dollar an additional \$18.4 benefits.

Needed Resources:

At this time, in order to meet all safety requirements to declare the Quiet Zone for the seven crossings in the original Quiet Zone declaration by the Town of Haymarket, only the design and installation of the POIs at Thoroughfare Road is needed. These needed funds represent approximately 5% of the total cost of the overall safety improvements made to the four crossings that grant funds were applied for. This 5% need also does not include the costs associated with the Gainesville area railroad crossings that were redesigned to be above grade to eliminate two existing high incident railroad crossings within Prince William County and the Commonwealth.

The total needed to complete the safety improvements at Thoroughfare Road is approximately \$35,000 to \$45,000. This is a conservative total to cover any contingencies. This funding would go to Norfolk Southern to cover the design, materials and installation of the Power Out Indicators at the Thoroughfare Railroad Crossing. Design is approximately \$15,000-\$20,000 and the materials and installation is approximately \$20,000-\$25,000 according to our contact at Norfolk Southern who has been working with the Town in this venture. The Town is prepared to install all signage required, but is looking for assistance in obtaining the \$35,000 to \$45,000 to install the POIs at the crossing which would contribute to the overall safety and function of the crossing within the County.

Timeline for Completion:

October/ November 2015:

- Town Council of Haymarket to discuss pursuing engineering for the design of the Power Out Indicators (POI) with Norfolk Southern for the Thoroughfare Road Crossing.
- Authorize engineering for the POI at Thoroughfare Road Crossing with an Engineering Agreement with Norfolk Southern.
- Start initiative to work with County as a partner in funding the remainder of the project at Thoroughfare Road.
- Grant funded safety improvements completed at the crossings of Jefferson Street, Route 15 and Route 55 by Norfolk Southern.

January/ February 2016:

- Engineering design complete for the installation of the POI at Thoroughfare Road crossing.
- Authorize the installation of the POI at Thoroughfare Road crossing.

April/ May 2016:

- Town Council of Haymarket holds public hearing/ public information meeting regarding Quiet Zone. The County may wish to hold public hearings as well.

- Installation of POI complete at Thoroughfare Road crossing.
- Town installs all required signage designating a Quiet Zone.
- Town finalizes Quiet Zone Declaration with Federal Rail Administration (FRA)
- In finalizing the Quiet Zone Declaration, there would be approximately a month lag to allow Norfolk Southern to implement the Quiet Zone requirements as part of their operating practices along the rail line.

Re: Quiet Zone Initiative

Joe Pasanello

Sun 10/25/2015 9:39 AM

Sent Items

To: Brian Henshaw <bhenshaw@townofhaymarket.org>;

Cc: David Leake <dleake@townofhaymarket.org>; John.C.Cole@nga.mil <John.C.Cole@nga.mil>; eteitelman@outlook.com <eteitelman@outlook.com>;

Brian,

This looks pretty good. I made some edits and tracked the changes for consideration.

I also suggest that before you send, you define in the summary the improvements noted in the grant, as follows:

FLG - Flashing Lights and Gates

CWT - Constant Warning Time is a railroad signal system element that uses a train's approach speed to determine when it will reach a grade crossing, and then start the crossing cycle a specified time before the train reaches the crossing.

POI - Power Out Indicator is a wayside device that notifies approaching train crews whether or not the active warning system at a grade crossing has the appropriate power.

When you send, please include Pete Candland, Pete's staff, Jeanine Lawson, Eric, John, Mayor Leake and I (also bcc council as info). The meeting is tentatively scheduled on Tuesday at 3 PM at QBE in town.

Thanks and good job putting this together.

Joe

Joseph R. Pasanello

Town Council Member

15000 Washington St. Suite 100

Haymarket, VA 20169

M&T - (914) 224-4649

"Individually, we are one drop. Together, we are an ocean."

