

Questions on Extending the Effective Date of the Interim Final Rule

Q: Why has FRA extended the effective date of the Interim Final Rule?

A: FRA originally planned to publish the Final Rule in October. Doing so would have enabled public authorities and railroads to determine whether any changes in the Final Rule would affect them and provide ample time to implement the rule. Since the Final Rule will not be published until early next year, FRA is extending the effective date so that any actions taken by those affected by the rule may be in compliance with the Final Rule.

Q: Why is issuance of the Final Rule being delayed?

A: In response to specific requests from elected officials to do so, FRA extended the comment period for the Interim Final Rule by two months to provide interested parties additional time to submit input and feedback. FRA received more than 1,400 public comments. As a consequence, additional time is needed to give full and proper consideration to the comments submitted and to complete the Final Rule.

Q: When will the Final Rule be published?

A: FRA expects to publish the Final Rule in January 2005.

Q: We want to retain the whistle ban we currently have in effect by establishing a Pre-Rule Quiet Zone. When do we have to submit the required paperwork?

A: Pre-Rule Quiet Zone notification packages must be received no later than April 1, 2005.

Q: Will the delay in publishing the Final Rule alter other deadlines and timeframes associated with the rule?

A: Currently, the only date affected by the revised timetable is the effective date of the Interim Final Rule. Additional date changes, if any, will be specified in the Final Rule.

Q: What about quiet zone notification packages that have already been submitted to the FRA?

A: Public authorities will need to ensure that the contents of notification packages comply with the requirements in the Final Rule. FRA will work with local authorities to ensure that the paperwork is complete and in compliance with the regulation.

Q: We have already made all the necessary improvements to create a New Quiet Zone. What is the earliest date by which our community can get a railroad to silence the horn?

A: The earliest date on which train horns can be silenced under the rule is April 1, 2005, the effective date of the Interim Final Rule.

Disclaimer: These answers are provided for informational purposes only. Entities subject to the rule should refer to the Interim Final Rule and the Notice published in the Federal Register on November 22, 2004. They should also refer to the Final Rule, when published, as the Final Rule may modify certain provisions of the Interim Final Rule.