

# Notice of Quiet Zone Continuation<sup>1</sup>

## ***Who should submit this Notice***

Public authorities intending to continue a Pre-Rule Quiet Zone, a Pre-Rule Partial Quiet Zone, an Intermediate Quiet Zone, or an Intermediate Partial Quiet Zone should submit notice of intent to continue the quiet zone.

## ***Parties to be notified***

The public authority 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,
- The State agency responsible for grade crossing 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 should be served no later than June 3, 2005. If such notice is mailed after that date, the notice must state the date

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<sup>1</sup> The information collection submission for the final rule has been approved by the OMB. The OMB control number is 2130-0560.

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on which locomotive horn use at the crossings within the quiet zone shall cease; this horn cessation date cannot be earlier than 21 days after the date the notices were mailed.

### ***Notification contents***

- ❑ The notice must unambiguously state which crossings are contained within the quiet zone. All public, pedestrian, 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:
  - ❑ § 222.41(a) Pre-Rule Quiet Zones that qualify for automatic approval
  - ❑ § 222.41(b) Pre-Rule Partial Quiet Zones that qualify for automatic approval
  - ❑ § 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.
- ❑ The notice must contain a statement indicating the time period during which horn restrictions will be observed (i.e. 24 hours, or nighttime hours only).
- ❑ An accurate and complete Grade Crossing Inventory Form for each public, pedestrian, and private crossing within the quiet zone that accurately reflects current conditions at the crossing.
- ❑ 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 the information submitted by the public authority is accurate and complete to the best of his/her knowledge and belief.

Note: Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones that do not qualify for automatic approval can only be maintained for an interim period, and Intermediate Quiet Zones and Intermediate Partial Quiet Zones can only be maintained for a period of one year. 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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