

For Immediate Release

March 4th, 2016

Contact: Gardner Press Office, [202-224-5941](tel:202-224-5941)

Gardner Announces Train Horn Rule Public Comment Period

Washington, DC – Senator Cory Gardner (R-CO) today announced the Federal Railroad Administration (FRA) is reopening the train horn rule for public comment. The public comment period will last for 120 days before the FRA will make a final decision on whether to change the existing rule. The current train horn rule, which went into effect in 2005, has had significant impacts on communities along Colorado’s Front Range.

Gardner [sent a letter](#) to FRA Administrator Sarah Feinberg on December 11, 2016 expressing disappointment the agency denied a quiet-zone waiver for Fort Collins and asked the FRA to reopen the train horn rule. He followed up with a [letter](#) on December 18, 2016 asking the Administrator to meet with Front Range communities that have been negatively impacted by this rule.

Last year, when Congress passed a long term authorization of surface transportation programs with the FAST Act, Senator Gardner included an amendment requiring the Government Accountability Office to conduct an independent review of the train horn rule.

“I am pleased the Federal Railroad Administration is reopening the train horn rule for public comment, which allows local Colorado communities to play a role in this process,” said **Gardner**. “The current rule is not effectively serving Front Range communities with rail lines running through their city centers, and I am committed to seeing a final rule that continues to prioritize safety, while also acknowledging the needs of individual communities.”

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Cory Gardner is a member of the U.S. Senate serving Colorado. He sits on the Energy & Natural Resources Committee, the Foreign Relations Committee, the Commerce, Science, & Transportation Committee, and the Small Business & Entrepreneurship Committee, and is the Chairman of the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy.

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Congress of the United States
Washington, DC 20515

December 11, 2015

Ms. Sarah Feinberg
Administrator
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Administrator Feinberg:

We write to express our extreme frustration and disappointment with the Federal Rail Administration (FRA)'s denial of the quiet zone waiver for the City of Fort Collins. The denial of the City's request underscores the need for the agency to re-open the Train Horn Rule immediately. The rule's lack of flexibility fails to account for the unique character of communities like Fort Collins.

We understand and agree that safety is a top priority for your agency. However, Fort Collins officials have made significant investments in grade crossing improvements that have resulted in a strong safety record. They have also demonstrated a willingness to do more.

Although this is not a complete denial and an opportunity remains for the City to reapply, we believe that today's decision is proof that the regulations need to be re-examined. Yet, we've been waiting for years for the agency to act. In 2013, the FRA announced its intent to reevaluate the Train Horn Rule, which your predecessor pledged to reopen by the spring of 2015. After that deadline passed, the agency pledged to reopen it by the end of this year. Yet, two weeks before the end of the year, the FRA has not taken steps to reopen the rule. This timeline is unacceptable.

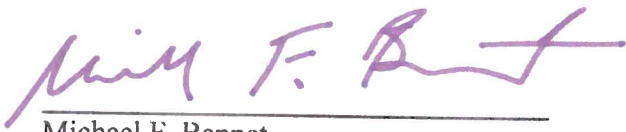
A more flexible rule would allow communities like Fort Collins to develop a system that reduces disruptive train horn noise while maintaining high safety standards within their budget.

We appreciate your proposal to assemble an internal Fort Collins Working Group within the U.S. Department of Transportation to further assist the City with next steps. However, the working group will be meaningless without the involvement of community officials who are working every day to ensure the safety of their residents. We urge you to include city officials in your discussions from the outset to ensure the working group is as constructive as possible.

Finally, we also reiterate our request that you and your staff visit Northern Colorado, to see first-hand the effect of train horns on these communities. You will also see how city officials and residents are working to manage rail traffic as it moves through the center of their towns. We believe a visit will demonstrate how the train horn rule is stifling economic development and why an improved safety regulation with greater flexibility is necessary.

We look forward to your reply on when the rule will be re-opened, when the internal working group will convene and how it will include city officials, and when you and your staff will visit community leaders in Northern Colorado.

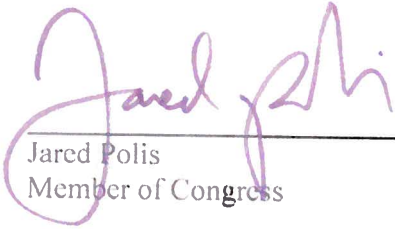
Sincerely,

Handwritten signature of Michael F. Bennet in purple ink.

Michael F. Bennet
United States Senator

Handwritten signature of Cory Gardner in purple ink.

Cory Gardner
United States Senator

Handwritten signature of Jared Polis in purple ink.

Jared Polis
Member of Congress

CORY GARDNER
COLORADO

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United States Senate

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
ENERGY AND
NATURAL RESOURCES
FOREIGN RELATIONS
SMALL BUSINESS AND ENTREPRENEURSHIP

December 18, 2015

Ms. Sarah Feinberg
Administrator
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Dear Administrator Feinberg:

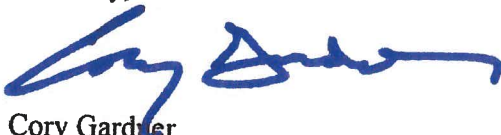
I write to request that you and your staff visit the communities along Colorado's Front Range which are impacted by train noise. In light of the FRA's decision to deny a quiet zone waiver for the City of Fort Collins, I believe it is important for your Administration to wholly understand the effect this excessive noise can have when a freight railroad is integrated through the center of these communities.

To this point, I have been optimistic that resolution to this issue could be found through a quiet zone waiver. In the letter from Office of Technical Oversight Director Ron Hynes to the City of Fort Collins denying the waiver, Director Hynes states that you have directed the FRA to form a Fort Collins Working Group within the Department of Transportation. While I welcome this initiative, I also believe you personally coming to Colorado would send a positive message to these cities and towns of the FRA's commitment to finding a solution.

The local and state officials representing each impacted community all agree that safety is the number one priority in any decision. It is vital that we work together to develop a quiet zone plan that prioritizes safety but also respects the unique characteristics each of these cities face when it comes to train noise. My staff stand ready to work with you to find a time for a visit to Colorado.

Thank you for your consideration and I look forward to your prompt response.

Sincerely,



Cory Gardner
United States Senator