

# New Quiet Zone Notification<sup>1</sup>

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

Once a public authority has successfully established a quiet zone either through public authority designation or through FRA approval, it must provide written notice to several parties. These parties include the following:

- ❑ All railroads operating over the public highway-rail grade crossings 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, and
- ❑ The FRA Associate Administrator.

All notices must be provided by certified mail, return receipt requested.

## ***Deadlines***

The notice sent to the above parties must designate a specific date on which the routine sounding of horns at crossings within the quiet zone shall cease. On no account shall this date be earlier than 21 days after the mailing of this written notification.

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<sup>1</sup> This collection of information will be used by FRA to increase safety at highway-rail grade crossings. Public reporting burden is estimated to average five (5) hours per response for notifications, and thirty-five (35) hours per response for the certification, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 2130-0560.

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## **Notification contents**

- ❑ The notice must unambiguously state which crossings will be contained within the quiet zone. Each public and private crossing must be identified by both the U.S. DOT National Highway-Rail Grade Crossing Inventory number and the street or highway name.
- ❑ The notification must also clearly cite the regulatory provision that provides the basis for establishing the quiet zone. For a new quiet zone, one of the following provisions should apply:
  - §222.39(a)(1), implementation of SSMs at every public crossing in the quiet zone;
  - §222.39(a)(2)(i), the QZRI is at or below the NSRT without installation of any SSMs;
  - §222.39(a)(2)(ii), SSMs were implemented at some crossings to bring the QZRI to a level at or below the NSRT;
  - §222.39(a)(3), SSMs were implemented at some crossings to bring the QZRI to a level at or below the RIWH; or
  - §222.39(b), public authority application to the FRA.
- ❑ If the quiet zone is established on the basis of §222.39(a)(1), (2), or (3), the notification must include a copy of the FRA web page containing the quiet zone data upon which the public authority is relying.
- ❑ If the quiet zone is being established on the basis of § 222.39(b) (public authority application to the FRA), the notification must include a copy of the FRA's notification of approval.
- ❑ All notifications must contain a certificate of service. This certificate of service shall show to whom the notice was provided, and by what means the notice was provided.

## **Additional information that must be submitted to FRA**

The items listed above must be submitted to each of the parties listed in the section labeled "Parties to be notified". Public authorities are also required to submit the following information in their submission to FRA:

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- ❑ An accurate and complete Grade Crossing Inventory Form for each public and private crossing within the quiet zone, dated within six months prior to designation or FRA approval of the quiet zone;
- ❑ An accurate, complete, and current Grade Crossing Inventory Form reflecting the SSMs and ASMs implemented within the quiet zone. (SSMs and ASMs that cannot be fully described on the Inventory Form must be described separately);
- ❑ 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 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 establishing the quiet zone. In the CEO's statement, he or she must certify that responsible officials of the public authority have reviewed the documentation prepared by or for the FRA, and filed in Docket No. FRA-1999-6439, sufficient to make an informed decision regarding the advisability of establishing the quiet zone.

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