



Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference — International Brotherhood of Teamsters

NATIONAL LEGISLATIVE OFFICE

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JOHN P. TOLMAN

Vice President and

National Legislative Representative

August 29, 2006

BLET Advisory Board

All General Chairmen

All State Legislative Board Chairmen

Dear Sirs and Brothers,

On August 17, 2006, the Federal Railroad Administration published a Final Rule with respect to the use of locomotive horns at highway-rail grade crossings, a copy of which is enclosed for your information and files. The Final Rule, which becomes effective on September 18th, addresses a number of issues that were raised in petitions for reconsideration — including one filed by the BLET — following publication of the initial Final Rule on April 27, 2005.

Of particular interest to our membership are the following changes:

- These amendments extend the compliance date of the time-based locomotive horn sounding requirements until December 15, 2006. (See § 222.21(b) for more information.)
- A “good faith” exception has been incorporated into the time-based locomotive horn sounding requirements for locomotive engineers who are unable to precisely estimate their time of arrival at upcoming grade crossings. (See § 222.21(b)(2) for more information.)
- An exception has been added to the 15-second minimum locomotive horn sounding requirement for locomotives and trains that re-initiate movement after having stopped in close proximity to a public highway-rail grade crossing. (See § 222.21(d) for more information.)
- These amendments expand the scope of the time-based locomotive horn sounding requirements to cover the sounding of any locomotive audible warning device (i.e., locomotive bells) at public highway-rail grade crossings. (See § 222.21(e) for more information.)

BLE&T Southern Region

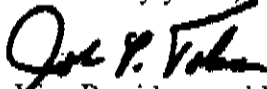
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- If State law requires the sounding of locomotive audible warning devices at private and/or pedestrian crossings, these amendments will require railroads to sound the locomotive audible warning device in a time-based manner. (See §§ 222.25 and 222.27 for more information.)
- An exception has been added to the locomotive horn sounding requirements for locomotives equipped with defective horns that are being moved for repair. (See § 222.21(b)(2) for more information.)

For ease of review, I also am enclosing separate copies of revised Sections 222.21, 222.25, and 222.27, along with a reproduction of the Section-by-Section Analysis for each. With warmest personal regards, I remain

Fraternally yours,



Vice President and National Legislative Representative

enclosures

cc: Thomas A. Pontolillo, Director of Regulatory Affairs