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Office of the Commissioner of Railroads



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Rodney W. Kreunen, Commissioner

ORIGINAL

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January 26, 2000

DOCKET MANAGEMENT SYSTEM
US DEPARTMENT OF TRANSPORTATION
ROOM PL-401
400 SEVENTH STREET SW
WASHINGTON, D.C. 20590-0001

Re: Docket No. FRA-1999-6439 Notice No. 1 - 45

Dear Secretary Slater:

The Wisconsin Office of the Commissioner of Railroads (OCR) regulates the activities of railroads in this state, especially as respects highway/rail crossings. We intend to file complete comments on the proposed rule requiring the blowing of train horns at all public at-grade crossings.

At this time, however, we want to inform the FRA that its data with respect to Wisconsin is severely flawed. A graphic in the supplementary information indicates that Wisconsin has 204 crossings covered by whistle bans. In fact, Wisconsin has approximately 900 crossings covered by whistle bans. Communities covered by whistle bans include Green Bay, Fond du Lac, La Crosse, Wausau, Superior, Oshkosh, Sheboygan, and Prairie du Chien to name only a few. Many of these bans have been in effect for many years.

Our purpose of informing you of this information now is two-fold. First, the FRA should more closely examine the reliability of its data and how that might skew the results of safety studies, particularly as it relates to Wisconsin.

Second, this rule will have a huge impact on Wisconsin communities. Consequently, we request that you hold a public hearing on the proposed rule at a Wisconsin location. I would suggest holding a hearing in either Madison, a Fox valley city (Appleton, Fond du Lac, Oshkosh), or a central location, such as Wausau. The hearing location in Chicago will not be sufficient. Many areas of Wisconsin are a long way from Chicago. For example, Superior-to-Chicago is about 450 miles. Furthermore, the Chicago hearing will undoubtedly be dominated by the many Chicago-area communities with concerns about train whistling.

Thank you for your consideration of these comments. I can be reached at (608) 266-3182.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rodney W. Kreunen', written in a cursive style.

Rodney W. Kreunen
Commissioner of Railroads
State of Wisconsin

xc: Ron Ries, FRA
whistle comments to fra 2000