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.

PRINTED ON RECYCLED PAPER

Sincerely,

Michael F. Bennet
United States Senator

Cory Gardner
United States Senator

Jared Polis
Member of Congress