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SOUNDS OF SILENCE;
PUBLIC OUTCRY DERAILS LAW FOR TRAINS TO BLOW WHISTLES AT
CROSSINGS

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A loud blast of public outcry has led federal officials to derail a new law requiring railroad engineers to blow their whistles at all road crossings.

In a showdown between safety advocates and fans of peace and quiet, fanciers of a good night's sleep won out.

The fracas began when the Federal Railroad Administration, carrying out a congressional directive, announced last year that all locomotives would have to sound their whistles at all crossings starting this Nov. 2.

The rule was designed to cut train-crossing accidents that kill 500 to 600 people a year.

Safety advocates say the law is important.

"I know it's a nuisance," said one, Kenneth W. Heathington, a Knoxville, Tenn.-based civil engineer who is a consultant in road-rail accidents. "But if blowing all those whistles saves one life a year, it's worth it."

That view has been drowned out by complaints from people living near train tracks who told the FRA whistles would make sleeping impossible and their communities unlivable.

FRA Administrator Jolene M. Molitoris now says the whistle rule will be put off until 1997 at the earliest because of the "intense interest" by the public. Hearings are planned to solicit public comment.

If and when it takes effect, the federal rule would cancel ordinances in towns and cities across the country where local governments decided to ban train whistles at certain crossings to make life quieter. A 1992 survey by the American Association of Railroads found 1,401 crossings with whistle bans. There are 167,000 crossings nationwide.

When the FRA asked for public comment on the new whistle rule, it got an earful.

Wrote Cathy Myers from Bellevue, Ia.: "We have 15 railroad crossings in the middle of town. . . . A whistle blowing every hour all the way through town is going to drive people nuts! Being awakened every hour is not healthy!"

George Flaherty, environmental services director for Portland, Maine, told the federal officials the city has eight railroad crossings "in a very dense residential neighborhood with a large nursing home and hospital.

"To require a train to sound its horn through this type of neighborhood is absurd."

Anne Forbes of Acton, Mass., who lives one house away from a crossing, told the federal officials she prefers silence.

Since a whistle ban took effect two years ago at her crossing, Forbes wrote: "I am now able to talk on the phone when a train goes by, sleep through the night and am no longer worried that the hearing of the children playing in the back yards next to the tracks is being damaged. Please help us to halt the return of this pervasive public health problem."

The loudest protest came from the Chicago area, the crossroads of the American rail system. The city and its suburbs have some 2,000 public grade crossings, 268 with whistle bans. The Chicago Area Transportation Study, a group of public officials that sets transportation policy for the area, estimates that 1.3 million people live near railroad tracks.

Train whistles are almost painfully loud. By law, they are 115 decibels, compared to 100 decibels for a passing truck and 150 for a jet airplane taxiing down the runway--if you stand next to each.

Patrick Higgins, manager for municipal services for Western Springs, a suburb of 12,000 about nine miles west of Chicago, recalls the time eight years ago when state law canceled whistle bans.

The ban took effect at midnight, Aug. 25, 1988, Higgins said. All over Illinois, train whistles began blowing. Phone calls to the local police station began a few minutes later.

The next morning, work at the town hall was suspended because office workers there were swamped by telephone calls from cranky citizens.

"There were 20 of us and all we could do was answer the phones and try to calm people down," Higgins said. Furthermore, the train whistles at the rail crossing across the street--Higgins says 168 trains pass there every day--were so loud that officials in the town hall had trouble hearing people calling to complain.

Within a day, a county judge granted a restraining order barring enforcement of the law.

It was a horrible experience he doesn't want to repeat, Higgins said. Not surprisingly, he takes a dim view of the new FRA whistle rule.

For one thing, Western Springs doesn't need it, he said. In the past 10 years, there have been only two train-car or train-pedestrian accidents in Western Springs. One was a suicide. The second accident was in February when a carload of partygoers mistook a set of tracks for a street, drove on to the tracks and got stuck. The car's occupants got out before a train totaled the car, Higgins said.

In neither case would a whistle have helped, he noted.

The FRA's proposed rule would allow whistle bans to remain in effect if local municipalities made it impossible for motorists or pedestrians to ignore crossings.

But the towns say these solutions are expensive or impractical: Gates that block traffic in both directions on both sides of the track would cost at least \$100,000; median barriers would cost \$20,000. Bridges over the tracks or tunnels beneath them would be even more costly.

Some towns want an exemption for crossings with good safety records. Another option: a video camera to catch gate-jumpers who would later receive a citation.

One advocate of better barriers, Lanny Wilson, speaks from experience.

Wilson, a physician, has been crusading for crossing safety since his daughter was killed and his son injured in 1994 after their car crossed a track and was hit by a train.

"Every crossing is a loaded gun waiting to go off," he said. "These are preventable tragedies. We have a responsibility to protect our teens from their own accidents."

Wilson said a train whistle might have saved his daughter's life, but he thinks the whistle law is a bad idea.

"I've been to a lot of these local meetings" where people talk about the law, Wilson said. "There is so much anger and bitterness about the possibility of whistle-blowing."

Safety advocate Heathington said the whistle law is a first step in making train crossings safer--but it's a baby step. More effective, he said, would be improved safety-crossing equipment and a rule requiring trains to slow down at crossings.

"Don't get me wrong: Blowing the whistle will save some lives," Heathington said. "It's good for pedestrians, it's good for bicyclists. But if you're in a car, you don't really hear that horn till about a second before you die." Heathington said the impact of a 200-ton train hitting a 2-ton car is like "driving over an empty Coke can with your car."

Molitoris, the FRA chief, said public hearings on the whistle issue will be announced in early summer.