

# Railroads and Trains

## Train Horns

### BACKGROUND

In the early 1990's, the State of Wisconsin granted leases to the Wisconsin & Southern Railroad Company to haul freight such as coal, wood, gravel and chemicals through Madison. To address safety at the more than 70 crossings within the city, W&S chose to blow 96+ decibel horns. This resulted in a public outcry against the disruption to sleep, businesses, and quality of life. The loud horns affected the sleep of residents living several blocks from the crossings and could be heard more than a mile away.



The city negotiated with W&S to encourage alternatives to the loud train horns, but these negotiations proved fruitless. In response, the City of Madison enacted a "whistle ban" in October 2001. According to Mayoral Assistant, Peter Munoz, the decision to pursue a whistle ban developed from "the lack of cooperation and blatant disregard to our community as has been clearly demonstrated by Wisconsin & Southern." The proposed whistle ban is similar to the laws which have been adopted by at least 23 other Wisconsin communities. Horns could not be used at any crossing equipped with either gates or lights, but could be used in case of an emergency or at unlighted crossings. W&S or the train engineer could be fined up to \$500 for violating the ordinance. The effect of the ordinance was dramatic, returning quiet to the still nights of the SASY neighborhood.

### FILING COMPLAINTS

For some period, W&S chose to ignore the whistle ban. Complaints from residents poured into the Police Department and faced with mounting fines, W&S began to comply with the ordinance. Should you need to submit a violation of the whistle ban violation, you can contact the SASY neighborhood Police Officer Jean Papalia. You can a complaint with the police by either calling 911, the non-emergency telephone number, 266-4275, or via email at: [jpapalia@ci.madison.wi.us](mailto:jpapalia@ci.madison.wi.us).

### CROSSING SAFETY

To improve crossing safety after the whistle ban became effective, Madison began a public education program, to encourage residents to watch for trains at every crossing. Signs were posted at crossings stating: "NO TRAIN HORN". W&S has staff trained by the national Operation Lifesaver crossing safety program. At the time the ordinance was adopted, Bill Gardner, President of W&S, was contacted to see if his company would be implementing its own

education program. He responded, "As to the Operation Life Saver program, my personal opinion is that this is a waste of time."

During 2001, Madison Gas & Electric Company responded to neighborhood complaints concerning the train horns used at its Blount Street Generating Station in downtown Madison. MG&E began using flaggers to check crossings rather than using horns. W&S also uses flaggers when backing up its trains. However, when questioned about this option for improving crossing safety, Mr. Gardner stated that more frequent use of flaggers "is out of the question."

Neighborhood resident Steve Rudolph was active in efforts to obtain relief from impacts of train horns. In response to the whistle ban ordinance, he notes, "For years, Wisconsin & Southern had opportunities to be part of the solution to the problem of engineers blowing their horns in a ridiculously over loud and over long manner. Now that Madison had to take action by adopting the whistle ban, it would not be surprising if the railroad refused to help find more reasonable alternatives."

The whistle ban has brought much needed relief to residents in Madison and the SASY neighborhood. The future of the ban is in jeopardy. W&S refusal to adopt alternative safety measures will encourage car-train accidents and result in pressure to blame the accidents on the ban, rather than lack of responsibility shown by W&S. Additionally, federal crossing safety legislation by the Federal Railroad Administration seeks to eliminate whistle ban ordinances unless alternatives are implemented. A current form of this national legislation would require Madison to install over \$60 million in crossing gates to maintain its whistle ban. Unfortunately, the bill for the new gates would be paid by city residents, not W&S.

## **JOIN THE DISCUSSION**

If you would like to offer your opinion on continuation of the whistle ban and improving crossing safety, here are several people to contact and their email addresses:

[Dave Cieslewicz, Mayor of Madison](#)

[Judy Olson, 6th District Alder](#)

[Bill Gardner, W&S President](#)

[SASYNA Home](#)