

City Grapples with Train Horn Nuisance

Summer is here and eastside residents can finally open their windows and enjoy the fresh air. But for many, open windows have brought an uninvited guest - the blare of train horns. For the past several years, Wisconsin & Southern Railroad Company has been increasing freight train traffic through Madison, in the middle of the night as well as during the day. Obligated by Federal Railroad Administration guidelines, the train engineers must blow their horns before reaching every street crossing. Two long notes, one short note, one long note is the recommended pattern - a tune many residents would rather forget.

For many, this warning signal reduces the quality of life in Madison, especially on the eastside with our many crossings. Leslie Kohlberg lives on Center Street, several blocks from the railroad tracks, but complains that she's often been woken from a sound sleep at 3 in the morning as a train horn is blown at crossing after crossing.

Area businesses are affected by the noise as well. Kurt Jacobsen, whose engineering office is located in a renovated building near a rail crossing, says telephone calls and conversations come to a stop each time a train passes his office. The horns disrupt concentration and bring work to a standstill several times a day. He notes that horns are blown even when there are no cars or pedestrians near the crossing.

Those living closer to the tracks find the blare of the horns inescapable even with windows closed. Steve Rudolf lives on East Main Street adjacent to the tracks. Since moving to the neighborhood, he and his neighbors have seen significant changes in rail traffic and its impacts. While Union Pacific and Soo Line trains ran infrequently in front of their homes and used quieter horns, Wisconsin & Southern Railroad brought more traffic using louder horns. In response, Main Street residents approached public officials and the railroad company for assistance but found no relief. Last year, area residents sent a petition to Mayor Bauman asking for more reasonable use of horns during the night, and reduced herbicide applications where residents had already cleared or planted. The Mayor forwarded these concerns in a letter to the railroad company noting that almost 25,000 city homes are within the noise impact area of the railroad tracks. President Bill Gardner sent a curt response from the company's office in Milwaukee, offering neither apologies nor willingness to discuss alternatives.

The uncooperative attitude of Wisconsin & Southern is a reflection of the lack of local control on railroad activities. Any business or industry choosing to locate or expand in Madison must operate in compliance with our ordinances. However, railroads are regulated only by the federal and state governments. Additionally, costs for railroad crossing gates and other safety measures are paid by the taxpayer rather than the railroad. Madison prides itself on the right to publicly discuss and debate any significant development in our city. It is ironic that the increase in rail traffic with its impacts on safety and well being does not require either local approval or input from city residents.

According to mayoral aide Peter Munoz, the file on railroad horn complaints was already large when Mayor Bauman was elected. In response, she formed a Railroad Issues Staff Team to look at alternatives for addressing the impacts due to increased rail traffic. The committee includes Larry Nelson, City Engineer; eastside alders Judy Olson and Barbara Vedder, and staff from city traffic, health and legal departments. Besides the noise impacts from horns, they are also looking at traffic delays especially to emergency vehicles, such as ambulances and fire trucks.

Some local governments have responded to the train horn noise issue by adopting so called “whistle bans”, which prohibit the blowing of horns within city limits during certain hours of the day. Over 200 communities in the U.S. currently have such bans. In Wisconsin, West Allis, Wauwatosa, Menasha and Waukesha have adopted bans. After much research, the city of St. Paul, Minnesota responded to resident complaints by adopting a whistle ban last fall. City clerk Fred Owusu says there has been a noticeable reduction in train horn complaints as a result of the ban with no increase in accidents. However, Owusu says that getting all railroads to comply with the ban has been difficult. The difficulty of cities regulating railroads is evident in the background to the St. Paul ordinance. It explains how the city attorney from Goodview, Minnesota threatened to charge railroad engineers with disorderly conduct after they repeatedly ignored that city’s whistle ban.

The Federal Railroad Administration (FRA) is developing regulations which will affect the ability of local governments to adopt whistle bans. Under the Swift Rail Development Act of 1994, Congress directed the FRA to develop regulations which would require the sounding of horns when a train enters a public highway-rail grade crossing. This is based on studies which have shown there is a noticeable reduction in accidents when train horns are used. The FRA will specify measures which are considered comparable to the sounding of horns. This will allow communities to adopt whistle bans and establish “quiet corridors”. According to David Valenstein of the FRA, draft regulations are expected later this year. Preliminary alternatives identified by FRA include permanent or nighttime closure of the crossing, the use of crossing gates which cannot be bypassed, and one-way pairing of adjacent streets.

Mayor’s aide Munoz says a whistle ban is not currently an alternative for Madison; it is considered to result in an unacceptable safety hazard. In a 1997 report, city attorney Roger Allen recommended against a whistle ban due to potential risk to pedestrians and motorists, transfer of liability to the city, and difficulty of enforcement. He suggested obtaining FRA approval to ban horns at those crossings meeting FRA alternative safety requirements.

According to a 1998 report from the city engineering division, Madison has 110 railroad crossings. 70 have active warning equipment, and only 12 have gates. At a cost of over \$80,000, it would be an expensive undertaking to install the gated crossings currently needed to meet FRA approval for a train horn ban. State funds are available for rail crossing improvements, but the most dangerous crossings have priority. Other report options recommended for further study were closure of some streets and installation of a horn at the crossing to replace the train horn.

As a short-term solution, Munoz is continuing negotiations with Wisconsin & Southern to encourage company engineers to use their horns in a more reasonable manner. He cites a resident who called recently to discuss the issue. Though she didn’t normally mind the horns, one particular night a train engineer blew his horn for over 30 seconds. This she felt was unnecessary and unreasonable. Munoz hopes the railroad company will work to assure horn use that addresses safety concerns but is less of a nuisance to residents, perhaps even automating the horn system.

With increased interest in a commuter rail system, the need for permanent alternatives to sounding train horns will become more essential. Additional commuter rail traffic will likely shift more freight trains to evening and night operation. Wisconsin & Southern has shown interest in commuter rail development. Since the infrastructure for commuter rail such as train stops will require city approval, Munoz hopes planning activities

will encourage the rail company to participate in the development and implementation of alternatives to railroad horns.

How the train noise problem is resolved will ultimately affect the quality of life on the eastside as well as the rest of the city. City officials continue to negotiate with Wisconsin & Southern Railroad and look at alternatives to minimize the need for train horns. In the meantime, eastside residents can continue to offer ideas and voice their complaints, by calling or writing your alder or the mayor's office, or sending email to sbauman@ci.madison.wi.us or pmunoz@ci.madison.wi.us. Other options are to call or write William Gardner, President, Wisconsin & Southern Railroad Company, 5300 North 33rd Street, Milwaukee, WI 53218, (414) 438-8820, as well as area customers served by the railroad.

City residents interested in the railroad horn issue and participating in future discussions, can write to the Eastside News or send their email address to sklafka@execpc.com.

This article was written by Steven Klafka and published in the July/August 1999 issue of the Eastside News in Madison, Wisconsin.