
HALDIMAND COUNTY

Report PW-ES-13-2018 Train Whistling at Public Grade Crossings

For Consideration by Council in Committee on June 19, 2018



OBJECTIVE:

To provide Council with information regarding the Transport Canada procedure for eliminating train whistling at railway grade crossings as well as the County's ongoing requirements under the new Grade Crossing Regulations introduced in 2014.

RECOMMENDATIONS:

1. THAT Report PW-ES-13-2018 Train Whistling at Public Grade Crossings be received;
2. AND THAT the Grade Crossing Regulations safety study scheduled to begin in 2019 include the feasibility of eliminating train whistling at grade crossings in urban areas.

Respectfully submitted: Tyson Haedrich, M. Eng., P. Eng., Director, Engineering Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

The Canadian Rail Operating Rules (CROR) requires all trains to sound their whistles when approaching an at-grade crossing regardless of the crossing protection measures in place unless specific instructions to not whistle have been given by the rail company and authorized by Transport Canada. To eliminate train whistling, the County is required to follow an eight-step process as outlined in Transport Canada's Procedure for Train Whistling at Public Grade Crossings. The process is estimated to take one to two years to complete and can have significant cost implications depending on the improvements required at the intersection.

BACKGROUND:

Haldimand County has two main rail lines running through the County as shown in Attachment 1. The first is the Southern Ontario Railway (SOR) line that runs from Brantford into Caledonia and down to Nanticoke. The second is the Canadian Pacific Railway (CP) line that enters the County from Wainfleet, runs southwest through Dunnville and down to the industrial area at Port Maitland.

There are fifty-four crossings of public roads along these two rail lines of which two are under Ministry of Transportation (MTO) jurisdiction, five are shared jurisdiction with neighbouring municipalities and the remaining forty-seven are under Haldimand County jurisdiction. Of the fifty-four rail crossings, four are overpasses and the other fifty are at grade crossings where trains are required to sound their whistle when approaching.

The train whistles are safety devices that alert motorists and pedestrians of the presence of an approaching train and warn trespassers away from rail right-of-ways, however, these whistles can be bothersome to people living nearby and many municipalities are faced with requests from residents to eliminate the whistling. This issue was formally brought forward to Council in the past through Report PS-GM-01-2004 RE: Train Issues – Anti-Whistling which recommended that a consultant be hired to review the rail crossings in Caledonia to determine if train whistling could be eliminated. Subsequent to the report, a meeting was held between the Caledonia Councillor, the Mayor and the rail authority where it was determined that the train whistling was less problematic than it appeared and as a result the issue and the report were received as information and deferred through Council resolution.

The issue of train whistling has been raised again and at the May 9, 2017 Council in Committee meeting, staff were given direction through the following resolution:

“THAT staff be directed to report back to a future Council in Committee meeting on the process, timing and costs of eliminating train whistling at public grade crossings in Haldimand County.”

This report provides Council with information on the Transport Canada train whistling cessation process as well as the ongoing requirements to meet legislated standards for the County’s forty-seven at grade rail crossings.

ANALYSIS:

This report is presented in two sections. The first provides information on the specific issue of train whistling and the procedure to eliminate it and the second provides an update on the ongoing process to address safety at all grade crossings as a result of legislation introduced in 2014.

Train Whistling at Public Grade Crossings

The Canadian Rail Operating Rules (CROR) requires all trains to sound their whistles when approaching an at-grade crossing regardless of the crossing protection measures in place unless specific instructions to not whistle have been given by the rail company and is authorized by Transport Canada.

The CROR rules apply twenty-four hours a day and the whistle must be sounded even if the crossing has lights, bells and crossing arms. A train that approaches a crossing must sound a whistle in a specific sequence one quarter of a mile before and until the train has fully occupied the crossing. If a train is travelling at 44 mph or less, this may be reduced to 20 seconds. This whistle sequence must be used at all times, day and night and is not affected by vehicle traffic levels.

In addition, if a crew perceives a potentially dangerous situation such as a person or animal on or near the track area, they will sound a warning whistle. Crews will also sound the whistle if there is a work project in the area.

To eliminate train whistling, the County is required to follow an eight-step process as outlined in Transport Canada's Procedure for Train Whistling at Public Grade Crossings (see Attachment 2). This process has to be followed in order to meet the requirements of the Federal Railway Safety Act and Regulation. The procedure requires the road authority, Haldimand County, and the railway companies, Canadian Pacific Railway (CP) and Southern Ontario Railway (SOR), to collaborate in finding the best option for making the crossings safe.

It is important to note that even if the cessation of whistling at a grade crossing is approved, the whistling may be used for other CROR requirements or at the train engineers' sole discretion if there is an emergency. In addition, a Transport Canada Railway Safety Inspector may order the reinstatement of whistling at the crossing(s) should the responsible authorities fail to maintain the area in a manner that meets the prescribed requirements of the Grade Crossings Regulations and the Railway Safety Act.

Based on a review of other municipalities' experience with this issue, the Transport Canada Procedure for Train Whistling at Public Grade Crossings normally takes between twelve and twenty-four months to complete, depending on the conditions at each crossing. The safety assessments for the subject crossings would identify conditions that need to be addressed if train whistles are to be discontinued at those locations and to bring the crossings into line with the most recent Transport Canada grade crossing standards.

The safety assessments for train whistle cessation are estimated to cost \$5,000 to \$10,000 per crossing depending on the complexity of the assessment. Capital costs for the safety upgrades are in the range of \$150,000 per crossing and up to \$400,000 per crossing if automatic pedestrian barriers and maze gates are required.

Grade Crossing Regulations

In November 2014, Transport Canada developed new Grade Crossings Regulations under the Railway Safety Act. The goal of the new regulations is to improve safety by establishing comprehensive and enforceable safety standards for grade crossings, clarifying the roles and responsibilities of railway companies and road authorities and ensuring that they share key safety information (see Attachment 3).

Under the regulations, a grade crossing is defined as an intersection where a road or path crosses railway tracks at the same level. These intersections are also known as level crossings, railway crossings or train crossings.

One of the requirements of the new Grade Crossings Regulations is for road authorities and railway companies to share safety-related information with each other by November 28, 2016. This requirement has been completed by County staff (Engineering Services and Roads Operations) in conjunction with the two railway companies (Southern Ontario Railway and Canadian Pacific Railway) and the information has been approved by Transport Canada.

Another requirement of the Grade Crossings Regulations is that by the end of 2021 the County and the rail authorities have to ensure that the legislated standards for signs, sightlines, warning systems, etc. are met for all existing public rail crossings. Staff are proposing to include the railway crossing assessments in the 2019 Capital Budget with the identified capital works in the 2020 budget in order to meet the required 2021 deadline.

Because the County is currently in the process of meeting the new regulations and is anticipating starting the second phase of identifying and implementing the required safety standards in 2019, staff are recommending that the study include an evaluation of the work required to eliminate train whistling at the train crossings in and around the urban areas of Caledonia, Hagersville and Dunnville. This information will allow decisions to be made regarding eliminating train whistling at certain grade crossings.

FINANCIAL/LEGAL IMPLICATIONS:

The cost to hire a consultant to conduct a railway grade crossing safety audit for train whistle cessation at each railway grade crossing is estimated to be \$5,000 to \$10,000. It is assumed that there will be cost savings from these estimates if this work is combined with the grade crossing safety assessments.

The safety audit will identify necessary railway crossing protection and safety improvements and associated costs to implement them. A project budget and timelines would then be developed for consideration as part of a subsequent capital budget with capital costs ranging from \$150,000 to \$400,000 per crossing.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Map of Railways in Haldimand County.
2. Train Whistling at Public Grade Crossings (Transport Canada Publication).
3. Grade Crossings Regulations: what you need to know (Transport Canada Publication).