



ENGINEERING DEPARTMENT

DATE: December 7, 2016
FROM: Gabe Schell, PE | City Engineer 
ITEM: Move Establishment Date For Quiet Rail Zone

REQUEST

Request from BNSF to Change the Date of Establishment for the Quiet Rail Zone to After the First of the New Year.

Please place this item on the December 13, 2016 City Commission meeting.

BACKGROUND INFORMATION

A Notice of Establishment dated December 2, 2016 for establishment of the Quiet Rail Zone in Bismarck was sent to BNSF. A quiet zone could be established twenty-one days after this notice. BNSF has requested that the City of Bismarck consider moving the date of establishment from December 24, 2016 to January 3, 2017. BNSF through email has stated "*citing not only schedule changes for train crews, but the additional motoring/traveling public who may not be as familiar with the area due to the holidays.*"

Under 49 CFR 222, BNSF cannot dictate which date the quiet zone goes into effect, to that extent we cannot even create a quiet zone. The authority to move the date is specifically with the City of Bismarck; we simply reached out as a courtesy to see if the City would move outside of the holiday peak travel season"

RECOMMENDED CITY COMMISSION ACTION

Decision to change the date of establishment of the quiet zone to January 3, 2017

STAFF CONTACT INFORMATION

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