

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT), prepared a draft EIS for a project that has been proposed to improve the transportation system in the City of St. Louis and St. Louis County, Missouri. The notice of availability for the New I-64 EIS (volumes 1 and 2) was published in the **Federal Register** on January 3, 2003. The end of the official comment period was to be February 28, 2003. The comment period was subsequently extended to April 4, 2003. Due to the request from the city of Richmond Heights for additional time to prepare comments, we are further extending the comment period to May 30, 2003. Comments or questions should be directed to the FHWA or MoDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: April 22, 2003.

Donald L. Neumann,

Programs Engineer, Jefferson City.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Qualification of Drivers; Exemption Applications; Vision

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice of denials.

SUMMARY: The FMCSA announces that 149 individuals were denied exemptions from the Federal vision standard applicable to interstate truck drivers and the reasons for the denials. The FMCSA has statutory authority to exempt individuals from vision standards if the exemptions granted will not compromise safety. The agency has concluded that granting these exemptions does not provide a level of safety that will equal or exceed the level of safety maintained without the exemptions for these commercial drivers.

FOR FURTHER INFORMATION CONTACT:

Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (MC-PSD), (202) 366-2987, Department of Transportation, FMCSA, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., *e.t.*, Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant an exemption from the Federal vision standard for a renewable 2-year period if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption. (49 CFR 391.41(b)(10))

Accordingly, FMCSA evaluated 149 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria established to demonstrate that granting an exemption is likely to achieve an equal or greater level of safety that exists without the exemption. Each applicant has, prior to this notice, received a letter of final disposition on his/her individual exemption request. Those decision letters fully outlined the basis for the denial and constitute final agency action. The list published today summarizes the agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reason for denials.

The following 71 applicants lacked sufficient recent driving experience over three years:

Barclay, Jr., Richard
Bell, Johnny
Bonney, Stephen
Bosanek, Theodore
Brown, Brian
Brown, Norman
Browning, Raymond
Browning, Jr., John
Cadwell, Robert
Carleton, David
Carson, Roger
Cerri, Phillip
Chamblee, William
Cheatham, Lonas
Clemons, Curtis
Crise, Duane
Davis, Jr., William
Denne, Kenneth
Fraas, Jr., Louis
Frazier, Wiley
French, Russell
Gann, Jr., Floyd
Garner, Sr., Anthony
Gingery, Nelson

Goodway, David
Halfhill, Tyrone
Harris, Clifford
Hunter, Paul
Ivie, Brent
Jarvis, Monte
Johnson, Terrell
Kaufman, Chester
Keating, Carl
Knox, Jr., Robert
Leitz, Jack
Majors, Jr., Stanley
Maloney, 3rd, John
Mannings, Christopher
Marancik, John
Marple, Jay
Martin, Bradley
Martin, George
Melton, Charles
Moore, Timothy
Norton, Kenneth
Pimentel, Luiz
Pinard, Gregg
Raby, Joel

Reed, Donald
Reichert, Daniel
Reyes, Angelo
Reynolds, Thomas
Ryan, Paul
Schaaf, James
Severson, Carrie
Smith, James
Sosa, Freddy
Steele, Duane
Stout, David
Taylor, Timothy
Thomas, Steven
Thomason, Douglas
Thompson, John C.
Toombs, Marvin
Turenne, Gary
Turner, Roy
Tuttle, Brian
Wilkinson, Sonya
Williams, James
Wilson, Leonard
Winters, Timothy

One applicant, Mr. Jerry Ross, does not have experience operating a commercial motor vehicle (CMV) and therefore presented no evidence from

which FMCSA can conclude that granting the exemption is likely to achieve a level of safety equal to that existing without the exemption.

The following 37 applicants do not have 3 years of experience driving a CMV on public highways with the vision deficiency:

Bacon, Nick
Barnes, Jesse
Cannon, Lawrence
Chase, Michael
Cloose, James
Collins, Kurt
Davis, John
Doucette, Joshua
Giffin, Richard
Gifford, Delbert
Guenther, Christopher
Harrison, Troy
Henson, Leon

Huffman, Charles
Johnson, Daniel
Jurgens, Merlyn
Martinez, Michael
Maxwell, Brian
McHugh, Jeanne
Montiel, Sr., Norbert
Murray, Kevin
Myron, James
Newman, Gordon
Parks, Sr., Benjamin
Peters, Ronald
Pitner, Edward

Pryor, Ronald
Savely, Danny
Schneider, Clifford
Slingerland, Gerrit
Smallwood, Jody
Tharp, Dustin
Warren, Lynn
Watson, Larry
Whitson, Christopher
Wilbur, Richard
Williams, Eddie

Five applicants do not have 3 years recent experience driving a CMV with the vision deficiency:

Camara, Mamadou
Little, Edward
Prentice, Nugent
Raatz, Richard
Randkin, David

The following 8 applicants do not qualify because they were charged with moving violation(s) in conjunction with CMV accident(s), which is a disqualifying offense under the exemption criteria:

Burke, Thomas
Davis, Sr., Eric
Margison, Samson
Milner, Robert
Mohr, James
Peters, Nathaniel
Potter, Douglas
Robinson, Bill

The following 4 applicants had more than two CMV moving violations during a 3-year period or while the applications were pending. Each applicant is only allowed two moving citations:

Hahn, George
McCone, Steve
Menken, David
Pasillas, Victor

The following 8 applicants' licenses were suspended during the 3-year period because of a moving violation. Applicants do not qualify for an exemption with a suspension during the 3-year period:

Cuddy, Randy
Eyre, Duane
Leffler, Terry
Melssen, Jeffrey
Phillips, Howard
Rosales, Guillermo
Shrewsbury, William
Williams, Jack

One applicant, Mr. Roger Keef, had two serious commercial motor vehicle violations within the 3-year period. Each applicant is allowed a total of two moving citations, of which only one can be serious.

One applicant, Mr. Thomas Jefferson, does not have verifiable proof of

commercial driving experience during a 3-year period under normal highway operating conditions that would serve as an adequate predictor of future safety performance.

The following 9 applicants were involved in CMV accidents in which they contributed to the accident:

Benitez, Randy
Johnson, James
McFall, Norma
Rawson, Merlyn
Sanchez, Luis
Thompson, John R.
Turpaud, Robert
Wilson, Calvin
Yocum, Paul

One applicant, Mr. Limmie Sweet, does not hold a license which allows operation of a CMV over 10,000 pounds gross vehicle weight rating (GVWR) for all or part of the 3-year period.

One applicant, Mr. James Peterson, was denied for multiple reasons.

Finally, two applicants, James Baldwin, Sr. and Robert Holecek, were denied because their vision had not been stable within the three-year period.

Issued on: April 22, 2003.

Pamela M. Pelcovits,

Acting Associate Administrator for Policy and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) section 211.41, and 49 U.S.C. 20103, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

Sacramento Regional Transit District FRA Waiver Petition No. FRA-2003- 14565

Sacramento Regional Transit District (SRTD) located in Sacramento, California, seeks a permanent waiver of compliance from Title 49 of the CFR for operation of a light rail line at a "limited connection" with the Union Pacific Railroad Company (UP). *See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000); *see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

In this regard, SRTD's "F" line is in a common corridor with the UP and there are nine (9) shared highway-rail grade crossings. Due to an extension of the "F" line, an additional nine (9) shared highway-rail grade crossings are anticipated. In addition, SRTD plans to construct a new 6.3 mile long light rail system also in a common corridor with the UP. SRTD anticipates there will be twelve (12) shared highway-rail grade crossings with UP on this new line. There has not been, nor is it anticipated that there will be, any shared use of track with the general system of railroad transportation on the aforementioned.

Based on the foregoing, SRTD seeks a permanent waiver of compliance from certain CFR parts of Title 49, specifically: part 229, Railroad Locomotive Safety Standards; and part 234, Grade Crossing Signal System Safety.

Since FRA has not yet completed its investigation of SRTD's petition, the agency takes no position at this time on the merits of SRTD's stated justifications. As part of FRA's review of the petition, the Federal Transit Administration will appoint a representative to advise FRA's Safety