

exemptions in accordance with FMCSA procedures. FMCSA has evaluated these

24 applications for renewal on their merits and decided to extend each

exemption for a renewable two-year period. They are:

David W. Ball (MO) .....	Thomas F. Marczewski (WI)
Willie Burnett, Jr. (FL) .....	Roy E. Mathews (FL)
Marcus L. Conner (TX) .....	James T. McGraw, Jr. (PA)
Thomas G. Danclovic (MO) .....	Robert S. Metcalf (AZ)
Donald K. Driscoll (MA) .....	Carl A. Michel, Sr. (MD)
Richard G. Gruber (SC) .....	Donald R. Pointer (CO)
Kenneth L. Handy (IA) .....	Bobby G. Pool, Sr. (TX)
William G. Holland (AR) .....	Mark A. Steckmyer (KY)
Bruce G. Horner (WA) .....	Jeremichael Steele (NC)
Thomas J. Ivins (FL) .....	Wade D. Taylor (MO)
Leon E. Jackson (GA) .....	Ronald J. Watt (ND)
Gerald D. Larson (WI) .....	Yu Weng (NJ)

The exemptions are extended subject to the following conditions: (1) That each individual has a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirements in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provides a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retains a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

#### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 24 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 66226; 64 FR 16517; 65 FR 45817; 65 FR 66286; 65 FR 77066; 65 FR 78256; 66 FR 13825; 66 FR 16311; 67 FR 68719; 67 FR 76439; 68 FR 10298; 68 FR 10300; 68 FR 13360; 68 FR 2629; 69 FR 71100; 70 FR 12265; 70 FR 7545; 70 FR 7546; 71 FR 14566; 71 FR

30227; 71 FR 63379; 72 FR 1050; 72 FR 1053; 72 FR 11426; 72 FR 180; 72 FR 7812; 72 FR 9397; 73 FR 27014; 73 FR 51689; 73 FR 63047; 73 FR 75803; 74 FR 6209; 74 FR 8302; 75 FR 77942; 75 FR 77949; 76 FR 11215; 76 FR 12408; 76 FR 1493; 76 FR 4413; 76 FR 5425; 76 FR 9861). Each of these 24 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements.

These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by March 27, 2013.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing

its decision to exempt these 24 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: February 15, 2013.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2013-0004]

#### Notice of Joint Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with Part 235 of Title 49 Code of Federal Regulations and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated January 10, 2013, The Belt Railway Company of Chicago (BRC) and

CSX Transportation, Inc. (CSX) have jointly petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA–2013–0004.

**Applicants:**

The Belt Railway Company of Chicago, Mr. Randall D. Smith, Chief Engineer, 6900 South Central Avenue, Bedford Park, Illinois 60638.

CSX Transportation, Inc., Mr. David B. Olson, Chief Engineer Communication and Signals, 500 Water Street, Speed Code J–350, Jacksonville, Florida 32202.

BRC and CSX seek joint approval of the proposed discontinuance and removal of the power operated derails, Numbers 11 and 13, on BRC Main Track (MT) 1 and MT 2 at Milepost 13.32 on the Kenton Subdivision, in Chicago, IL. The location is referred to as the Forest Hill Interlocking by BRC and as the 75th Street Interlocking by CSX. The subject interlocking is equipped with absolute signals in all quadrants and is controlled by CSX. The maximum authorized speed is 25 mph. BRC and CSX seek to make these changes in order to improve fluidity through the interlocking.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200

New Jersey Avenue SE., W12–140, Washington, DC 20590.

- **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by April 11, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#/privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on February 20, 2013.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2002–14116]

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

In accordance with Part 235 of Title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated January 21, 2013, the Grand Trunk Western Railroad Company (GTW), which operates under the trade name of the Canadian National Railway Company (CN), has petitioned the Federal Railroad Administration (FRA) for an extension of relief from the requirements of the rules, standards, and instructions contained in 49 CFR part 236. FRA assigned the petition Docket Number FRA–2002–14116.

In 2002, CN sought relief from 49 CFR 236.408 so that route locking need not be provided for the power-operated switches at the 32nd Street crossover at Milepost 333.28 in the existing traffic control system at Port Huron, MI, on the Midwest Division, Flint Subdivision. The request was based on the fact that the design of the 32nd Street crossover

is not uncommon in the railroad industry, and it provides all the requisite components and safety features of a standard interlocking, or an electric lock location. FRA issued the initial relief to CN in 2003. CN subsequently requested an extension of relief, which FRA granted in 2008.

GTW has operated under this waiver for nearly 10 years without incident, and it therefore believes that extending this waiver and making it permanent is appropriate.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by April 11, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#/privacyNotice> for the privacy notice of regulations.gov