

of American Statistical Association, June 1971) A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 25 applicants, two of the applicants had traffic violations for speeding, one applicant failed to obey a traffic sign, and one applicant was involved in a crash. The applicants achieved this record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

We believe the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he/she has been performing in intrastate commerce. Consequently, FMCSA finds that exempting these applicants from the vision standard in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the Agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to 24 of the applicants listed in the notice of April 30, 2007 (72 FR 21313).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in

the past. As a condition of the exemption, therefore, FMCSA will impose requirements on the 24 individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard 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 provide 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, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### Discussion of Comments

FMCSA received no comments in this proceeding.

#### Conclusion

Based upon its evaluation of the 25 exemption applications, FMCSA exempts Roosevelt Bell, Jr., David K. Boswell, Melvin M. Carter, Bernabe V. Cerda, Michael S. Crawford, Rex A. Dyer, Patrick J. Goebel, Thomas A. Gotto, Louis W. Henderson, Jr., William P. Holloman, Wilbur J. Johnson, Joseph W. Mayes, Larry L. Morseman, Earl R. Neugebauer, Luis M. Ramos, Kenneth C. Reeves, Gregory C. Simmons, Dustin N. Sullivan, Thomas E. Summers, Jon C. Thompson, Lorenzo Wade, James S. Wheeler, Tommy N. Whitworth, and James M. Williams from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked 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 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: June 6, 2007.

**Larry W. Minor,**

*Acting Associate Administrator, Policy and Program Development.*

[FR Doc. E7-11335 Filed 6-12-07; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-98-4334, FMCSA-00-7006, FMCSA-00-7363, FMCSA-00-7918, FMCSA-00-8398, FMCSA-01-9258, FMCSA-03-14223, FMCSA-03-14504, FMCSA-05-20027, FMCSA-05-20560]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 31 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective June 26, 2007. Comments must be received on or before July 13, 2007.

**ADDRESSES:** You may submit comments identified by DOT Docket Management System (DMS) Docket Numbers FMCSA-98-4334, FMCSA-00-7006, FMCSA-00-7363, FMCSA-00-7918, FMCSA-00-8398, FMCSA-01-9258, FMCSA-03-14223, FMCSA-03-14504, FMCSA-05-20027, FMCSA-05-20560, using any of the following methods.

- Web Site: <http://dmses.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

- Hand Delivery: Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the Agency name and docket numbers for this Notice. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading for further information.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477; Apr. 11, 2000). This information is also available at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Chief, Physical Qualifications Division, 202-366-4001, FMCSA, Room W64-224, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Exemption Decision**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved

absent such exemption." The procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381. This notice addresses 31 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 31 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

David F. Bardsley, Sr.  
Gary A. Barrett  
Ivan L. Beal  
Johnny A. Beutler  
Daniel R. Brewer  
James T. Butler, Jr.  
Darryl D. Cassatt  
Brett L. Condon  
Mark W. Coulson  
Albion C. Doe  
John R. Hughes  
Daryl A. Jester  
Robert L. Joiner, Jr.  
James P. Jones  
Clyde H. Kitzan  
Larry J. Lang  
Dennis D. Lesperance  
John W. Locke  
Herman G. Lovell  
Eugene A. Maggio  
Ronald L. Maynard  
William A. Moore, Jr.  
Danny R. Pickelsimer  
Richard S. Rehbein  
Bernard E. Roche  
Darrell L. Rohlfs  
David E. Sanders  
David B. Speller  
Lynn D. Veach  
Harry S. Warren  
Michael C. Wines

These exemptions are extended subject to the following conditions: (1) That each individual have a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard 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 provide 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 retain 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 2 years from its approval date and may be renewed upon application for additional 2 year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 31 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 66226; 64 FR 16517; 66 FR 17994; 68 FR 15037; 70 FR 14747; 68 FR 35772; 70 FR 33937; 65 FR 20245; 65 FR 57230; 67 FR 57266; 65 FR 45817; 65 FR 77066; 65 FR 66286; 66 FR 13825; 68 FR 10300; 70 FR 7546; 65 FR 78256; 66 FR 16311; 68 FR 13360; 70 FR 12265; 66 FR 17743; 66 FR 33990; 68 FR 10301; 68 FR 19596; 70 FR 25878; 68 FR 19598; 68 FR 33570; 70 FR 2701; 70 FR 16887; 70 FR 17504; 70 FR 30997). Each of these 31 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard 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 2 years indicates each applicant continues to meet the vision exemption standards. 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 July 13, 2007.

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 31 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 based on the merits of each case and 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: June 5, 2007.

**Larry W. Minor,**

*Acting Associate Administrator, Policy and Program Development.*

[FR Doc. E7-11337 Filed 6-12-07; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA Docket No. FTA-2007-28452]

#### Agency Information Collection Activity Under OMB Review

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of request for comments.

**SUMMARY:** The Federal Transit Administration invites public comments about our intention to request the Office of Management and Budget's (OMB) approval to renew the following information collection: Pre-Award and Post-Delivery Review Requirements. The information to be collected for this program is necessary to certify that pre-award and post-delivery reviews will be conducted when using FTA funds to purchase revenue service vehicles. The **Federal Register** Notice with a 60-day comment period soliciting comments was published on April 3, 2007.

**DATES:** Comments must be submitted before July 13, 2007. A comment to OMB is most effective if OMB receives it within 30 days of publication.

#### FOR FURTHER INFORMATION CONTACT:

Sylvia L. Marion, Office of Administration, Office of Management Planning, (202) 366-6680.

#### SUPPLEMENTARY INFORMATION:

*Title:* Pre-Award and Post-Delivery Review Requirements (*OMB Number:* 2132-0544).

*Abstract:* Under the Federal Transit Laws, at 49 U.S.C. 5323(m), grantees must certify that pre-award and post-delivery reviews will be conducted when using FTA funds to purchase rolling stock and maintain on file these certifications. FTA implements this requirement in 49 CFR Part 663 by describing the certificates that must be submitted by each bidder to assure compliance with the Buy America contract specification and vehicle safety requirements for rolling stock. The information collected on the certification forms is necessary for FTA grantees to meet the requirements of 49 U.S.C. 5323(m).

*Estimated Total Annual Burden:* 3,024 hours.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention: FTA Desk Officer.

*Comments are Invited On:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued On: June 7, 2007.

**Ann M. Linnertz,**

*Acting Associate Administrator for Administration.*

[FR Doc. E7-11338 Filed 6-12-07; 8:45 am]

**BILLING CODE 4910-57-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

June 7, 2007.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before July 13, 2007 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-XXXX.

*Type of Review:* New.

*Title:* 990-N Electronic Notice (e-Postcard).

*Form:* 990-N.

*Description:* Section 1223 of the Pension Protection Act of 2006 (PPA '06), enacted on August 17, 2006, amended Internal Revenue Code (Code) section 6033 by adding Code section 6033(i), which requires certain tax-exempt organizations to file an annual electronic notice (Form 990-N) for tax years beginning after December 31, 2006. These organizations are not required to file Form 990 (or Form 990-EZ) because their gross receipts are normally \$25,000 or less.

*Respondents:* Not-for-profit institutions.

*Estimated Total Burden Hours:* 1,300 hours.

*OMB Number:* 1545-1610.

*Type of Review:* Revision.

*Title:* Annual Return/Report of Employee Benefit Plan.

*Form:* 5500.

*Description:* Form 5500 is an annual information return filed by employee benefit plans. The IRS uses this information to determine if the plan appears to be operating properly as required under the law or whether the plan should be audited.

*Respondents:* Businesses or other for-profit institutions.

*Estimated Total Burden Hours:* 2,173,483 hours.

*OMB Number:* 1545-2061.

*Type of Review:* Revision.

*Title:* Supplemental Attachment to Schedule M-3.