$500,000 to $1,000,000 per project. This HfL funding would be in addition to the State apportionment.

Option 2: For projects carried out using funds apportioned to the State under section 104(b)(1)–(4) of title 23, United States Code, (*i.e.,* NHS, CMAQ, STP, and IM funds), the State may request the Federal share be adjusted up to 100 percent. The funding category proposed in the nomination must meet the program funding eligibility requirements. However, not more than 10 percent of the total of any one particular apportioned Federal Aid fund can be applied to the HfL project.

Option 3: The State may request a combination of both Option 1 and Option 2.

Spending Plan

The majority of the HfL funding, in the order of 70 percent, is planned to be used for projects; a significant portion of the funds, approximately 20 percent, is planned to be used for technology transfer and the remainder of the funds would be expended on technology partnerships, information dissemination and stakeholder input and involvement. This approximate distribution of funds includes the costs for monitoring and evaluation for each element.

Accountability

As a means of ensuring appropriate stewardship of public funds, the HfL Program will include several monitoring and evaluation efforts to measure the effectiveness of the program and projects, as well as stakeholder input and involvement procedures. Although the individual activities within the HfL Program will require extensive effort and funding, there will need to be measurements beyond the basic levels of success or failure of those activities taken individually. The higher level of evaluation should reflect the primary objective of the program as a whole: to accelerate the adoption of innovations and technologies thereby improving safety and highway quality while reducing congestion caused by congestion.

Monitor and Evaluation

The FHWA has the lead for monitoring and evaluation of HfL projects, and would be responsible for data collection, data storage and access, analysis, and reporting. FHWA personnel and private contractors will be used for this function. The owners of HfL-funded projects would supply or provide access to data and information. Costs associated with these activities are an eligible project expense. The FHWA Division Offices would serve as points of contact and coordination between the FHWA's contractor(s) and the State. While the FHWA will be taking the lead in the monitoring and evaluation of HfL Projects, the FHWA regards the project owner as a partner and looks forward to working with them in all aspects of the Highways for LIFE Program.

The monitoring and evaluation effort will be used to fully describe and quantify the outputs, results, and outcomes in the goal areas and to provide an assessment of the benefits derived from the overall investment. A cost effective economic analysis on HfL projects will be conducted by the FHWA HfL Team using economic techniques for measuring and valuing user cost; this might include but not be limited to Event-Only Analysis, Life Cycle Cost Analysis or Benefit-Cost Analysis. The resulting information would serve as a resource to highway program decision makers on the value of the innovations demonstrated in the HfL projects, help maintain the momentum needed to achieve the HfL goals, demonstrate the value of the entire pilot program, and provide the basis for projecting the benefits gained from expanding such an approach in the future.

The monitoring and evaluation element would encompass the entire HfL Program. For the HfL projects, information collected prior to, during, and immediately after construction would include a full array of highway condition, financing, design, contracting, construction, operations, and safety data, as well as user statistics and opinions. The costs, outcomes, impacts, and benefits of the technology partnerships would also be fully documented. To the extent possible, information collected for the technology transfer and information dissemination aspects would include objective measures of the effectiveness and impact of the individual activities that are undertaken, in addition to information on the costs of those activities. The information gathered on the HfL projects, technology transfer and technology partnerships will also be used in research and development for the next generation of technologies and innovations and future technology transfer initiatives.

Stakeholder Input

The HfL stakeholders include highway owners, builders, suppliers, consultants, academicians, users (commercial motor carriers, motorists, bicyclist, and pedestrians), and those impacted secondarily by highways (neighbors and adjacent landowners, receivers of goods shipped over highways). Through stakeholder input and involvement, the FHWA desires to refine the approach and implementation of the HfL Program as well as to build ownership for the program. Stakeholder input and involvement will be an ongoing element of the HfL Program in order to evaluate the progress of the program, consider appropriate redirection in light of progress, and assess the overall program results. Stakeholders had opportunities to provide input on both the HfL Implementation plan, and the conduct of the program itself, including:

- The HfL performance goals;
- Applicable technologies and practices;
- Technology partnerships approaches; and
- Evaluation of HfL outcomes and benefits including demonstration projects, technology partnerships, technology transfer and information dissemination.

The FHWA is considering several additional stakeholder input and involvement approaches for the HfL Program. Providing information and soliciting feedback would happen routinely through notices published in the **Federal Register**, presentations at highway town hall meetings or regional forums, and the establishment of a Web-based communications interchange site, or ''Community of Practice'' on the HfL Internet Web site *http://www.fhwa.dot.gov/hfl/.*

(**Authority:** Pub. L. 109–59, Sec. 1502, 23 U.S.C. 502 and 23 U.S.C. 315)

Issued on: May 19, 2006.

J. Richard Capka,

Acting Federal Highway Administrator.

[FR Doc. E6–7954 Filed 5–23–06; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2005–24015]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 16 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the

prescribed vision standard. The Agency has concluded that granting these exemptions will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these CMV drivers.

DATES: The exemptions are effective May 25, 2006. The exemptions expire on May 26, 2008.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Chief, Physical Qualifications Division, (202) 366–4001, *maggi.gunnels@dot.gov,* FMCSA, Department of Transportation, 400 Seventh Street, SW., Room 8301, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may see all the comments online through the Document Management System (DMS) at *http://dmses.dot.gov.*

Background

On March 22, 2006, FMCSA published a Notice of receipt of exemption applications from 16 individuals, and requested comments from the public (71 FR 14566). The 16 individuals applied for exemptions from the vision requirement in 49 CFR 391.41(b)(10), for drivers who operate CMVs in interstate commerce. They are: Juan D. Adame, Thomas G. Danclovic, Thomas W. Dufford, Williams F. Foote, Joshua G. Hansen, Daniel W. Henderson, Casey R. Johnson, Craig T. Jorgensen, Jose A. Lopez, William F. Mack, Bobby L. Mashburn, Albert L. Remsburg, Willard L. Riggle, Ricky L. Shepler, Barney J. Wade, and Kenneth E. Walker.

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for a 2-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 statute also allows the Agency to renew exemptions at the end of the 2-year period. Accordingly, FMCSA has evaluated the 16 applications on their merits and made a determination to grant exemptions to all of them. The comment period closed on April 21, 2006.

Vision and Driving Experience of the Applicants

The vision requirement in the FMCSRs provides:

A person is physically qualified to drive a commercial motor vehicle if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber (49 CFR 391.41(b)(10)).

FMCSA recognizes that some drivers do not meet the vision standard, but have adapted their driving to accommodate their vision limitation and demonstrated their ability to drive safely. The 16 exemption applicants listed in this Notice fall into this category. They are unable to meet the vision standard in one eye for various reasons, including amblyopia, central scotoma, chorioretinal scar, optic neuropathy, and loss of vision due to trauma. In most cases, their eye conditions were not recently developed. All but three of the applicants were either born with their vision impairments or have had them since childhood. The three individuals who sustained their vision conditions as adults have had them for periods ranging from 8 to 16 years.

Although each applicant has one eye which does not meet the vision standard in 49 CFR 391.41(b)(10), each has at least 20/40 corrected vision in the other eye, and in a doctor's opinion has sufficient vision to perform all the tasks necessary to operate a CMV. Doctors' opinions are supported by the applicants' possession of valid commercial driver's licenses (CDLs) or non-CDLs to operate CMVs. Before issuing CDLs, States subject drivers to knowledge and skills tests designed to evaluate their qualifications to operate a CMV. All these applicants satisfied the testing standards for their State of residence. By meeting State licensing requirements, the applicants demonstrated their ability to operate a commercial vehicle, with their limited vision, to the satisfaction of the State.

While possessing a valid CDL or non-CDL, these 16 drivers have been authorized to drive a CMV in intrastate commerce, even though their vision disqualified them from driving in interstate commerce. They have driven CMVs with their limited vision for careers ranging from 3 to 39 years. In the past 3 years, none of the drivers have had any convictions for traffic violations and none of them were involved in crashes.

The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the March 22, 2006 Notice (71 FR 14566).

Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the vision standard in 49 CFR 391.41(b)(10) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. Without the exemption, applicants will continue to be restricted to intrastate driving. With the exemption, applicants can drive in interstate commerce. Thus, our analysis focuses on whether an equal or greater level of safety is likely to be achieved by permitting each of these drivers to drive in interstate commerce as opposed to restricting him or her to driving in intrastate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered not only the medical reports about the applicants' vision, but also their driving records and experience with the vision deficiency. To qualify for an exemption from the vision standard, FMCSA requires a person to present verifiable evidence that he/she has driven a commercial vehicle safely with the vision deficiency for 3 years. Recent driving performance is especially important in evaluating future safety, according to several research studies designed to correlate past and future driving performance. Results of these studies support the principle that the best predictor of future performance by a driver is his/her past record of crashes and traffic violations. Copies of the studies may be found at docket number FMCSA–98–3637.

We believe we can properly apply the principle to monocular drivers, because data from the Federal Highway Administration's (FHWA) former waiver study program clearly demonstrate the driving performance of experienced monocular drivers in the program is better than that of all CMV drivers collectively. (See 61 FR 13338, 13345, March 26, 1996). The fact that experienced monocular drivers with good driving records in the waiver program demonstrated their ability to drive safely supports a conclusion that other monocular drivers, meeting the same qualifying conditions as those required by the waiver program, are also likely to have adapted to their vision deficiency and will continue to operate safely.

The first major research correlating past and future performance was done in England by Greenwood and Yule in 1920. Subsequent studies, building on that model, concluded that crash rates

for the same individual exposed to certain risks for two different time periods vary only slightly. (See Bates and Neyman, University of California Publications in Statistics, April 1952.) Other studies demonstrated theories of predicting crash proneness from crash history coupled with other factors. These factors—such as age, sex, geographic location, mileage driven and conviction history—are used every day by insurance companies and motor vehicle bureaus to predict the probability of an individual experiencing future crashes. (See Weber, Donald C., ''Accident Rate Potential: An Application of Multiple Regression Analysis of a Poisson Process,'' Journal 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 16 applicants, none of the applicants had a traffic violation for speeding and none were involved in crashes. 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 the 16 applicants listed in the Notice of March 22, 2006 (71 FR 14566).

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 16 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

Advocates for Highway and Auto Safety (Advocates) expressed opposition to FMCSA's policy to grant exemptions from the FMCSR, including the driver qualification standards. Specifically, Advocates: (1) Objects to the manner in which FMCSA presents driver information to the public and makes safety determinations; (2) objects to the Agency's reliance on conclusions drawn from the vision waiver program; (3) claims the Agency has misinterpreted statutory language on the granting of exemptions (49 U.S.C. 31136(e) and 31315); and finally (4) suggests that a 1999 Supreme Court decision affects the legal validity of vision exemptions.

The issues raised by Advocates were addressed at length in 64 FR 51568 (September 23, 1999), 64 FR 66962 (November 30, 1999), 64 FR 69586 (December 13, 1999), 65 FR 159 (January 3, 2000), 65 FR 57230 (September 21, 2000), and 66 FR 13825 (March 7, 2001). We will not address these points again here, but refer interested parties to those earlier discussions.

Conclusion

Based upon its evaluation of the 16 exemption applications, FMCSA exempts Juan D. Adame, Thomas G. Danclovic, Thomas W. Dufford, Williams F. Foote, Joshua G. Hansen, Daniel W. Henderson, Casey R. Johnson, Craig T. Jorgensen, Jose A. Lopez, William F. Mack, Bobby L. Mashburn, Albert L. Remsburg, Willard L. Riggle, Ricky L. Shepler, Barney J. Wade, and Kenneth E. Walker 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: May 18, 2006.

Rose A. McMurray,

Associate Administrator, Policy and Program Development.

[FR Doc. E6–8076 Filed 5–24–06; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF THE TREASURY

United States Mint

Notification of American Eagle Gold Proof Coin Price Increase

SUMMARY: The recent rise in the price of gold requires that the United States Mint raise the prices on its 2006 American Eagle Gold Proof Coins.

Pursuant to the authority that 31 U.S.C. 5112(i) and 5111(a)(3) grant the Secretary of the Treasury to mint and issue gold coins, and to prepare and distribute numismatic items, the United States Mint mints and issues American Eagle Gold Proof Coins in four denominations: One-ounce, one-half