

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement;
Cidra-Cayey Connector, Puerto Rico**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for the Cidra-Cayey Connector in the east center area of Puerto Rico. The purpose of the EIS is to provide information and analyses for decisions on the project in accordance with the policies and purposes of the National Environmental Policy Act.

FOR FURTHER INFORMATION CONTACT: Félix Rodríguez, P.E., Federal Highway Administration, Puerto Rico Division, 350 Carlos Chardon Street, Suite 210, San Juan, Puerto Rico 00918, Telephone (787) 766-5600 Ext. 230; or Ms. Irma García, P.E., Programming and Special Studies Area, Puerto Rico Highway and Transportation Authority, PO Box 42007, San Juan, Puerto Rico, 00940-2007, Telephone (787) 729-1580.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Commonwealth of Puerto Rico Department of Transportation and Public Works (PRDTPW), through its Highway and Transportation Authority (HTA), will prepare a joint environmental impact statement (EIS) on a proposal to construct a new roadway in the municipality of Cidra. The proposed action consists of the construction of a new roadway which will provide the municipality of Cidra and bordering districts with an access from Cidra to PR-52. The new highway will begin in existing PR-7733 and end in PR-52 or PR-184, depending on the alternative that will be selected during the environmental process. The route will have partial access control.

A State, non-Federal, Draft Environmental Impact Statement (DEIS) was prepared for the proposed project in the year 2000 and public hearings were held in the same year. Since the 2000, technical studies identified environmental and socio-economic factors which warranted the consideration of additional alternatives beyond the ones studied for the original preferred alternative presented in the DEIS. As a result, the FHWA in cooperation with the PRHTA will prepare an EIS.

Alternatives under consideration include: No-Build; Transportation System Management (TSM) activities;

upgrade existing roadways; Mass Transit; and five alignment alternatives to construct a new roadway on a new location. The new alignment of the road is necessary to relieve traffic congestion along existing PR-172 and in areas which have experienced a traffic increase such as the PR-7733 and PR-787.

As part of the scoping process, Federal, State, and local agencies, private organizations, citizens and interest groups will have an opportunity to identify issues of concern and provide input on the purpose and need for the project, range of alternatives, methodology, and the development of the EIS. A public coordination plan will be developed. This plan will utilize the following outreach efforts to provide information and request input: newsletters, an internet Web site, e-mail and direct mail, informational meetings and briefings, public hearings, and other efforts, as necessary and appropriate. A public hearing will be held upon completion of the DEIS. The DEIS will be available for public and agency review and comments prior to the public hearings.

To ensure that the full range of issues and alternatives related to this proposed action is addressed and all significant issues identified, comments and suggestions are invited from interested parties. Comments or questions concerning this proposed action, the EIS and Section 106 consultation should be directed to FHWA at the address provided above.

(Catalogue 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.)

Authority: 23 U.S.C. 315; 49 CFR 1.48.

Issued on: April 5, 2007.

Félix Rodríguez-Soto,
Puerto Rico Assistant Division
Administrador.

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DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety
Administration**

[Docket Nos. FMCSA-02-12423, FMCSA-02-12844, FMCSA-04-19477, 04-17984]

**Qualification of Drivers; Exemption
Renewals; Vision**

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA previously announced its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 11 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has reviewed the comments submitted in response to the previous announcement and 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.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Chief, Physical Qualifications Division, (202) 366-4001, fmcsamedical@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

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. The comment period ended on March 8, 2007.

Discussion of Comments

FMCSA received three comments in these proceedings. The comments were considered and discussed below.

Ms. Sachau believes that the approval or renewal of vision exemptions make the roads much more dangerous.

A review of each record for safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. 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 or 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.

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.

Ms. Valerie L. Kaune is in support of the Federal vision exemption program. She believes that it does not pose a danger to our roads and is the livelihood of many drivers.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 11 renewal applications, FMCSA renews the Federal vision exemptions for Roger C. Carson, Charles R. O'Connell, William T. Cummins, Dennis R. O'Dell, Jr., Scott D. Goalder, Harold D. Jones, Lester G. Kelly, III, Jerry W. Parker, Virgil A. Potts, Henry A. Shelton and Ronald A. Stevens.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal 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.

Issued on: April 6, 2007.

Larry W. Minor,

Acting, Associate Administrator, Policy and Program Development.

[FR Doc. E7-6997 Filed 4-12-07; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-98-3637, FMCSA-98-4334, FMCSA-00-7918, FMCSA-00-8203, FMCSA-02-13411, FMCSA-03-14223, FMCSA-05-20027]

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 16 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 April 21, 2007. Comments must be received on or before May 14, 2007.

ADDRESSES: You may submit comments identified by DOT Docket Management System (DMS) Docket Numbers FMCSA-98-3637, FMCSA-98-4334, FMCSA-00-7918, FMCSA-00-8203, FMCSA-02-13411, FMCSA-03-14223, FMCSA-05-20027, 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, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., 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 PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., 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 us to notify you 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, fmcsamedical@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., E.T., 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