

violations in a CMV during the last 3 years.

#### 22. Vincent Rubino

Mr. Rubino, 33, has amblyopia in his right eye. His best-corrected visual acuity is counting fingers in the right eye and 20/20 in the left. His ophthalmologist examined him in 2002 and stated, "Based on my exam and Mr. Rubino's past history, I feel he has sufficient vision to perform the tasks required to operate a commercial vehicle." Mr. Rubino reported that he has driven straight trucks for 4 years, accumulating 200,000 miles, and tractor-trailer combinations for 10 years, accumulating 550,000 miles. He holds a Class A CDL from New Jersey. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### 23. Randy G. Spilman

Mr. Spilman, 47, has amblyopia in his right eye. His best-corrected visual acuity is 20/50 in the right eye and 20/20 in the left. His optometrist examined him in 2002 and stated, "It is my medical opinion that Mr. Spilman's vision is sufficient to perform the driving tasks required to operate a commercial vehicle." Mr. Spilman submitted that he has driven tractor-trailer combinations for 16 years, accumulating 1.9 million miles. He holds a Class A CDL from Ohio. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 24. Wyatt W. Thayer, Jr.

Mr. Thayer, 63, has had open angle glaucoma and iritis in his right eye since 1997. His best-corrected visual acuity is 20/40-2 in the right eye and 20/20 in the left. His optometrist examined him in 2002 and stated, "In my medical opinion, Mr. Thayer has more than sufficient vision to perform the driving tasks of a commercial vehicle." Mr. Thayer reported that he has driven tractor-trailer combinations for 16 years, accumulating 974,000 miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 25. Thomas S. Thompson

Mr. Thompson, 61, is blind in his left eye due to trauma in 1974. His best-corrected visual acuity in the right eye is 20/20. His optometrist examined him in 2002 and certified, "It is my opinion that this individual has sufficient vision to perform the driving tasks of operating a commercial vehicle as he has done previously for the past 25 years without

incident." Mr. Thompson submitted that he has driven tractor-trailer combinations for 28 years, accumulating 2.1 million miles. Mr. Thompson holds a Class A CDL from Nebraska. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### 26. Robert A. Wegner

Mr. Wegner, 38, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2002, his optometrist certified, "The condition of amblyopia is one that Robert has compensated for his entire life and, in my opinion, will not impair his ability to safely operate any motor vehicle." Mr. Wegner submitted that he has driven tractor-trailer combinations for 7 years, accumulating 390,000 miles. He holds a Class A CDL from Minnesota. His driving record for the last 3 years shows no accidents and one conviction for a moving violation in a CMV. Mr. Wegner failed to obey a stop sign.

#### 27. John E. Wertz

Mr. Wertz, 48, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/60 and in the left, 20/20. His optometrist examined him in 2002 and certified, "In my medical opinion, I feel John is capable of performing the driving tasks necessary to operate a commercial vehicle." Mr. Wertz reported that he has driven tractor-trailer combinations for 14 years, accumulating 1.7 million miles. He holds a Class A CDL from Pennsylvania. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### 28. John W. Williams

Mr. Williams, 56, lost his left eye due to trauma in childhood. The visual acuity in his right eye is 20/20. An optometrist examined him in 2002 and certified, "His visual capacity should be sufficient to perform commercial vehicle operation." Mr. Williams reported that he has driven straight trucks for 20 years, accumulating 322,000 miles, and tractor-trailer combinations for 12 years, accumulating 1.2 million miles. He holds a Class AM CDL from Illinois. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 29. Christopher D. Yates

Mr. Yates, 31, has amblyopia in his left eye. His best-corrected visual acuity is 20/20 in the right eye and 20/60 in

the left. Following an examination in 2002, his optometrist certified, "Chris has sufficient vision to operate a commercial vehicle safely." Mr. Yates reported that he has driven straight trucks for 3 years, accumulating 60,000 miles. He holds a Class DC operator's license/CDL from Kentucky. His driving record shows no accidents and one conviction for a moving violation—"disregarding a stop sign"—in a CMV during the last 3 years.

#### Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption applications described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in the notice.

Issued on: April 15, 2003.

#### Pamela Pelcouits,

Acting Associate Administrator, Policy, Plans and Regulation.

[FR Doc. 03-9731 Filed 4-18-03; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Norfolk Southern Corporation (Docket Number FRA-2002-11896)

Norfolk Southern Corporation (NS) seeks to modify existing waiver FRA-2002-11896, which is a conditional waiver of compliance from certain provisions of the Safety Appliances Standards, 49 CFR part 231, and Power Brakes and Drawbars regulations, 49 CFR part 232, concerning the operation of RoadRailer equipment in Triple Crown Service over their railroad system. Specifically, NS requests that FRA modify the existing waiver to incorporate the use of the new "RoadRailer® Drawbar Connector" in its RoadRailer operations.

NS would like to undertake the introduction of the new "RoadRailer Drawbar" technology in a two-phase

program. In Phase I, NS would operate a limited commercial test of the Drawbar. The intent is to gain experience with the new technology under controlled conditions in order to refine operating techniques and to develop and provide additional data to the FRA to support the use of this technology on a permanent basis. NS envisions that such a test would run for a period of approximately 90 days using two train sets. Train #262 from Calumet (Chicago, Illinois) to Piqua (Ft. Wayne, Indiana), approximately 190 miles, and Train # 253, from Oakwood (Detroit, Michigan) to Piqua (Ft. Wayne, Indiana), approximately 185 miles. The drawbar would be installed/removed only in Triple Crown terminals by RoadRailer personnel using a forklift. All affected personnel would be trained and the training will be documented.

Upon satisfactory completion of Phase I, all of the data collected will be submitted to FRA's Railroad Safety Board for consideration of modifying waiver FRA-2002-11896 to permanently authorize use of the new Drawbar in all aspects across the NS Triple Crown system. NS would like FRA to grant approval to operate the equipment, to include the following aspects: (1) The use of the drawbar to permit bi-directional operation of RoadRailer equipment in main-line service; (2) the use of the drawbar to permit the addition/subtraction of blocks of RoadRailer trailers at intermediate locations using the train crew, provided that the block is equipped with knuckle couplers at each end of the block; (3) removal of the restriction against backing RoadRailer equipment, provided that the backing move is protected by a CouplerMate bogie at the rear, that is equipped with appropriate safety appliances. Thus, Phase II would begin only if FRA approves the modification of the existing waiver.

NS requests the following amendments to the existing waiver: (1) Modify condition #8 to include the following exception: "RoadRailer units in blocks containing a drawbar connector and having standard couplers on both ends of the block have no restrictions on where the blocks may be picked-up or set-out"; (2) Modify condition #12 with the insertion of the word "shove"; where "reverse movement" would become "reverse shove movement"; (3) reset the five-year expiration date on condition # 27; and (4) insert a new condition to permit the use of the RoadRailer drawbar for bi-directional operation of RoadRailer equipment.

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 (e.g., Waiver Petition Docket Number FRA-2002-11896) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC, 20590-0001. Communications received within 30 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC, on April 14, 2003.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 03-9721 Filed 4-18-03; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34324]

#### City of Childersburg Local Redevelopment Authority—Acquisition Exemption—Rail Line of the United States Government

The City of Childersburg Local Redevelopment Authority (City), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire approximately 12.68 miles of rail line from the United States Government, together with named facilities, located at the Alabama Army Ammunition Plant (AAAP), in Talladega County, AL. The United States Army (U.S. Army) is currently in the process of transferring AAAP from federal ownership to the City, which is the recipient of the property under the

Base Realignment and Closure Act (BRAC). The line is currently being utilized under lease by the Central of Georgia Railway Company (CGRC), Norfolk Southern Railway Company (NS), and CSX Transportation, Inc. (CSXT).<sup>1</sup> The City will not be performing any operations over the line, but plans to continue the lease arrangements with the current lessees.

The parties intend to consummate the transaction no later than April 24, 2003.<sup>2</sup> The effective date of the exemption was March 31, 2003 (7 days after the notice was filed).

The City certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier and will not result in the creation of a Class II or Class I rail carrier.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34324, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on B. J. Meeks, Mayor, 118 6th Avenue, SW., Childersburg, AL 35044.

Board decisions and notices are available on our website at <http://www.stb.dot.gov>.

Decided: April 11, 2003.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 03-9464 Filed 4-18-03; 8:45 am]

**BILLING CODE 4915-00-P**

<sup>1</sup> The track is located approximately at milepost P401.0 by CGRC designation, approximately at milepost 102.1N by NS designation, and approximately at a wye track that runs south 8,716 feet from marker ANJ926 by CSXT designation. The rail line serves as a connector between two points of lessees' railways.

<sup>2</sup> By amendment filed April 11, 2003, the City states that it has been informed by the U.S. Army Corps of Engineers that the U.S. Army expects to transfer ownership of the rail line no later than April 24, 2003.