

**ACTION:** Notice of Order to Show Cause (Order 2003-6-23), Docket OST-02-13937.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding that Cool Tours, Inc. d/b/a San Juan Aviation is fit, willing, and able under 49 U.S.C. 41738 to provide scheduled passenger service as a commuter air carrier and issue to it a Commuter Air Carrier Authorization.

**DATES:** Persons wishing to file objections should do so no later than July 7, 2003.

**ADDRESSES:** Objections and answers to objections should be filed in Docket OST-02-13937 and addressed to the Department of Transportation Dockets (M-30, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Mr. Howard Serig, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-4822.

Dated: June 17, 2003.

**Michael W. Reynolds,**

*Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 03-15783 Filed 6-20-03; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Aircraft Registration Status

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration's (FAA) electronic Aircraft Registration System will be augmented to reflect the observed status of an aircraft's certificate of registration.

**EFFECTIVE DATE:** June 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** Walter Binkley, Manager, Aircraft Registration Branch (AFS-750), Mike Monroney Aeronautical Center, Federal Aviation Administration (AFS-750), Post Office Box 25504, Oklahoma City, OK 73125. Telephone (405) 954-3131.

**SUPPLEMENTARY INFORMATION:** Section 47.41(a) of the Federal Aviation Regulations (14 CFR part 47) enumerates circumstances under which a certificate of aircraft registration

becomes ineffective. The most commonly observed event is receipt of information indicating the aircraft ownership has changed. The change of aircraft ownership renders the certificate of registration ineffective for operations (see 14 CFR 91.203(a)(2)). The FAA believes it is in the interest of national security, safety, and accuracy that the Aircraft Registration System reflect the observed status of an aircraft's registration.

On the effective date stated herein, aircraft records containing information that would render a certificate of registration ineffective if true, will be changed to reflect a status of "In Question".

Such status is informational in nature and should not be construed as a legal determination that the certificate of registration is ineffective.

Issued in Oklahoma City, OK on June 13, 2003.

**Mark Lash,**

*Manager, Civil Aviation Registry.*

[FR Doc. 03-15673 Filed 6-20-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2003-15268]

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

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

**ACTION:** Notice of applications for exemption from the vision standard; request for comments.

**SUMMARY:** This notice publishes the FMCSA's receipt of applications from 36 individuals for an exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions will enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the vision standard prescribed in 49 CFR 391.41(b)(10).

**DATES:** Comments must be received on or before July 23, 2003.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket Number FMCSA-2003-15268 by any of the following methods:

- *Web site:* <http://dms.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 on-line instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number for this notice. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. 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 under Regulatory Notices.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366-2987, FMCSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

*Public Participation:* The DMS is available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help guidelines under the "help" section of the DMS Web site. 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 is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or 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 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

### Background

Under 49 U.S.C. 31315 and 31136(e), the 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 36 individuals listed in this notice have recently requested an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety.

### Qualifications of Applicants

#### 1. Gene E. Adams

Mr. Adams, 64, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/70 and in the left, 20/20. Following an examination in 2003, his optometrist certified, “It is my professional opinion that Mr. Adams has adequate vision to operate a commercial vehicle.” Mr. Adams reported that he has driven straight trucks for 46 years, accumulating 138,000 miles, and tractor-trailer combinations for 23 years, accumulating 2.5 million miles. He holds a Class AMV CDL from Alabama. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 2. Morris R. Beebe

Mr. Beebe, 36, has a damaged retina in his right eye due to injury at age 6. His visual acuity in the right eye is 20/80 and in the left, 20/20. Following an examination in 2002, his optometrist certified, “It is my belief that Morris has sufficient vision and visual field perception in both eyes to be able to operate with a CDL license.” Mr. Beebe reported that he has driven straight trucks for 4 months, accumulating 38,000 miles, and tractor-trailer combinations for 2 years 8 months, accumulating 350,000 miles. He holds a Class A CDL from Colorado. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 3. William V. Beekler

Mr. Beekler, 59, had a branch artery occlusion in his right eye in 1993. His visual acuity in the right eye is hand

motions and in the left, 20/20 with correction. His optometrist examined him in 2003 and certified, “In my opinion, Mr. Beekler has sufficient visual function required to operate a commercial vehicle.” Mr. Beekler submitted that he has driven straight trucks and tractor-trailer combinations for 42 years, accumulating 840,000 miles in the former and 4.2 million miles in the latter. He holds a Class A CDL from New Jersey. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 4. Jerry W. Branning

Mr. Branning, 58, lost his left eye due to trauma in 1983. His visual acuity in the right eye is 20/20. Following an examination in 2003, his optometrist certified, “In my opinion Mr. Branning has sufficient vision to exercise the privileges and responsibilities of operating a commercial vehicle.” Mr. Branning reported that he has driven straight trucks for 28 years, accumulating 4.8 million miles. He holds a Class A CDL from New Mexico. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—speeding—in a CMV. He exceeded the speed limit by 10 mph.

#### 5. Dennis R. Burda

Mr. Burda, 55, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/20. Following an examination in 2003, his optometrist certified, “It is our judgment that Mr. Burda’s vision is good enough to operate a commercial vehicle with no restrictions day or night.” Mr. Burda submitted that he has driven straight trucks for 37 years, accumulating 742,000 miles, and tractor-trailer combinations for 5 years, accumulating 101,000 miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 6. James A. Busbin, Jr.

Mr. Busbin, 48, has an enlarged blind spot in his right eye resulting from an injury at age 4. His best-corrected visual acuity in the right eye is 20/50 and in the left, 20/16. Following an examination in 2003, his optometrist certified, “In my opinion, this individual has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Busbin reported that he has driven straight trucks for 3 years, accumulating 150,000 miles. He holds a Class DM

driver’s license from Alabama. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 7. Domenic J. Carassai

Mr. Carassai, 44, has amblyopia in his right eye. His visual acuity in the right eye is 20/70 and in the left, 20/20. His ophthalmologist examined him in 2002 and stated, “In our opinion, Mr. Carassai’s vision is good enough to operate a commercial vehicle.” Mr. Carassai reported that he has driven straight trucks for 15 years, accumulating 360,000 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.

#### 8. Theodore W. Cozat

Mr. Cozat, 60, lost his right eye at age 10 due to a congenital birth defect. His visual acuity in the left eye is 20/20. Following an examination in 2003, his optometrist certified, “In my medical opinion he has the vision to operate a commercial vehicle safely, as he has done so, for the past 29 years with a reportedly clean driving record.” Mr. Cozat reported that he has driven tractor-trailer combinations for 9 years, accumulating 900,000 miles. He holds a Class CA CDL from Michigan. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 9. Todd L. Dewey

Mr. Dewey, 35, has had optic nerve hypoplasia in his right eye for 4 years. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/30. Following an examination in 2002, his optometrist certified, “Based on the above findings, Mr. Dewey appears to have sufficient vision to perform the driving tasks associated with driving a commercial motor vehicle.” Mr. Dewey reported that he has driven straight trucks for 14 years, accumulating 345,000 miles. He holds a Class B CDL from Florida. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 10. John F. Dougherty

Mr. Dougherty, 59, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/60 and in the left, 20/20. Following an examination in 2003, his optometrist stated, “Mr. Dougherty, due to his congenital refractive amblyopia does have reduced acuity and peripheral vision. Binocular vision quality is also reduced due to the amblyopia. These

reductions are however not new for Mr. Dougherty. Given his awareness of them and his otherwise excellent visual findings, I feel he does have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Dougherty reported that he has driven straight trucks for 8 years, accumulating 356,000 miles. He holds a Class C driver's license from Pennsylvania. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 11. Fred W. Duran

Mr. Duran, 49, has decreased vision in his left eye due to injury at the age of 9. His visual acuity in the right eye is 20/15 and in the left, 20/100. His ophthalmologist examined him in 2002 and stated, "I certify that in my opinion, Fred Duran has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Duran reported that he has driven straight trucks for 2 years, accumulating 25,000 miles, and tractor-trailer combinations for 26 years, accumulating 975,000 miles. He holds a Class A CDL from Mississippi. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### 12. Paul J. Edwards, Sr.

Mr. Edwards, 65, developed a serous detachment of the macula in his left eye in 1977. His best-corrected visual acuity in the right eye is 20/25 and in the left, counting fingers. His ophthalmologist examined him in 2002 and certified, "I believe he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Edwards reported that he has driven straight trucks and tractor-trailer combinations for 20 years, accumulating 100,000 miles in the former and 1.8 million miles in the latter. He holds a Class A CDL from Virginia. His driving record for the last 3 years shows one accident and two convictions for moving violations in a CMV. The moving violations were "failure to obey highway sign" and exceeding the speed limit by 17 mph. The accident occurred when another driver changed lanes, striking Mr. Edward's vehicle. The other driver was charged with "improper lane change." Mr. Edwards was not cited.

#### 13. William R. Evridge

Mr. Evridge, 38, has optic atrophy of the left eye resulting from trauma at age 9. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2003, his optometrist certified, "It is my opinion

that Mr. Evridge has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Evridge reported that he has driven straight trucks for 3 years, accumulating 30,000 miles, and tractor-trailer combinations for 22 years, accumulating 1.3 million miles. He holds a Class DA CDL from Kentucky. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 14. Kenneth J. Fisk

Mr. Fisk, 42, has a cataract in his right eye due to injury at age 7. His best-corrected visual acuity is 20/60 in the right eye and 20/20 in the left. Following an examination in 2003, his ophthalmologist certified, "Given present medical findings in patient's 20-year history of commercial licensure without accident, I would feel the patient has sufficient vision to perform his career tasks." Mr. Fisk reported that he has driven straight trucks for 3 years, accumulating 225,000 miles, and tractor-trailer combinations for 15 years, accumulating 1.5 million miles. He holds a Class CA CDL from Michigan. His driving record for the last 3 years shows no accidents and two convictions for moving violations—exceeding the speed limit by 10 mph and "impeding traffic"—in a CMV.

#### 15. Leslie W. Good

Mr. Good, 49, has congenital optic nerve hypoplasia in his left eye. His best-corrected visual acuity in the right eye is counting fingers and in the left, 20/15. Following an examination in 2002, his optometrist certified, "His vision is adequate for safe operation of a commercial vehicle." Mr. Good reported that he has driven straight trucks for 8 years, accumulating 61,000 miles, and tractor-trailer combinations for 12 years, accumulating 342,000 miles. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 16. Michael E. Grens

Mr. Grens, 56, has reduced vision in his right eye due to trauma in 1979. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/15. Following an examination in 2002, his optometrist certified, "It appears that Michael Grens has sufficient vision with both eyes to perform the driving tasks required to operate a commercial vehicle." Mr. Grens submitted that he has driven straight trucks for 25 years, accumulating 1.9 million miles, tractor-trailer combinations for 8 years,

accumulating 800,000 miles, and buses for 3 years, accumulating 15,000 miles. He holds a Class A CDL from Illinois. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### 17. Rodney P. Hains

Mr. Hains, 42, has had macular scarring in his left eye since 1999. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. His ophthalmologist examined him in 2003 and certified, "It is my opinion that you have sufficient vision to safely operate a commercial vehicle." Mr. Hains reported that he has driven tractor-trailer combinations for 15 years, accumulating 1.8 million miles. He holds a Class A CDL from North Dakota. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 18. Bruce E. Hemmer

Mr. Hemmer, 42, has had a corneal scar in his left eye since birth. His best-corrected visual acuity in the right eye is 20/15 and in the left, 20/200. Following an examination in 2002, his ophthalmologist stated, "In my medical opinion, it is safe for you to drive a commercial vehicle." Mr. Hemmer submitted that he has driven straight trucks and tractor-trailer combinations for 20 years, accumulating 1.0 million miles in the former and 1.6 million miles in the latter. He holds a Class ABCD CDL from Wisconsin. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 19. Steven P. Holden

Mr. Holden, 33, lost his left eye due to trauma at age 9. His visual acuity in the right eye is 20/15. Following an examination in 2003, his optometrist certified, "I do believe he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Holden reported that he has driven straight trucks and tractor-trailer combinations for 11 years, accumulating 165,000 miles in the former and 1.9 million miles in the latter. He holds a Class A CDL from Maryland. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 20. Russell R. Inlow

Mr. Inlow, 57, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/400. Following an examination in 2003, his optometrist certified, "In my medical opinion, Mr. Inlow has

sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Inlow reported that he has driven straight trucks for 10 years, accumulating 650,000 miles. He holds a Class E driver's license from Missouri. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*21. Christopher G. Jarvela*

Mr. Jarvela, 35, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/25 and in the left, 20/200. His optometrist examined him in 2003 and stated, "It is my conclusion based on his visual acuity and his field of vision, that Mr. Jarvela has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Jarvela reported that he has driven tractor-trailer combinations for 10 years, accumulating 400,000 miles. He holds a Class CA CDL from Michigan. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

*22. Henry Joiner*

Mr. Joiner, 53, has counting fingers vision in his left eye due to a congenital cataract. His best-corrected visual acuity in the right eye is 20/20. Following an examination in 2003, his ophthalmologist certified, "Mr. Joiner has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Joiner reported that he has driven straight trucks and tractor-trailer combinations for 20 years, accumulating 300,000 miles in the former, and 500,000 miles in the latter. He holds a Class A CDL from Mississippi. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*23. Darrell D. Kropf*

Mr. Kropf, 28, has amblyopia in his left eye. The visual acuity in his right eye is 20/15 and in the left, 20/400. His optometrist examined him in 2003 and certified, "In my opinion, Mr. Kropf is capable of driving commercial vehicles with the use of outside mirrors." Mr. Kropf submitted that he has driven tractor-trailer combinations for 4 years, accumulating 300,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—"failure to obey stop sign"—in a CMV.

*24. Brad L. Mathna*

Mr. Mathna, 45, lost his left eye due to an injury that occurred in 1981. His

visual acuity in the right eye is 20/15. Following an examination in 2002, his optometrist certified, "In my opinion, Mr. Mathna is able to operate a commercial vehicle at this time and has sufficient vision to perform the driving tasks required." Mr. Mathna reported that he has driven tractor-trailer combinations for 27 years, accumulating 2.2 million miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*25. William G. McClam*

Mr. McClam, 45, has had a history of injury to his left eye since 1971. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2003, his ophthalmologist certified, "It is my professional opinion Mr. McClam has sufficient vision to continue to perform the driving tasks required to operate a commercial vehicle." Mr. McClam reported that he has driven tractor-trailer combinations for 24 years, accumulating 1.7 million miles. He holds a Class A CDL from South Carolina. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—speeding—in a CMV. He exceeded the speed limit by 9 mph.

*26. Vincent P. Miller*

Mr. Miller, 42, is blind in his right eye due to an injury 17 years ago. His best-corrected visual acuity in the left eye is 20/20. His optometrist examined him in 2003 and certified, "In my professional opinion, Mr. Miller has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Miller reported that he has driven straight trucks for 7 years, accumulating 52,000 miles, and tractor-trailer combinations for 6 years, accumulating 135,000 miles. He holds a Class A CDL from California. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

*27. Warren J. Nyland*

Mr. Nyland, 57, had a retinal detachment in his left eye at the age of 13. His best-corrected visual acuity in the right eye is 20/15 and in the left, light perception. Following an examination in 2002, his optometrist certified, "It is my medical opinion that Mr. Nyland has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Nyland submitted that he has driven straight trucks for 38 years, accumulating 570,000 miles, and

tractor-trailer combinations for 15 years, accumulating 75,000 miles. He holds a Class A CDL from Michigan. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

*28. Dennis M. Prevas*

Mr. Prevas, 46, had a stroke in his left eye in 1983. His visual acuity in the right eye is 20/16 and in the left, hand motions. Following an examination in 2002, his optometrist certified, "I feel Mr. Prevas has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Prevas reported that he has driven tractor-trailer combinations for 18 years, accumulating 630,000 miles. He holds a Class AM CDL from Iowa. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—"following too closely"—in a CMV.

*29. Terry B. Pritchett*

Mr. Pritchett, 55, lost his right eye due to injury at age 11. His visual acuity in the left eye is 20/20 with correction. Following an examination in 2002, his optometrist certified, "In my medical opinion, Terry Pritchett has sufficient vision to perform all tasks necessary for a commercial driver." Mr. Pritchett reported that he has driven straight trucks for 25 years, accumulating 650,000 miles. He holds a Class B CDL from Georgia. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*30. Greg L. Riles*

Mr. Riles, 52, has counting fingers vision in his right eye due to an injury in 1956. His best-corrected visual acuity in the left eye is 20/15. Following an examination in 2003, his optometrist certified, "At this time I would certify in my medical opinion that Mr. Riles has more than sufficient vision to perform the driving tasks required to operate a commercial vehicle in a safe manner." Mr. Riles reported that he has driven straight trucks for 30 years, accumulating 36,000 miles, and tractor-trailer combinations for 6 years, accumulating 600,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—speeding—in a CMV. He exceeded the speed limit by 14 mph.

*31. Dwayne L. Sandlin*

Mr. Sandlin, 43, incurred a macular scar in his left eye due to histoplasmosis in 1996. His best-corrected visual acuity in the right eye is 20/20 and in the left,

20/200. Following an examination in 2002, his ophthalmologist certified, "In my medical opinion, he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Sandlin reported that he has driven straight trucks for 15 years, accumulating 157,000 miles. He holds a Class B CDL from Florida. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 32. Jon D. Schwengel

Mr. Schwengel, 60, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/100. Following an examination in 2003, his optometrist certified, "He is visually capable of handling driving tasks. I would trust him fully with any multiple axle vehicle." Mr. Schwengel reported that he has driven tractor-trailer combinations for 10 years, accumulating 800,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 33. Steven R. Smith

Mr. Smith, 45, has had a serous maculopathy in his right eye since 1988. His best-corrected visual acuity in the right eye is counting fingers and in the left, 20/20. Following an examination in 2003, his ophthalmologist stated, "In my medical opinion, Mr. Smith has visual acuity sufficient to perform driving tasks required to operate a commercial vehicle." Mr. Smith reported that he has driven straight trucks for 18 years, accumulating 198,000 miles, tractor-trailer combinations for 14 years, accumulating 1.5 million miles, and buses for 1 year, accumulating 57,000 miles. He holds a Class A CDL from Idaho. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 34. Calvin D. Tomlinson

Mr. Tomlinson, 43, experienced a retinal detachment in his right eye in 1974. His best-corrected visual acuity in the right eye is 20/100 and in the left, 20/20. His optometrist examined him in 2003 and certified, "I believe Mr. Tomlinson would have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Tomlinson submitted that he has driven straight trucks for 14 years, accumulating 840,000 miles. He holds a Class A CDL from Kentucky. His driving record for the last 3 years shows no accidents and two convictions for

speeding in a CMV. Mr. Tomlinson exceeded the speed limit by 17 mph in one instance and 11 mph in the other.

### 35. Mona J. van Krieken

Ms. van Krieken, 45, lost her right eye due to an accident 20 years ago. Her best-corrected visual acuity in the left eye is 20/20. An ophthalmologist examined her in 2002 and certified, "In my opinion, she has sufficient vision to perform driving tasks as required by an operator of a commercial vehicle." Ms. van Krieken reported that she has driven straight trucks for 5 years, accumulating 32,000 miles, and tractor-trailer combinations for 11 years, accumulating 275,000 miles. She holds a Class A CDL from Oregon. Her driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

### 36. Paul S. Yocum

Mr. Yocum, 38, has amblyopia in his left eye. His visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2003, his ophthalmologist certified, "In my medical opinion, Mr. Yocum has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Yocum reported that he has driven straight trucks for 7 years, accumulating 56,000 miles. He holds a chauffeur's license from Indiana. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 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 petitions 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: June 17, 2003.

### Pamela M. Pelcovits,

Acting Associate Administrator, Policy and Program Development.

[FR Doc. 03-15696 Filed 6-20-03; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34360]

### Sierra Railroad Company-Corporate Family Transaction Exemption—Yolo Shortline Railroad Company

Sierra Railroad Company (SRC)<sup>1</sup> and Yolo Shortline Railroad Company (YSL), both Class III carriers, have jointly filed a verified notice of exemption for approval of a proposed intercorporate transaction by which SRC's common carrier rights and obligations will be transferred to its subsidiary YSL. As a result of the transaction, the operations of SRC and YSL will be combined within YSL and SRC will be a noncarrier entity in control of YSL.

The transaction is expected to be consummated by June 30, 2003.

The purpose of the transaction is to allow SRC and YSL to combine their resources, to expand their business opportunities, and to develop other railroad and transportation related businesses.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions 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

<sup>1</sup> This filing is related to STB Finance Docket No. 34351, *Sierra Railroad Company-Acquisition of Control Exemption-Yolo Shortline Railroad Company*, in which SRC and YSL jointly filed a verified notice of exemption on May 12, 2003, for SRC to acquire control of YSL through stock purchase of YSL's parent, Midland Railroad Enterprises Corporation. This notice was served and published on June 11, 2003.