

Section 10.0 now reads as follows: The TAWS equipment search volumes and alerting thresholds should vary as necessary to be compatible with TERPS and other operational consideration. For that reason, a set of definitions is offered for Enroute, Terminal, Approach and Departure Phases of Flight. Other definitions for enroute, terminal and approach may be used by TAWS provided they are compatible with TERPS and standard instrument approach procedures and will comply with the test criteria specified in Appendix 3.

*Tables A, C, and E; Appendix 3:* The FAA has modified these tables by correcting certain parameters. Note 4 to table A, note 2 to table C and note 2 to table E state that the values are based upon 20 percent of the airplane's vertical velocity. However, a few values were calculated using a 20-second criteria instead of the 20 percent criteria. The corrected values are as follows: In column F of table A, the 2111 value was replaced with 1800. In column F of table C, the 1036 value was replaced with 900, and the 1456 value was replaced with 1100. In column F of table E, the 639 value was replaced with 550.

*How To Obtain Copies:* A copy of TSO-C151a may be obtained via Internet (<http://www.faa.gov/avr/air/airhome.htm>) or on request from the individual listed under the section titled **FOR FURTHER INFORMATION CONTACT.** REFERENCED DOCUMENTS: TSO-C151a references several RTCA, Inc. documents that contain specific requirements related to the TSO. RTCA Document No. DO-161A, "Minimum Performance Standards—Airborne Ground Proximity Warning Equipment," dated May 27, 1976; DO-160D, "Environmental Conditions and Test Procedures for Airborne Equipment," dated July 29, 1997; DO-178B, "Software Considerations in Airborne Systems and Equipment Certification," dated December 1, 1992; and DO-200A, "Preparation, Verification and Distribution of User-Selectable Navigation Data Bases," dated November 28, 1988, may be purchased from the RTCA Inc., 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC 20036.

Issued in Washington, DC, on November 29, 1999.

**James C. Jones,**

*Manager, Aircraft Engineering Division,  
Aircraft Certification Service.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-1999-6404]

#### Extension of Comment Period, Petition for Grandfathering of Non-Compliant Equipment National Railroad Passenger Corporation

On October 18, 1999, the National Railroad Passenger Corporation (Amtrak) petitioned the Federal Railroad Administration (FRA) for grandfathering of non-compliant passenger equipment for use on rail lines between Vancouver, British Columbia and Eugene, Oregon; between Las Vegas, Nevada and Los Angeles, California; and between San Diego, California and San Luis Obispo, California. Notice of receipt of such petition was published in the **Federal Register** on November 2, 1999, at 64 FR 59230. Interested parties were invited to comment on the petition before the end of the comment period of December 2, 1999.

FRA has received a request pursuant to the Freedom of Information Act, that certain items in FRA files and referenced in Amtrak's petition, be made available for review. FRA is currently reviewing the request and will provide such information in accordance with the provisions of the Freedom of Information Act. FRA will also submit to the public docket in this proceeding all such information provided to the requestor.

In order to provide an opportunity for the requestor, and other interested parties, to review the additional information, FRA is extending the comment period in this proceeding to December 15, 1999. Comments received after that date will be considered to the extent possible. Amtrak's petition and all written communications concerning this proceeding are available for examination during regular business hours (9:00 a.m. to 5:00 p.m.) at DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh, S.W., Washington, D.C. 20590-0001. 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 December 2, 1999.

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

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

[FR Doc. 99-31648 Filed 12-3-99; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Office of Motor Carrier Safety

[OMCS Docket No. OMCS-99-6480]

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

**AGENCY:** Office of Motor Carrier Safety (OMCS), DOT.

**ACTION:** Notice of petitions and intent to grant applications for exemption; request for comments.

**SUMMARY:** This notice announces the preliminary determination to grant the applications of 34 individuals for an exemption from the vision requirements in the Federal Motor Carrier Safety Regulations (FMCSRs). Granting 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 January 5, 2000.

**ADDRESSES:** Your written, signed comments must refer to the docket number at the top of this document, and you must submit the comments to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments will be available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** For information about the vision exemptions in this notice, Ms. Sandra Zywockarte, Office of Motor Carrier Research and Standards, (202) 366-2987; for information about legal issues related to this notice, Ms. Judith Rutledge, Office of the Chief Counsel, (202) 366-0834, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

Internet users may access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

## Background

The Secretary has rescinded the authority previously delegated to the Federal Highway Administration to perform motor carrier functions and operations. This authority has been redelegated to the Director, Office of Motor Carrier Safety (OMCS), a new office within the Department of Transportation [64 FR 56270, October 19, 1999]. The new OMCS assumes the motor carrier functions previously performed by the FHWA's Office of Motor Carrier and Highway Safety (OMCHS). Ongoing rulemaking, enforcement, and other activities of the OMCHS, initiated while part of the FHWA, will be continued by the OMCS. The redelegation will cause no changes in the motor carrier functions and operations of the offices or resource centers.

Thirty-four individuals have requested an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Under 49 U.S.C. 31315 and 31136(e), the OMCS may grant an exemption for a renewable 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." Accordingly, the OMCS has evaluated each of the 34 exemption requests on its merits, as required by 49 U.S.C. 31315 and 31136(e), and preliminarily determined that exempting these 34 applicants from the vision requirement in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to, or greater than, the level that would be achieved without the exemption. All of the drivers listed below meet all of the physical requirements in 49 CFR 391.41(b), except for the vision standard in 391.41(b)(10).

## Qualifications of Applicants

### 1. Rodney D. Blaschke

Mr. Blaschke, 35, suffered a traumatic retinal scar in his right eye approximately 5 years ago, and his best corrected visual acuity in that eye is 20/400. He has 20/20 corrected vision in

his left eye. In the ophthalmologist's opinion, Mr. Blaschke has sufficient vision to safely operate a commercial vehicle. Mr. Blaschke holds a Texas CDL. He has driven tractor-trailer combination vehicles for 14 years and more than 1.6 million miles and straight trucks for 2 years and over 240,000 miles. His official driving record for the past 3 years reflects no traffic violations and no accidents in a commercial vehicle.

### 2. Thomas B. Blish

Mr. Blish, 68, has been employed as a commercial truck driver for over 49 years. He lost the vision in his left eye as a result of injury during the Korean War and, therefore, cannot meet the vision requirement of 49 CFR 391.41(b)(10).

A 1999 examination indicates Mr. Blish has corrected visual acuity of 20/20 in his right eye, and his field of vision is full in that eye. In his ophthalmologist's opinion, Mr. Blish has "sufficient vision to perform the driving tasks required to operate a commercial vehicle."

Mr. Blish holds a Wisconsin CDL. He has driven tractor-trailer combinations 4.9 million miles over the last 49 years. His official driving record for the past 3 years reflects no traffic violations and no accidents in a commercial vehicle.

### 3. Ronnie Freamon Bowman

Mr. Bowman, 43, has amblyopia in his right eye and, therefore, is unable to meet the vision requirement in 49 CFR 391.41(b)(10). A 1999 examination reveals Mr. Bowman has 20/20 corrected vision in his left eye and 20/100 corrected vision in his right eye. The ophthalmologist who conducted the examination states that, based on Mr. Bowman's current level of vision, "he is safe to operate a commercial vehicle."

Mr. Bowman holds a Virginia CDL with a hazardous materials endorsement. He has driven straight trucks and tractor-trailer combinations approximately 1.4 million miles. His official driving record for the past 3 years contains no moving violations and no accidents in any vehicle.

### 4. James C. Bryce

Mr. Bryce, 54, has amblyopia in his left eye. The corrected vision in his left eye was 20/100 and 20/25 in his right eye in a 1999 examination. His optometrist says Mr. Bryce has sufficient vision to perform the driving tasks required to operate a CMV.

James Bryce holds a Michigan CDL. He has 20 years' experience driving tractor-trailer combinations, accumulating 2 million miles and 10

years' experience driving straight trucks for a total of 400,000 miles. His official State driving record contains no traffic violations and no accidents in any vehicle in the past 3 years.

### 5. Thomas L. Corey

Mr. Corey, 45, suffered a traumatic injury to his right eye during childhood. His best corrected vision in the right eye is 20/400. His corrected vision in the left eye is 20/15, according to a 1999 examination. His optometrist states, "it is my medical opinion that Tom Corey has sufficient vision to perform the driving tasks to operate a commercial vehicle."

Thomas Corey holds an Indiana CDL. He has driven tractor-trailer combination vehicles for 14 years and over 728,000 miles. His official State driving record reveals no traffic citations or accidents in any vehicle in the last 3 years.

### 6. James D. Davis

Mr. Davis, 47, has amblyopia in his left eye. The vision in his right eye is 20/20 without correction. According to his optometrist, "Mr. Davis has sufficient vision to perform the tasks required to operate a commercial vehicle."

James Davis holds an Ohio CDL. He has driven straight trucks for 7 years and tractor-trailer combinations for 1 year for a total of over 380,000 miles. His official driving record for the past 3 years reflects no traffic violations and no accidents in any vehicle.

### 7. Glenn Gee

Mr. Gee, 49, has been blind in his right eye since 1973 when his eye was removed due to a history of injuries. An ophthalmologist examined Mr. Gee in 1999 and found his best corrected vision is 20/20 in the left eye. According to the ophthalmologist, Mr. Gee has been operating a commercial vehicle for many years and should be able to continue to perform the driving tasks required, as he has noticed no change in his vision.

Glenn Gee has operated straight trucks and tractor-trailer combinations for 29 years, accumulating one million miles. He holds a Texas CDL, and his official driving record for the past 3 years reflects no moving violations and no accidents in a CMV.

### 8. Lloyd E. Hall

Mr. Hall, 67, has had a prosthetic left eye for over 30 years. He has 20/20 corrected vision in his right eye, according to a 1999 examination. The optometrist who conducted the

examination indicates Mr. Hall has sufficient vision to drive a CMV.

Mr. Hall has a 38-year career operating straight trucks and tractor trailer combination vehicles more than 1 million miles. He has driven buses for 2 years and 20,000 miles. He holds an Illinois CDL and has had one speeding violation and no accidents in the past 3 years in a CMV.

#### 9. *Byron Dale Hardie*

Mr. Hardie, 41, has amblyopia in his left eye. He has 20/20 corrected vision in his right eye, according to a 1999 examination. The ophthalmologist who conducted the examination asserts Mr. Hardie has adequate vision to drive a CMV.

Mr. Hardie has an Alabama CDL. He has driven straight trucks for 21 years for more than 300,000 miles. His official State driving record for the past 3 years contains no traffic violations and no accidents in a commercial vehicle.

#### 10. *Robert N. Heaton*

Mr. Heaton, 58, has 20/50 corrected vision in his right eye due to a detached retina. A 1999 examination indicates the vision in his left eye is 20/20 with glasses. The ophthalmologist says that Mr. Heaton has sufficient vision to operate a CMV.

Mr. Heaton has a Washington CDL. He has driven tractor-trailer combination vehicles for 41 years and over 2.25 million miles. There are no traffic violations or accidents in any vehicle in the past 3 years on his official driving record.

#### 11. *Edward E. Hooker*

Mr. Hooker, 47, is blind in his left eye due to penetrating trauma approximately 43 years ago. A 1999 examination indicates Mr. Hooker has 20/15 corrected vision in his right eye with full horizontal field of vision. According to the optometrist, Mr. Hooker "has the visual capability to operate a commercial vehicle."

Mr. Hooker holds a North Carolina CDL. He has driven tractor-trailer combinations nearly 3 million miles during a 29-year career. His official State driving record reveals one conviction for a traffic violation in a CMV in the last 3 years. The charge was failure to yield right of way to another vehicle in 1997. Mr. Hooker's driving record shows no accidents in a CMV in the last 3 years.

#### 12. *James M. Irwin*

Mr. Irwin, 58, has traumatic optic neuropathy in his right eye with visual acuity limited to 20/240. A 1999 examination indicates Mr. Irwin has 20/

20 visual acuity in his left eye. According to his ophthalmologist, "Mr. Irwin has sufficient vision to perform driving tasks as required to operate a commercial vehicle."

Mr. Irwin holds a Montana CDL. He has driven tractor-trailer combination vehicles for 10½ years and straight trucks for 2 years for a total of more than 500,000 miles. His official driving record for the past 3 years reflects no traffic violations and no accidents in any vehicle.

#### 13. *Laurent G. Jacques*

Mr. Jacques, 54, has operated tractor-trailer combinations for 34 years. Because he has a congenital cataract in his right eye, he is unable to meet the vision requirement in 49 CFR 391.41(b)(10). A 1999 examination by an ophthalmologist reveals Mr. Jacques's best-corrected vision in his left eye is 20/20. In the ophthalmologist's opinion, Mr. Jacques has sufficient vision to operate a CMV safely.

Mr. Jacques holds an Massachusetts CDL. He has driven tractor-trailer combinations for 34 years and more than 1 million miles, and his official driving record for the past 3 years contains no traffic violations or accidents in a CMV.

#### 14. *Alfred G. Jeffus*

Mr. Jeffus, 56, has been driving straight trucks approximately 312,000 miles per year for the past 6 years and tractor-trailer combination vehicles for 5 years and approximately 650,000 miles. Mr. Jeffus holds an Oregon CDL. He has had a macular scar in the left eye since 1969. His vision is 20/15 in the right eye. According to his optometrist, Mr. White has sufficient vision to operate a CMV. His official driving record shows no accidents in any vehicle over the last 3 years and 2 convictions for non-serious speeding violations in a commercial vehicle, as defined in 49 CFR 383.5.

#### 15. *Oskia Johnson*

Mr. Johnson, 57, has decreased visual acuity (light perception only) in his left eye as the result of an injury over 20 years ago and scarring of the cornea after cataract surgery. A 1999 medical report indicates he has 20/20 vision in his right eye with correction. In his ophthalmologist's opinion, Mr. Johnson is capable of operating a CMV.

Oskia Johnson has 14 years' experience operating straight trucks, accumulating almost 350,000 miles. He has an Indiana CDL, and his official driving record reveals no traffic citations or accidents in any vehicle in the past 3 years.

#### 16. *Michael W. Jones*

Mr. Jones, 37, is blind in his left eye due to an injury suffered when he was a child. The vision in his right eye is 20/20 with correction, according to a 1999 examination. His optometrist says he has adequate vision to operate a commercial vehicle.

Michael Jones holds an Illinois CDL. He has driven tractor-trailer combinations for 11 years and over 990,000 miles. His official driving record contains no accidents or traffic violations in any vehicle during the last 3 years.

#### 17. *Don R. Kennedy*

Mr. Kennedy, 48, has decreased visual acuity (no light perception) in his left eye which is stable and has been present for the last 30 years. A 1999 medical examination indicates that he has 20/20 corrected acuity in his right eye. According to his optometrist, Mr. Kennedy has sufficient vision to operate a commercial vehicle.

Mr. Kennedy has been a professional truck driver for 30 years and has driven straight trucks and tractor-trailer combinations a total of more than 3 million miles. He holds a Missouri CDL. A review of his State driving record indicates no moving violations and no accidents in any vehicle in the last 3 years.

#### 18. *Dennis E. Krone*

Mr. Krone, 45, has been employed as a commercial truck driver for more than 20 years driving tractor-trailer combinations and straight trucks. He has a history of amblyopia in his right eye. Mr. Krone has 20/20 vision in his left eye with correction. In the optometrist's opinion, Mr. Krone "has sufficient vision to perform driving tasks required to operate a commercial vehicle." Mr. Krone holds an Illinois CDL. He has driven commercial vehicles more than 1.2 million miles. His official driving record for the past 3 years reflects no traffic violations and no accidents in any vehicle.

#### 19. *James F. Laverdure*

Mr. Laverdure, 51, has amblyopia in his right eye. A 1999 medical report indicates Mr. Laverdure's best corrected vision is 20/20 in the left eye. The optometrist states, "Since Mr. Laverdure has been a commercial truck driver for many years, I see no medical reason why he would not have sufficient vision to continue to operate a commercial vehicle."

He has driven straight trucks for 28 years and tractor-trailer combination vehicles for 15 years, accumulating more than 2 million miles. Mr.

Laverdure holds a Wyoming CDL and his driving record for the past 3 years reflects no traffic violations and no accidents in any vehicle.

*20. Christopher P. Lefler*

Mr. Lefler, 29, has amblyopia in his right eye. A 1999 examination revealed Mr. Lefler has 20/20 uncorrected vision in his left eye. According to the optometrist, Mr. Lefler has sufficient vision to perform the driving tasks required to operate a commercial vehicle.

Christopher Lefler holds an Arizona CDL with a tank vehicles endorsement. He has driven tractor-trailer combination vehicles for 5 years and over 125,000 miles and straight trucks for 1 year and 25,000 miles. There is one accident in a commercial vehicle on his official driving record in the past 3 years. Mr. Lefler was stopped when the vehicle on his right attempted to change lanes and collided with the front end of his vehicle. He was issued two citations for non-moving violations—failure to carry registration and proof of insurance. The other driver was at fault and received a citation for failure to stay in lane/unsafe lane change. No moving violations in a commercial vehicle in the last 3 years were found on Mr. Lefler's driving record.

*21. David R. Linzy*

Mr. Linzy, 50, has amblyopia. He has 20/20 vision in his right eye with correction and full horizontal field of vision. An ophthalmologist examined him in 1999 and stated "Mr. Linzy can safely drive a commercial truck with side mirrors."

David Linzy has 33 years of experience operating straight trucks and 28 years of experience operating tractor-trailer combinations, accumulating more than 2.8 million miles. He holds a Kentucky Class DA OPR/CDL license which requires his CMV to have side mirrors. His official State driving record contains one weather-related accident in a commercial vehicle in which Mr. Linzy slid off the road under icy conditions. No citation was issued in the incident. The driving record also shows 2 non-serious speeding violations in a commercial vehicle in 1996.

*22. Richard Joseph Madler*

Mr. Madler, 33, has been blind in his right eye since he was 9 years old. A 1999 medical examination indicates he has 20/15 corrected vision in his left eye. In the optometrist's opinion, "Mr. Madler possesses sufficient vision to perform the driving tasks required to operate a commercial vehicle."

Richard Madler holds a Montana CDL with hazardous materials and tank vehicles endorsements. He has operated straight trucks for 17 years and tractor-trailer combinations for 9 years for approximately one million miles. His official State driving record reflects no moving violations and no accidents in any vehicle in the last 3 years.

*23. Earl E. Martin*

Mr. Martin, 29, has amblyopia of the left eye. A 1999 examination by an optometrist revealed the corrected vision in his right eye to be 20/15. The optometrist stated Mr. Martin "has sufficient vision to perform the driving tasks required to operate a commercial vehicle."

Mr. Martin holds a Virginia CDL. He has operated straight trucks for 7 years and 350,000 miles and tractor-trailer combination vehicles for 6 months. His official State driving record reflects no traffic citations and no accidents in any vehicle for the past 3 years.

*24. David P. McCabe*

Mr. McCabe, 41, has operated straight trucks for 8½ years. He suffered a traumatic injury to his right eye which resulted in "counting finger vision" in that eye.

He is, therefore, unable to meet the vision requirement in 49 CFR 391.41(b)(10). A 1999 examination by an ophthalmologist reveals Mr. McCabe has 20/15 vision in his left eye. In the ophthalmologist's opinion, Mr. McCabe has sufficient vision to operate a CMV.

David P. McCabe holds a New Hampshire CDL. He has driven straight trucks for over 380,000 miles, and his official driving record for the past 3 years reveals no accidents and no traffic violations in a commercial vehicle.

*25. Richard John McKenzie, Jr.*

Mr. McKenzie, 36, has amblyopia in his right eye. A 1999 examination by an ophthalmologist revealed the vision in his left eye to be 20/20. The optometrist stated "Mr. McKenzie undoubtedly has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle."

Mr. McKenzie holds a Maryland CDL. He has operated straight trucks for 18 years for 218,000 miles. His official State driving record reflects no traffic citations and no accidents for the past 3 years.

*26. Kenneth R. Piechnik*

Mr. Piechnik, 51, has amblyopia in his left eye. An optometrist examined Mr. Piechnik in 1999, and found his best corrected vision in the right eye is 20/20. The optometrist states that Mr.

Piechnik has sufficient vision to perform the driving tasks required to operate a commercial vehicle.

Kenneth Piechnik has operated tractor-trailer combinations for 19 years and approximately 1.9 million miles and straight trucks for 7 years and approximately 175,000 miles. He holds a Missouri CDL. His official driving record for the past 3 years reflects no citations or accidents in any vehicle.

*27. Tommy L. Ray, Jr.*

Mr. Ray, 26, suffered a severe injury to his right eye in 1993 leaving "light perception only" vision in that eye. According to a 1999 examination, the vision in his left eye is 20/20 without correction. His optometrist says Mr. Ray has sufficient vision to perform the tasks necessary to operate a CMV.

Mr. Ray holds an Alabama CDL. He has 5 years' experience driving straight trucks over 140,000 miles. His official State driving record contains no traffic violations and no accidents in any vehicle in the past 3 years.

*28. William A. Reyes*

Mr. Reyes, 39, suffered trauma to his left eye in 1984 and wears a prosthesis. Vision in the right eye is 20/20 corrected, according to a 1999 examination. His ophthalmologist states, "Mr. Reyes has sufficient vision in his right eye to drive a commercial vehicle if the appropriate regulatory agency allows an individual with monocular (one eye) vision to drive a commercial vehicle."

William Reyes has a Florida CDL. He has 19 years experience operating tractor-trailer combinations and has driven CMVs nearly 1 million miles. His official State driving record reveals one traffic citation in a CMV for violation of a traffic control device and no accidents in any vehicle in the past 3 years.

*29. Carl A. Sigg*

Mr. Sigg, 30, has amblyopia of the right eye. Because of this eye condition, Mr. Sigg is unable to meet the Federal vision requirement. He has 20/15 vision in his left eye, according to a 1999 examination. In his optometrist's opinion, Mr. Sigg has sufficient vision to be "certifiable for driving a commercial vehicle without any restrictions."

Carl A. Sigg holds a New York CDL. He has been a professional truck driver for 8 years operating straight trucks and approximately 576,000 miles. His official State driving record contains no moving violations and no accidents in any vehicle in the last 3 years.

### 30. Sammy D. Steinsultz

Mr. Steinsultz, 52, has been employed as a commercial truck driver for 35 years driving straight trucks and 4 years driving tractor-trailer combination vehicles. According to his optometrist, Mr. Steinsultz has a prosthetic right eye as the result of an accident in 1976. As a result, he cannot meet the vision requirement of 49 CFR 391.41(b)(10).

A March 1999 medical report indicates Mr. Steinsultz's best corrected vision is 20/20 in the left eye. The optometrist states, "I see no visual reason for him [Mr. Steinsultz] not to be able to very safely operate a commercial vehicle."

He has driven straight trucks for more than 70,000 miles and tractor-trailer combinations for over 360,000 miles. Mr. Steinsultz holds an Illinois CDL, and his driving record for the past 3 years reflects no traffic violations and no accidents in a commercial vehicle.

### 31. Edward J. Sullivan

Mr. Sullivan, 57, suffered trauma to his right eye in 1978. A 1999 examination indicates the best corrected vision in his left eye is 20/15. His optometrist says, "In my opinion, Mr. Sullivan has more than sufficient vision to operate a commercial vehicle."

Mr. Sullivan has a New Hampshire CDL. He has driven straight trucks and tractor-trailer combinations for 40 years. He has driven straight trucks over 1.2 million miles and tractor-trailer combinations over 400,000 miles. His official State driving record for the past 3 years contains no traffic violations and no accidents in any vehicle.

### 32. John C. Vantaggi

Mr. Vantaggi, 49, has had a prosthetic right eye since the age of 9 as the result of an accident. A 1999 examination indicates the best corrected vision in his left eye is 20/20. His optometrist says that his "vision is stable and has sufficient vision to operate a commercial vehicle with dual mirrors."

Mr. Vantaggi has a Pennsylvania CDL with hazardous materials and tank vehicles endorsements and a requirement for dual mirrors. He has driven straight trucks for 15 years and tractor-trailer combinations for 16 years, accumulating over 880,000 miles. His official State driving record for the past 3 years contains no traffic violations and no accidents in a CMV.

### 33. Winston Eugene White

Mr. White, 34, suffered trauma in his left eye over 15 years ago. A 1999 medical examination indicates that he has 20/20 acuity in his right eye and light perception in his left eye.

According to his ophthalmologist, "the visual condition is stable and has not impaired Winston's ability to operate a commercial vehicle over the last fifteen years and I don't think he will have problems in the future."

Mr. White has driven straight trucks for 9 years and over 450,000 miles, tractor trailer combination vehicles for 9 years and 450,000 miles and buses for 1 year and 4,000 miles.

He holds a Georgia CDL, and a review of his State driving record indicates no moving violations and no accidents in any vehicle in the last 3 years.

### 34. Turgut T. Yilmaz

Mr. Yilmaz, 33, has poor vision in his right eye secondary to a failed corneal transplant performed in 1994 after trauma. A 1999 medical examination indicates he has 20/20 vision in his left eye with correction. In the ophthalmologist's opinion, Mr. Yilmaz has sufficient vision to operate a CMV.

Turgut Yilmaz holds a New York CDL with hazardous materials and tank vehicles endorsements. He has driven tractor-trailer combinations more than 990,000 miles over the last 11 years, and his official driving record for the past 3 years contains no accidents and one speeding violation in a commercial vehicle.

### Basis for Preliminary Determination To Grant Exemptions

Independent studies support the principle that past driving performance is a reliable indicator of an individual's future safety record. The studies are filed in FHWA Docket No. FHWA-97-2625 and discussed at 63 FR 1524, 1525 (January 9, 1998). We believe we can properly apply the principle to monocular drivers because data from the vision waiver program clearly demonstrate the driving performance of monocular drivers in the program is better than that of all CMV drivers collectively. (See 61 FR 13338, March 26, 1996.) That monocular drivers in the waiver program demonstrated their ability to drive safely supports a conclusion that other monocular drivers, with qualifications similar to those required by the waiver program, can also adapt to their vision deficiency and operate safely.

The 34 applicants represented here have qualifications similar to those possessed by drivers in the waiver program. Their experience and safe driving record operating CMVs demonstrate that they have adapted their driving skills to accommodate their vision deficiency. Since past driving records are reliable precursors of the future, there is no reason to expect

these individuals to drive less safely after receiving their exemptions. Indeed, there is every reason to expect at least the same level of safety, if not a greater level, because the applicants can have their exemptions revoked if they compile an unsafe driving record.

For these reasons, the OMCS believes exempting the individuals from 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to, or greater than, the level that would be achieved without the exemption as long as vision in their better eye continues to meet the standard specified in § 391.41(b)(10). As a condition of the exemption, therefore, the OMCS proposes to impose requirements on the individuals similar to the grandfathering provisions in 49 CFR 391.64(b) applied to drivers who participated in the agency's former vision waiver program.

These requirements are: (1) That each individual be physically examined every year (a) By an ophthalmologist or optometrist who attests that vision in the better eye meets the standard in 49 CFR 391.41(b)(10), and (b) By a medical examiner who attests 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 his or her employer for retention in its driver qualification file or keep a copy in his or her driver qualification file if he or she becomes self-employed. The driver must also have a copy of the certification when driving so it may be presented to a duly authorized Federal, State, or local enforcement official.

In accordance with 49 U.S.C. 31315 and 31136(e), the proposed exemption for each person will be valid for 2 years unless revoked earlier by the OMCS. 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. 31315 and 31136. If the exemption is effective at the end of the 2-year period, the person may apply to the OMCS for a renewal under procedures in effect at that time.

### Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the OMCS is requesting public comment from all interested persons on the exemption petitions and the matters discussed in this notice. All

comments received before the close of business on the closing date indicated above will be considered and will be available for examination in the docket room at the above address. Comments received after the closing date will be filed in the docket and will be considered to the extent practicable, but the OMCS may issue exemptions from the vision requirement to the 34 applicants and publish in the **Federal Register** a notice of final determination at any time after the close of the comment period. In addition to late comments, the OMCS will also continue to file in the docket relevant information which becomes available after the closing date. Interested persons should continue to examine the docket for new material.

**Authority:** 49 U.S.C. 322, 31136 and 31315; 49 CFR 1.73.

Issued on: November 29, 1999.

**Julie Anna Cirillo,**

*Acting Director, Office of Motor Carrier Safety.*

[FR Doc. 99-31447 Filed 12-3-99; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33825]

#### **Wisconsin Chicago Link Ltd.— Acquisition Exemption—Wisconsin Central Ltd.**

Wisconsin Chicago Link Ltd. (WCLL), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire from Wisconsin Central Ltd. (WCL) approximately 4.1 miles of rail line (the Forest Park Line) extending between milepost 10.9 in Forest Park, IL, and milepost 15.0 in Franklin Park, IL.<sup>1</sup> WCL will retain trackage rights over

<sup>1</sup> WCLL states that its revenues will not exceed those that would qualify it as a Class III rail carrier

the Forest Park Line, which lies within the Chicago terminal district and connects at Forest Park with the west end of the Altenheim Subdivision of The Baltimore & Ohio Chicago Terminal Railroad Company (B&OCT), a subsidiary of CSX Transportation, Inc. WCL's primary Chicago-area yard facility, Schiller Park Yard, lies north of Franklin Park.

WCLL and WCL are wholly owned subsidiaries of Wisconsin Central Transportation Corporation (WCTC). WCLL previously filed a notice of exemption to lease approximately 1.9 miles of rail line (the Panhandle Line) of the former Pittsburgh Cincinnati, Chicago & St. Louis Railroad Company in Chicago, Cook County, IL. *See Wisconsin Chicago Link Ltd.—Lease Exemption—Pennsylvania Lines LCC*, STB Finance Docket No. 33810 (STB served Nov. 8, 1999). The Panhandle Line connects with the east end of the B&OCT Altenheim Subdivision.

WCLL states in its notice that, due to unforeseen delays, execution of the Panhandle Line lease will not occur in accordance with the schedule previously contemplated. WCLL further states that, because it will become a carrier upon consummation of the Forest Park Line acquisition, the exemption that it obtained in STB Finance Docket No. 33810 to lease the Panhandle line as a noncarrier will no longer be appropriate. Accordingly, on November 19, 1999, WCLL concurrently filed with this notice, a letter of withdrawal of its verified notice of exemption in STB Finance Docket No. 33810.

At the time of filing of this notice, an asset purchase agreement between WCLL and WCL providing for WCLL's acquisition of the Forest Park Line and WCL's retention of trackage rights on

and its revenues are not projected to exceed \$5 million.

that line was expected to be finalized and executed within a week.<sup>2</sup>

WCLL indicates that WCTC will shortly be filing a petition for exemption in a related proceeding in STB Finance Docket No. 33811, *Wisconsin Central Transportation Corporation—Continuance in Control Exemption—Wisconsin Chicago Link Ltd.*, wherein WCTC will seek to continue in control of WCLL<sup>3</sup> once it acquires the Forest Park Line and becomes a carrier.

The transaction was expected to be consummated on or shortly after November 26, 1999.

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 Docket No. 33825, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Janet H. Gilbert, 6250 North River Road, Suite 9000, Rosemont, IL 60018.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: November 29, 1999.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 99-31553 Filed 12-3-99; 8:45 am]

**BILLING CODE 4915-00-P**

<sup>2</sup> WCL will initially continue to provide operations on the Forest Park Line pursuant to retained trackage rights.

<sup>3</sup> Pending a Board decision granting WCTC's petition for exemption to control WCLL, the stock of WCLL will be placed in an independent voting trust established in accordance with 49 CFR 1013.