

no convictions for moving violations in a CMV.

*Gerald E. Skalitzky*

Mr. Skalitzky, 68, has had amblyopia in his right eye since birth. The best corrected visual acuity in his right eye is 20/70 and in his left eye, 20/20. Following an examination in 2010, his optometrist noted, "I hereby certify that Gerald Skalitzky has sufficient vision to perform all commercial vehicle driving tasks." Mr. Skalitzky reported that he has driven straight trucks for 40 years, accumulating 1.1 million miles and tractor-trailer combinations for 2 years, accumulating 100,000 miles. He holds a Class D operator's license from Wisconsin. His driving record for the last 3 years shows one crash, for which he was cited, and two convictions for moving violations in a CMV. In the first incident, he failed to obey a traffic signal. In the second incident, he was following another vehicle too closely.

*Allen W. Smith*

Mr. Smith, 36, has had corneal scarring in his left eye since birth. The visual acuity in his right eye is 20/20 and in his left eye, no light perception. Following an examination in 2010, his optometrist noted, "In my opinion, Mr. Smith has sufficient vision to operate a commercial vehicle." Mr. Smith reported that he has driven straight trucks for 12 years, accumulating 300,000 miles and tractor-trailer combinations for 2 years, accumulating 30,000 miles. He holds a Class A CDL from Kansas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Robert B. Steinmetz*

Mr. Steinmetz, 57, has had complete loss of vision in his right eye since 1995. The best corrected visual acuity in his left eye is 20/20. Following an examination in 2010, his optometrist noted, "In my opinion, you have sufficient vision to perform driving tasks required to operate a commercial vehicle." Mr. Steinmetz reported that he has driven straight trucks for 30 years, accumulating 150,000 miles and tractor-trailer combinations for 28 years, accumulating 280,000 miles. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*George A. Teti*

Mr. Teti, 69, has had a large posterior staphyloma in his right eye since childhood. The best corrected visual acuity in his right eye is 20/400 and in

his left eye, 20/25. Following an examination in 2010, his optometrist noted, "This letter certifies that Mr. Teti meets the visual requirements to perform all driving tasks needed to operate a commercial vehicle." Mr. Teti reported that he has driven straight trucks for 2 years, accumulating 24,000 miles and buses for 24 years, accumulating 240,000 miles. He holds a Class B CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Calvin J. Wallace, II*

Mr. Wallace, 56, has had macular scarring in his left eye since 2000. The best corrected visual acuity in his right eye is 20/20 and in his left eye, hand-motion vision only. Following an examination in 2010, his ophthalmologist noted, "In my opinion he has sufficient vision to perform as a commercial driver." Mr. Wallace reported that he has driven straight trucks for 10 years, accumulating 1.2 million miles, and tractor-trailer combinations for 15 years, accumulating 2.7 million miles. He holds a Class A CDL from Nevada. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*David W. Ward*

Mr. Ward, 49, has had a prosthetic left eye since 1981. The best corrected visual acuity in his right eye is 20/20. Following an examination in 2010, his optometrist noted, "It is my medical opinion that Mr. Ward has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Ward reported that he has driven tractor-trailer combinations for 5 years, accumulating 350,000 miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Ralph W. York*

Mr. York, 50, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/400. Following an examination in 2010, his optometrist noted, "In my professional opinion, Ralph York has sufficient vision to perform driving tasks required to operate a commercial vehicle." Mr. York reported that he has driven tractor-trailer combinations for 31 years, accumulating 4.6 million miles. He holds a Class A CDL from New Mexico. His driving record for the last 3 years shows no crashes and one conviction for

a moving violation in a CMV. He exceeded the speed limit by 7 mph.

*Richard L. Zacher*

Mr. Zacher, 53, has had amblyopia in his right eye since birth. The best corrected visual acuity in his right eye is 20/80 and in his left eye, 20/20. Following an examination in 2010, his optometrist noted, "And yes, both Dr. Reski and I do agree and believe that Mr. Zacher has sufficient vision to perform driving tasks required to operate a commercial vehicle." Mr. Zacher reported that he has driven straight trucks for 14 years, accumulating 499,996 miles and tractor-trailer combinations for 21 years, accumulating 1.4 million miles. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

**Request for Comments**

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business December 27, 2010. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable.

In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: November 10, 2010.

**Larry W. Minor,**

*Associate Administrator, Office of Policy.*

[FR Doc. 2010-29797 Filed 11-24-10; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2008-0231]

**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 15 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**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 September 23, 2010 (75 FR 52063).

**Discussion of Comments**

FMCSA received no comments in this proceeding.

**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 15 renewal applications, FMCSA renews the Federal vision exemptions for William C. Ball, Terrence L. Benning, Robert S. Bowen, Dennis R. Buszkiewicz, Larry Byrley, Eldon D. Cochran, James R. Corley, Alfred A. Constantino, Larry D. Curry, Kelly M. Greene, John H. Holmberg, Garry R. Lomen, Leonardo Lopez, Jr., James A. Rapp and Thomas P. Shank.

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: November 18, 2010.

**Larry W. Minor,**

*Associate Administrator, Office of Policy.*

[FR Doc. 2010-29802 Filed 11-24-10; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**[Docket No. FMCSA-2000-7006; FMCSA-7165; FMCSA-2002-12294; FMCSA-2004-17194; FMCSA-2006-24783; FMCSA-2008-0106; FMCSA-2008-0174]**

**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 37 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue, SE., Room W64-224, Washington, DC 20590-0001.

Office hours are from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**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 September 23, 2010 (75 FR 52061).

**Discussion of Comments**

FMCSA received no comments in this proceeding.

**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 37 renewal applications, FMCSA renews the Federal vision exemptions for John W. Arnold, Derric D. Burrell, Jack D. Clodfelter, Tommy J. Cross, Jr., Stephen R. Daugherty, Eric L. Dawson, III, Richard L. Derick, Craig E. Dorrance, Joseph A. Dunlap, Calvin J. Eldridge, Shawn B. Gaston, James F. Gereau, Eric M. Giddens, Sr., Ronald E. Goad, Esteban G. Gonzalez, Reginald I. Hall, Gary J. Hambrick, James O. Hancock, Sherman W. Hawk, Jr., Lance G. James, Robert C. Jeffres, Alfred C. Jewell, Jr., Leslie A. Landschoot, John C. Lewis, Lewis V. McNeice, Kevin J. O'Donnell, Gregory M. Preves, James M. Rafferty, Paul C. Reagle, Sr., Daniel Salinas, Lee R. Sidwell, David L. Slack, David M. Smith, James C. Smith, Roger R. Strehl, Jeffrey D. Smith and Richard A. Yeager.

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: November 18, 2010.

**Larry W. Minor,**

*Associate Administrator, Office of Policy.*

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**[Docket No. FD 35445]**

**Louisville & Indiana Railroad Company—Trackage Rights Exemption—CSX Transportation, Inc.**

Pursuant to a written trackage rights agreement dated October 8, 2010, CSX Transportation, Inc. (CSXT) has agreed to grant nonexclusive overhead trackage rights to Louisville & Indiana Railroad Company (L&I) over CSXT's lines of railroad as follows: (1) on CSXT's Louisville Secondary, extending between the point of connection with CSXT's trackage and L&I's trackage at CSXT milepost QSL 4.0 and between the point of connection with CSXT's Louisville Secondary with CSXT's Indianapolis Terminal Subdivision at