

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(e) and 31315.

Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 14 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (57 FR 57266; 65 FR 57230; 66 FR 58326; 66 FR 66966; 67 FR 68719; 68 FR 2629; 68 FR 8794; 69 FR 17267; 69 FR 33997; 69 FR 71100; 69 FR 61292; 69 FR 62741; 69 FR 64806; 70 FR 2705; 70 FR 8659; 71 FR 63379; 71 FR 62147; 71 FR 43556; 72 FR 5489; 72 FR 1050; 72 FR 184; 73 FR 35194; 73 FR 20245; 73 FR 46973; 73 FR 54888; 73 FR 75803; 73 FR 75806; 73 FR 51689; 73 FR 63047; 73 FR 48273; 74 FR 980; 74 FR 6207; 74 FR 6209). Each of these 14 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by March 17, 2011.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then

requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 14 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: February 7, 2011.

Larry W. Minor,

Associate Administrator, Office of Policy.

[FR Doc. 2011-3268 Filed 2-14-11; 8:45 am]

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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 standards. 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.

San Diego Trolley Incorporated

[Waiver Petition Docket Number FRA-2000-7137]

The San Diego Trolley Incorporated (SDTI) seeks a 5-year extension of its current waiver of compliance from certain provisions of 49 CFR for certain portions of its light-rail transit operations, employing temporal

separation in order to safely share track with the general railroad system's San Diego and Imperial Valley Railroad (SDIV). SDTI seeks relief from certain requirements of 49 CFR part 217, Railroad Operating Rules (except for § 217.9(d)); Part 218, Railroad Operating Practices (§ 218.27(a)); Part 219, Control of Drug and Alcohol Abuse; Part 220, Railroad Communications; Part 221, Rear End Marking Device Passenger, Commuter and Freight Trains; Part 223, Safety Glazing Standards-Locomotives, Passenger Cars, and Caboose (§§ 223.99(c), 223.17, 223.15(c)); Part 225, Accident Reporting and Investigation; Part 229, Railroad Locomotive Safety Standards (§§ 229.46-229.59, 229.61, 229.65, 229.71, 229.77, 229.125, 229.135); Part 231, Railroad Safety Appliance Standards (§ 231.14); Part 238, Passenger Equipment Safety Standards (§§ 238.1135, 238.114, 238.115, 238.203, 238.205, 238.207, 238.211, 238.213, 238.15, 238.17, 238.19, 238.231, 238.233, 238.235, 238.237, Subpart D (§§ 238.301-238.319)); Part 239, Passenger Train Emergency Preparedness; and Part 240, Locomotive Engineer Certification.

SDTI submits that this request is consistent with the waiver process for shared use. *See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000); *see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000). SDTI received its initial waiver and permission from FRA in January 2001. In August 2004, SDTI received permission from FRA to modify the terms and conditions of the original 2001 waiver to include limited joint nighttime operations on the light-rail Blue Line with westbound SDIV freight trains. SDTI was granted a 5-year extension of the terms and conditions of the original waiver, with modifications approved in 2004 and 2006. SDTI states in this waiver renewal that nothing has changed since the 2006 decision letter was rendered by FRA.

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–2000–7137) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 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 the above facility. 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://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on February 9, 2011.

Robert C. Lauby,

Deputy Associate Administrator for Regulatory and Legislative Operations.

[FR Doc. 2011–3292 Filed 2–14–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

FTA Fiscal Year 2011 Apportionments, Allocations and Program Information: Corrections

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice; corrections.

SUMMARY: This notice corrects Table 3 (FY 2011 Section 5307 and Section 5340 Urbanized Area Apportionments), Table 6 (FY 2011 Small Transit Intensive Cities Performance Data and Apportionments) and Table 10 (Prior Year Unobligated Section 5309 Bus and Bus Related Equipment and Facilities) that were published in the February 8, 2011, (76 FR 6958) Federal Transit Administration (FTA) notice titled “FTA Fiscal Year 2011 Apportionments, Allocations and Program Information.”

FOR FURTHER INFORMATION CONTACT: For general information about this notice contact Kimberly Sledge, Team Leader, Transit Program Management Team, at (202) 366–2053.

Issued in Washington, DC, February 9, 2011.

Peter Rogoff,

Administrator.

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