

20/20 and in the right, hand motions. His optometrist examined him in 2002 and stated, "Due to the clarity of Mr. Reveal's vision in the left eye, and his life long adaptation to the reduction of vision in his right eye, it is my opinion that his vision is sufficient to perform the driving tasks required to operate a commercial vehicle." Mr. Reveal reported that he has driven straight trucks for 14 years, accumulating 420,000 miles. He holds a Class B CDL from Ohio. His driving record shows no accidents and two convictions for moving violations—speeding and "failure to obey a traffic control device/sign"—in a CMV. He exceeded the speed limit by 10 mph.

#### 20. Robert P. Sanderson

Mr. Sanderson, 59, is blind in his left eye due to a central retinal artery occlusion that occurred in 1998. His best-corrected visual acuity in the right eye is 20/20. His ophthalmologist examined him in 2002 and certified, "Mr. Sanderson's visual acuity in his good eye is stable and I feel he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Sanderson submitted that he has driven straight trucks for 15 years, accumulating 300,000 miles, and tractor-trailer combinations for 30 years, accumulating 2.4 million miles. He holds a Class A CDL from Vermont. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 21. Janusz Tyrpien

Mr. Tyrpien, 45, has had a chorio-retinal scar in his left eye since 1998. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/50. An optometrist examined him in 2002 and stated, "It is my opinion that he has sufficient vision to perform the tasks required to operate a commercial vehicle." Mr. Tyrpien reported that he has driven tractor-trailer combinations for 3 years, accumulating 300,000 miles. He holds a Class A CDL from Florida. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

#### Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption 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: February 24, 2003.

**Pamela M. Pelcovits,**

*Acting Associate Administrator for Policy and Program Development.*

[FR Doc. 03-5017 Filed 3-3-03; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Comments must be received no later than May 5, 2003.

**ADDRESSES:** Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590, or Ms. Debra Steward, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number \_\_\_\_\_." Alternatively, comments may be transmitted via facsimile to (202) 493-6230 or (202) 493-6170, or e-mail to Mr. Brogan at [robert.brogan@fra.dot.gov](mailto:robert.brogan@fra.dot.gov), or to Ms. Steward at [debra.steward@fra.dot.gov](mailto:debra.steward@fra.dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal

Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Debra Steward, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below are brief summaries of the three currently approved information collection activities that FRA will

submit for clearance by OMB as required under the PRA:

*Title:* Identification of Cars Moved in Accordance with Order 13528.

*OMB Control Number:* 2130-0506.

*Abstract:* This collection of information identifies a freight car being moved within the scope of Order 13528 (Order). See CFR part 232, appendix B. Otherwise, an exception will be taken, and the car will be set out of the train and not delivered. The information that must be recorded is specified at 49 CFR part 232, appendix B, requiring that a car be properly identified by a card attached to each side of the car and signed stating that such movement is being made under the authority of the order. The Order does not require retaining cards or tags. When a car bearing a tag for movement under the Order arrives at its destination, the tags are simply removed.

*Form Number(s):* None.

*Affected Public:* Businesses.

*Respondent Universe:* 685 railroads.

*Frequency of Submission:* On occasion.

*Total Responses:* 800 tags.

*Average Time Per Response:* 5 minutes per tag.

*Estimated Total Annual Burden:* 67 hours.

*Status:* Regular Review.

*Title:* Railroad Police Officers.

*OMB Control Number:* 2130-0537.

*Abstract:* Under 49 CFR part 207, railroads are required to notify states of all designated railroad police officers who are discharging their duties outside of their respective jurisdictions. This requirement is necessary to verify proper police authority.

*Form Number(s):* None.

*Affected Public:* Businesses.

*Respondent Universe:* 685 railroads.

*Frequency of Submission:* On occasion.

*Total Responses:* 60 (30 rpts. + 30 rcds.).

*Average Time Per Response:* 5 hrs. p/ rpt. + 10 min. p/rcd.

*Estimated Total Annual Burden:* 155 hours.

*Status:* Regular Review.

*Title:* Control of Alcohol and Drug Use in Railroad Operations.

*OMB Control Number:* 2130-0526.

*Abstract:* The information collection requirements contained in pre-employment and "for cause" testing regulations are intended to ensure a sense of fairness and accuracy for railroads and their employees. The principal information—evidence of unauthorized alcohol or drug use—is used to prevent accidents by screening personnel who perform safety-sensitive service. FRA uses the information to measure the level of compliance with regulations governing the use of alcohol or controlled substances. Elimination of this problem is necessary to prevent accidents, injuries, and fatalities of the nature already experienced and further reduce the risk of a truly catastrophic accident. Finally, FRA analyzes the data provided in the Management Information System annual report to monitor the effectiveness of a railroad's alcohol and drug testing program.

*Form Number(s):* FRA F 6180.73, 6180.74, 6180.94A, 61880.94B.

*Affected Public:* Businesses.

*Reporting Burden:*

*Reporting Burden:*

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
219.7—Waivers .....	100,000 employees .....	2 letters .....	2 hours .....	4 hours .....	\$140
219.9.(b)(2)—Responsibility for compliance .....	450 railroads .....	2 requests .....	1 hour .....	2 hours .....	70
219.11(b)(2)—Gen'l conditions for chemical tests. ....	450 Medical Fac. ....	1 document .....	15 minutes .....	15 minutes .....	4
219.11 (g) & 219.301 (c)(2)(ii)—Training—Alcohol and Drug. ....	5 railroads .....	5 programs .....	3 hours .....	15 hours .....	525
—Training .....	50 railroads .....	50 training class .....	3 hours .....	150 hours .....	5,250
219.23 (d)—Notice to Employee Organizations. ....	5 railroads .....	5 notices .....	1 hour .....	5 hours .....	175
219.104/219.107/40.67—Removal from cov. Service. ....	450 railroads .....	20 letters .....	1 hour .....	20 hours .....	700
219.201 (c) Good Faith Determination .....	450 railroads .....	10 reports .....	30 minutes .....	5 hours .....	175
219.203/207/209—Notifications by Phone to FRA. ....	450 railroads .....	104 phone calls .....	10 minutes .....	17 hours .....	595
219.205—Sample Collection and Handling —Form covering accidents/incidents .....	450 railroads .....	400 forms .....	15 minutes .....	100 hours .....	3,500
219.209 (c)—Records—Tests promptly admin. ....	450 railroads .....	100 forms .....	10 minutes .....	17 hours .....	595
219.211 (b)—Analysis and follow-up MRO .....	450 railroads .....	40 records .....	30 minutes .....	20 hours .....	700
219.302 (f)—Tests not promptly administered. ....	450 railroads .....	8 reports .....	15 minutes .....	2 hours .....	200
219.401/403/405—Voluntary referral and Co-worker report policies. ....	450 railroads .....	200 records .....	30 minutes .....	100 hours .....	3,500
219.405 (c)(1)—Report by Co-worker .....	5 railroads .....	5 report .....	20 hours .....	100 hours .....	3,500
219.403/405—SAP Counselor Evaluation ...	450 railroads .....	450 reports .....	5 minutes .....	38 hours .....	1,330
219.601 (a)—RR Random Drug Testing Programs. ....	450 railroads .....	700 reports .....	30 minutes .....	350 hours .....	12,250
—Amendments .....	5 railroads .....	5 programs .....	1 hour .....	5 hours .....	175
219.601(b)(1)—Random Selection Proc.—Drug. ....	450 railroads .....	20 amendemnts .....	1 hour .....	20 hours .....	700
219.601(b)(4)/219.601 (d)—Notice to Employees. ....	450 railroads .....	5,400 documents .....	4 hours .....	21,600 .....	324,000
—New Railroads .....	5 railroads .....	100 notices. ....	5 minute .....	1 hour .....	35
—Employee Notices—Tests .....	5 railroads .....	5 notices .....	10 hours .....	50 hours .....	1,750
219.603(a)—Specimen Security—Notice By Employee Asking to be Excused—Urine Testing. ....	450 railroads .....	25,000 notices .....	1 minute .....	417 hours .....	14,595
219.607(a)—RR Random Alcohol Testing Programs. ....	20,000 employees .....	200 excuse doc .....	15 minutes .....	5 hours .....	145
	5 railroads .....	5 programs .....	8 hours .....	40hours .....	1,400

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost
—Amendments to Approved Program .....	450 railroads .....	20 amendments .....	1 hour .....	20 hours .....	700
219.608—Administrator's Determination of Random Alcohol Testing Rate.	53 railroads .....	53 MIS reports .....	2 hours .....	106 hours .....	3,710
219.707 9(c)(d) & 40.33—Review by MRO of Urine Drug Testing Results/Employee Notification;					
—Positive Drug Test Result .....	450 MROs .....	980 reports .....	2 hours .....	1,960 hours .....	196,000
—Copies of Positive Test Results to Employees.	450 railroads .....	980 tests .....	15 minutes .....	245 hours .....	3,675
219.709—Retests—Written Request by employee.	450 railroads .....	10 letters .....	30 minutes .....	5 hours .....	175
219.711(c) & 40.25(f)(22)(ii)—Employee Consent.	100,000 employees .....	60 letters .....	5 minutes .....	5 hours .....	175
40.65—Submission of Test Result to Employer.	450 railroads .....	20 tests .....	15 minutes .....	5 hours .....	175
40.69—Physician's Written Statement .....	450 railroads .....	10 statements .....	1 hour .....	10 hours .....	1,000
40.81—Availability/Disclosure of Alcohol Testing.	450 railroads .....	60 letters .....	5 minutes .....	5 hours .....	175
Information about individual Employees					
—Copies of Records—Breath Alcohol Test	40,000 employees .....	4 requests .....	30 minutes .....	2 hours .....	70
40.83—Maintenance/Disclosure of Records concerning EBTs and BATs.	450 railroads .....	1,500 .....	5 minutes .....	25 hours .....	4,375
219.801—Reporting Alcohol/Drug Misuse Prevention Program Results in a Management info. System Data Collection Form.	53 railroads .....	25 forms .....	4 hours .....	100 hours .....	3,500
—Easy Data Collection Form—No Alcohol/Drug Misuse.	53 railroads .....	28 forms .....	2 hours .....	56 hours .....	1,960
219.901/903—Retention of Breath Alcohol Testing Records; Retention of Urine Drug Testing.	450 railroads .....	100,500 records .....	5 minutes .....	8,375 hours .....	125,625
—Summary Report of Bath Alcohol/Drug Test.	450 railroads .....	200 reports .....	2 hours .....	400 hours .....	6,000
40.29(g)(1) & (5)—Lab Test Result Rpts to MRO.	25 laboratories .....	52,920 .....	30 minutes .....	26,460 hours .....	926,100
40.29(g)(6)—Lab/Monthly Stat Summary of Urinalysis.	25 laboratories .....	600 reports .....	2 hours .....	1,200 hours .....	42,000
40.29(g)(8) & (m)—Recordkeeping—Labs ..	25 laboratories .....	25 document files .....	240 hours .....	6,000 hours .....	210,000
40.31(d)(6) Unsatisfactory Perf. Test Results.	25 laboratories .....	2 reports .....	10 hours .....	20 hours .....	700
40.31(d)(7) & (8)—False Positive Error/Retesting.	25 laboratories .....	1 report .....	50 hours .....	50 hours .....	1,750
—False Positive on Blind Test Performance	25 laboratories .....	1 report .....	50 hours .....	50 hours .....	1,750
40.33—Reporting/Review—Split Sample Test Results.	200 railroads .....	8 letters .....	30 minutes .....	9 hours .....	315
—Split Sample Failure to Reconfirm Drug Presence.	200 railroads .....	2 reports .....	30 minutes .....	1 hour .....	35
40.37—Employee Request for Access to Test Records.	40,000 employees .....	30 requests .....	30 minutes .....	15 hours .....	525

*Respondent Universe:* 450 railroads.

*Frequency of Submission:* On occasion.

*Total Responses:* 190,886.

*Estimated Total Annual Burden:* 68,307 hours.

*Status:* Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC, on February 27, 2003.

**Kathy A. Weiner,**

*Office of Information Technology and Support Systems, Federal Railroad Administration.*

[FR Doc. 03–5041 Filed 3–3–03; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and approval. The nature of the information collection is described as well as its expected burden. The Federal Register Notice with a 60-day comment period soliciting comments on the following collection of information was published on December 2, 2002. No comments were received.