

probability of an individual experiencing future crashes (See Weber, Donald C., "Accident Rate Potential: An Application of Multiple Regression Analysis of a Poisson Process," Journal of American Statistical Association, June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 17 applicants, one of the drivers was involved in crashes and two were convicted of moving violations in a CMV. All the applicants achieved a record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

We believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he/she has been performing in intrastate commerce. Consequently, FMCSA finds that exempting these applicants from the vision requirement in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the Agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to the 17 applicants

listed in the notice of March 14, 2012 (77 FR 15184).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in the past. As a condition of the exemption, therefore, FMCSA will impose requirements on the 17 individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirement in 49 CFR 391.41(b)(10) and (b) by a medical examiner who attests that 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 the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Discussion of Comments

FMCSA received no comments in this proceeding.

Conclusion

Based upon its evaluation of the 17 exemption applications, FMCSA exempts David A. Brannon (FL), Robert L. Brauns (IA), Bobby R. Brooks (GA), Melvin D. Clark (GA), Jackie K. Cooper (UT), William C. Dempsey, Jr. (MA), Ryan C. Dugan (NY), Donald J. Garrison (TN), Glenn C. Grimm (NJ), Lee P. Holt (TN), Lance C. Phares (NY), Richard A. Pucker (WI), Mark A. Smith (IA), Randy L. Stevens (GA), Marion Tutt, Jr. (GA), Wade W. Ward (WY) and Jimmy S. Zamora (TX) from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31136(e) and 31315, each 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.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: April 30, 2012.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2012-11445 Filed 5-10-12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0105]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of applications for exemptions; request for comments.

SUMMARY: FMCSA announces receipt of applications from 7 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the Federal vision requirement.

DATES: Comments must be received on or before June 11, 2012.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2012-0105 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

Instructions: Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please

see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment 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 may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the FDMS published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

FOR FURTHER INFORMATION CONTACT:
Elaine M. Papp, Chief,

Medical Programs Division, (202) 366-4001, 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 from the Federal Motor Carrier Safety Regulations 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." FMCSA can renew exemptions at the end of each 2-year period. The 7 individuals listed in this notice have each requested such 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 an exemption will achieve the required level of safety mandated by statute.

Qualifications of Applicants

Charles S. Amyx, Jr.

Mr. Amyx, age 46, had an enucleation of his right eye due to a traumatic incident that occurred at age 15. The best corrected visual acuity in his left eye is 20/15. Following an examination in 2011, his ophthalmologist noted, "I feel that he would be a safe driver with a CDL and I do not feel that his driving ability would be compromised by the lack of a normally functioning right eye." Mr. Amyx reported that he has driven tractor-trailer combinations for 24 years, accumulating 1.8 million miles. He holds a Class A Commercial Driver's License (CDL) from Louisiana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Giovanni B. Cerino, Jr.

Mr. Cerino, 50, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2011, his ophthalmologist noted, "His exam proves that he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Cerino reported that he has driven tractor-trailer combinations for 26 years, accumulating 4.1 million miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Randall L. Mathis

Mr. Mathis, 40, 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 2012, his optometrist noted, "It is my opinion that this should not affect his ability to drive safely a commercial vehicle under any driving conditions." Mr. Mathis reported that he has driven tractor-trailer combinations for 14 years, accumulating 1.3 million miles. He holds a Class A Commercial Driver's License (CDL) from Alabama. His driving record for the last 3 years shows no crashes and no convictions for

Shane N. Maul

Mr. Maul, 31, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2012, his optometrist noted, "In my opinion, Mr. Maul has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Maul reported that he has driven straight trucks for 1

year, accumulating 40,000 miles and tractor-trailer combinations for 10 years, accumulating 1 million miles. He holds a Class A CDL from Indiana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Michael E. McAfee

Mr. McAfee, 28, has congenital eye disease including cataract and amblyopia in his left eye. The best corrected visual acuity in his right eye is 20/15, and in his left eye, count-finger vision. Following an examination in 2012, his optometrist noted, "It is my opinion that this gentleman has sufficient vision to perform the driving tasks required for a commercial Class A vehicle." Mr. McAfee reported that he has driven straight trucks for 10 years, accumulating 50,000 miles. He holds a Class D operator's license from Kentucky. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Dennis D. Pimley

Mr. Pimley, 65, has had a retinal detachment in his left eye since 10 years ago. The best corrected visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "In my medical opinion, Mr. Pimley has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Pimley reported that he has driven straight trucks for 43 years, accumulating 1.8 million miles and tractor-trailer combinations for 22 years, accumulating 1.7 million miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

James E. Sikkink

Mr. Sikkink, 45, has had amblyopia in his right eye since birth. The best corrected visual acuity in his right eye is 20/400, and in his left eye, 20/20. Following an examination in 2012, his optometrist noted, "In my medical opinion he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Sikkink reported that he has driven straight trucks for 14 years, accumulating 436,800 miles. He holds a Class B CDL from Illinois. 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 June 11, 2012. 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: May 3, 2012.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2012-11439 Filed 5-10-12; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA-2012-0025]

Agency Information Collection Activity Under OMB Review

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of request for comments.

SUMMARY: The Federal Transit Administration invites public comment about our intention to request the Office of Management and Budget's (OMB) approval of the following new information collection:

Transit Safety Survey (*OMB Number: 2132-New*).

The **Federal Register** Notice with a 60-day comment period soliciting comments was published on February 27, 2012.

The information obtained from the survey will provide FTA with the opportunity to establish a proactive safety research agenda that will improve the safety of transit systems across the country.

DATES: Comments must be submitted before June 11, 2012. A comment to OMB is most effective if OMB receives it within 30 days of publication.

FOR FURTHER INFORMATION CONTACT:

LaStar Matthews, Office of Administration, Office of Management Planning, (202) 366-2295.

SUPPLEMENTARY INFORMATION:

Title: Transit Safety Survey.

Abstract: The survey covered in this request will provide FTA with a means

to gather data directly from its stakeholders. The information obtained from the survey will be used to improve transit safety research with long-term goals of improving public transit safety and reducing risk for transit properties, transit passengers, and the public in general. The survey will be limited to data collections that solicit voluntary opinions to enable us to effectively address transit safety issue areas, identify safety trends, and structure a responsive and proactive research agenda for FTA.

Estimated Total Annual Burden: 266 hours.

ADDRESSES: All written comments must refer to the docket number that appears at the top of this document and be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street NW., Washington, DC 20503, Attention: FTA Desk Officer.

Comments are Invited On: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued: May 2, 2012.

Ann M. Linnertz,

Associate Administrator for Administration.

[FR Doc. 2012-10942 Filed 5-10-12; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Request for Comment

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), this notice announces that the Information Collection Request (ICR) abstracted below will be submitted to the Office of Management and Budget (OMB) for

review. The ICR describes the nature of the information collection and its expected burden. A **Federal Register** Notice with a 60-day comment period soliciting public comments on the following information collection was published on January 13, 2011 (Federal Register/Vol. 76, No. 9/pp. 2442-2444).

DATES: Submit comments to the Office of Management and Budget (OMB) on or before June 11, 2012.

FOR FURTHER INFORMATION CONTACT:

Alan Block at the National Highway Traffic Safety Administration, Office of Behavioral Safety Research (NTI-131), W46-499, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590. Mr. Block's phone number is 202-366-6401 and his email address is alan.block@dot.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2127-New.

Title: Demonstration Tests of Different High Visibility Enforcement Models.

Form No.: NHTSA Forms 1121 and 1122.

Type of Review: Regular.

Respondents: Telephone interviews will be administered to residents in each of five selected communities who are drivers, age 18 and older, have access to a residential landline and/or a personal cell phone, and have consumed alcohol in the past year. In-person interviews will be conducted in each of the five selected communities with bar patrons age 21 and older.

Estimated Number of Respondents: 18,000 telephone interviews and 6,000 bar patron interviews.

Estimated Time per Response: 10 minutes per interview.

Total Estimated Annual Burden Hours: 4,000 hours.

Frequency of Collection: There will be three survey waves at each of the five community sites. A telephone survey and bar survey will be conducted during each survey wave, with each respondent interviewed once. The bar interview will be split such that questions will be asked of each respondent both during entry and exit from the bar.

Abstract: Highly visible enforcement (HVE) has had the strongest support in the research literature for effectiveness in reducing alcohol-impaired driving. The unknown at this time is the relationship of the amount of HVE to perceived risk within a community of an alcohol-impaired driver being stopped by law enforcement. In particular, does the perceived risk increase as the amount of HVE increases? And is the optimum effect on awareness and perceived risk achieved through an integrated program where