

the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-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 procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381.

### Exemption Decision

This notice addresses 31 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 31 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Scott E. Ames, Otto J. Ammer, Jr., Nick D. Bacon, Mark A. Baisden, Eric D. Bennett, Johnny W. Bradford Sr., Levi A. Brown, Charlie F. Cook, Clifford H. Dovel, Arthur L. Fields, John W. Forgy, Glenn E. Gee, Rupert G. Gilmore, III, Albert L. Gschwind, Walter R. Hardiman, Michael W. Jones, Matthew J. Konecki, Paul E. Lindon, John K. Love, Jack D. Miller, Eric M. Moats, Sr., Robert W. Nicks, Joseph S. Nix, IV, Monte L. Purciful, Luis F. Saavedra, Earl W. Sheets, Robert V. Sloan, Steven L. Valley, Thomas E. Voyles, Jr., Darel G. Wagner, Bernard J. Wood.

*These exemptions are extended subject to the following conditions:* (1) That each individual has a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard 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 provides 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 provides a copy of the annual medical certification to the employer for retention in the driver's qualification file and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was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(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 31 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (67 FR 27027; 64 FR 51568; 67 FR 10475; 69 FR 8260; 71 FR 16410; 73 FR 28188; 64 FR 40404; 64 FR 66962; 66 FR 66969; 68 FR 69432; 71 FR 6825; 73 FR 8392; 64 FR 54948; 65 FR 159; 69 FR 8260; 71 FR 6824; 67 FR 17102; 9 FR 17267; 71 FR 16410; 64 FR 68195; 65 FR 20251; 65 FR 78256; 66 FR 16311; 68 FR 64944; 70 FR 67776; 68 FR 52811; 68 FR 61860; 70 FR 61165; 68 FR 61860; 68 FR 75715; 68 FR 61857; 68 FR 74699; 69 FR 10503; 71 FR 4194; 71 FR 13450; 73 FR 22458; 71 FR 5105; 71 FR 19600; 70 FR 57353; 70 FR 72689; 73 FR 222; 70 FR 71884; 71 FR 4632; 71 FR 6826; 71 FR 19602). Each of these 31 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 April 21, 2010.

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 31 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 based on the merits of each case and 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: March 12, 2010.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number MARAD 2010-0031]**

### Use of Foreign-Flag Anchor Handling Vessels in the Beaufort Sea or Chukchi Sea Adjacent to Alaska

**AGENCY:** Maritime Administration, Department of Transportation.

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

**SUMMARY:** As authorized by Public Law 109-347, the Secretary of Transportation, as represented by the Maritime Administration, is authorized to make determinations permitting the use of foreign-flag anchor handling vessels in certain cases (and for a limited period of time) if no U.S.-flag vessels are found to be suitable and reasonably available.

A request for such a determination regarding anchor handling vessels with a minimum ice class A3 has been received by the Maritime Administration. If the Maritime Administration determines that U.S.-flag vessels are not suitable and

reasonably available for the proposed service, a determination will be granted allowing for the conditional use of these vessels, within a set time frame. Those interested in providing the names of suitable and available vessels for the proposed service should refer to the docket number, and identify the U.S.-flag vessels available.

**DATES:** Submit U.S.-flag anchor handling ice class A3 or above vessel nominations on or before April 21, 2010.

**ADDRESSES:** U.S.-flag vessel nominations should refer to docket number MARAD 2010-0031. Written nominations may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. You may also send documents electronically via the Internet at <http://www.regulations.gov> or <http://smses.dot.gov/submit/>. All submissions will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document, and all documents entered into this docket, is available on the World Wide Web at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Harrelson, U.S. Department of Transportation, Maritime Administration, MAR-730 Room W21-316, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone 202-366-5515.

**SUPPLEMENTARY INFORMATION:**

The Maritime Administration has received a request from an attorney on behalf of a client seeking permission to charter a foreign-flag ice-classed A3 anchor handling vessel adjacent to the coast of Alaska. The foreign-flag anchor handling vessel (TOR VIKING #9199622) would operate in the Beaufort Sea or Chukchi Sea adjacent to Alaska, under certain conditions, and for a limited period of time. Section 705 of Public Law 109-347 allows the use of foreign-flag vessels in this regard if the Maritime Administration determines that U.S.-flag vessels are not suitable or reasonably available and if the lessee has entered into a binding contract to obtain and employ an eligible vessel. The lessee has entered into a long term time charter to build and employ such an eligible vessel. The Maritime Administration is posting this notice in the **Federal Register** providing the public 30 days notice of our intention to provide a determination allowing for the use of a foreign-flag vessel in this

regard, if suitable and available U.S.-flag vessels are not otherwise identified. The Maritime Administration's determination will be for the period through December 31, 2011.

By Order of the Maritime Administrator.

Dated: March 15, 2010.

**Christine Gurland,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 1363

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 1363, Export Exemption Certificate.

**DATES:** Written comments should be received on or before *May 21, 2010* to be assured of consideration.

**ADDRESSES:** Direct all written comments to R. Joseph Durbala, Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Dawn Bidne, at (202) 622-3933, or at Internal Revenue Service, Room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet, at [Dawn.E.Bidne@irs.gov](mailto:Dawn.E.Bidne@irs.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Export Exemption Certificate.

*OMB Number:* 1545-0685.

*Form Number:* Form 1363.

*Abstract:* Internal Revenue Code section 427(b)(2) exempts exported property from the excise tax on transportation of property. Regulation § 49.4271-1(d)(2) authorizes the filing of Form 1363 by the shipper to request tax exemption for a shipment or a series of shipments. The information on the form is used by the IRS to verify shipments of property made tax-free.

**Current Actions:** One line was deleted from the form. This caused the total burden to decrease by 25,000, resulting in a new total burden of 425,000 hours.

**Type of Review:** Revision of a currently approved collection.

**Affected Public:** Business or other for-profit organizations and individuals or households.

**Estimated Number of Respondents:** 100,000.

**Estimated Time per Respondent:** 4 hours, 15 minutes.

**Estimated Total Annual Burden Hours:** 425,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 8, 2010.

**R. Joseph Durbala,**

*IRS Supervisory Tax Analyst.*

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