

6th Floor, West Building, 1200 New Jersey Ave., SE., Washington, DC 20590. Requests for additional information or copies of the information collection instrument and instructions should be directed to Dr. Michelle Yeh, Engineering Psychologist, (617) 494-3459, [yeh@volpe.dot.gov](mailto:yeh@volpe.dot.gov), Human Factors Division, Volpe National Transportation Systems Center, 55 Broadway, Cambridge, MA 02124. Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

*Title:* Commercial Vehicle Driver Survey: Truck Driver Hours of Service and Fatigue Management.

*OMB Control Number:* 2126-XXXX.

*Type of Request:* New information collection.

*Respondents:* Commercial motor vehicle drivers.

*Estimated Number of Respondents:* 1728 respondents.

*Estimated Time per Response:* 15 minutes.

*Expiration Date:* N/A. This is a new information collection.

*Frequency of Response:* One-time.

*Estimated Total Annual Burden:* 432 hours [1728 respondents × 15 minutes = 432].

*Background:* The Federal Motor Carrier Safety Administration (FMCSA) needs a better understanding of the commercial motor vehicle driving population and the perceived effect of its new Hours-of-Service rule. This rule, adopted in August 2005, was intended to align truck drivers' schedules with the normal 24-hour circadian cycle and provide drivers with better opportunities to obtain more restorative sleep. The Hours-of-Service rule is intended to minimize the occurrence of operational errors on the road. However, in July, 2007, two provisions of the Hours-of-Service rule were vacated by the United States Court of Appeals for the District of Columbia Circuit (the Court). The Court held that FMCSA had failed to provide an opportunity to comment on the methodology of its operator-fatigue model, and that it failed to explain the elements of that methodology. Because the model is the basis for the cost-benefit analysis which supports the increase of driving time from 10 to 11 hours and of the 34-hour restart, the Court vacated those two provisions. The Court subsequently stayed its mandate for three months, until December 27, 2007.

FMCSA would like to analyze, in great detail, the impact of the 2005 Hours-of-Service regulations on drivers. Related to this issue is truck driver

fatigue. Fatigue mitigation has been a high priority in the Department of Transportation and the FMCSA for many years. The 2005 Hours-of-Service regulations required drivers to take two additional hours off duty every day, allowing them to obtain the 7-8 hours of sleep that most people need to maintain alertness. An understanding of whether the rules are perceived to be having the desired effect on driver sleep is needed. Additionally, understanding drivers' napping habits and other solutions for coping with fatigue would provide input for future solutions and policies to better accommodate these issues.

FMCSA would also like to obtain information on the commercial motor vehicle driving population. Driver-related factors are an important consideration in commercial motor vehicle crashes, but there is no central nationwide source of information describing the population of drivers holding a Commercial Drivers License (CDL). An estimate of the number of commercial drivers and particular subsets of drivers (e.g., short-haul, regional, long-haul) is needed and would benefit FMCSA in assessing the impacts of future initiatives, policies, and rules and the improvement of its safety programs.

The goals of this survey are to obtain commercial motor vehicle drivers' opinions on the new Hours-of-Service regulations and the effects of these regulations on driver fatigue and to acquire general demographic information regarding the commercial motor vehicle driving population. Data for this project will be collected via driver interviews and from a one-time, hard copy, mailed survey. Drivers will provide information regarding the nature of their work, experience, and employment history, their perceptions regarding the effect of the Hours-of-Service regulations, and methods for coping with fatigue. The results of the information collection will be summarized and made available to the public. It will be used to inform future initiatives, policies, and rules; develop a picture of the commercial vehicle driver population for use in future FMCSA research; and contribute to the general literature regarding fatigue management.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected

information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued On: March 14, 2008.

**Terry Shelton,**

*Associate Administrator for Research and Information Technology.*

[FR Doc. E8-5720 Filed 3-20-08; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-01-11426, FMCSA-03-16564, FMCSA-05-21711, FMCSA-05-22194, FMCSA-05-23099, FMCSA-06-23773]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 13 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 exemption renewals will provide a level of safety that is equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective April 23, 2008. Comments must be received on or before April 21, 2008.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-01-11426, FMCSA-03-16564, FMCSA-05-21711, FMCSA-05-22194, FMCSA-05-23099, FMCSA-06-23773, 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 or Courier: 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.

Each submission must include the Agency name and the docket number for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**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 the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78; Apr. 11, 2000). This information is also available at: <http://DocketInfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202)-366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@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 renew an exemption from 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 13 individuals who have requested a renewal of their exemption in accordance with FMCSA procedures. FMCSA has evaluated these 13 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Roy L. Allen .....	Paul D. Gaither .....	Michael R. Moore.
Lyle H. Banser .....	Thomas R. Hedden .....	Richard W. Neyens.
Lloyd J. Botsford .....	Sergio A. Hernandez .....	Bill L. Pearcy.
Walter M. Brown .....	Lucio Leal.	
Charley J. Davis .....	Earl R. Mark.	

These exemptions are extended subject to the following conditions: (1) That each individual have 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 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 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 13 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (67 FR 10471; 67 FR 19798; 69 FR 19611; 71 FR 19604; 68 FR 74699; 69 FR 10503; 71 FR 6829; 70 FR 48797; 70 FR 61493; 70 FR 57353; 70 FR 72689; 71 FR 4194; 71 FR 13450; 71 FR 6826; 71 FR 19602). Each of these 13 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, 2008.

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 13 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 14, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-5732 Filed 3-20-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2008-0024]

#### Information Collection Available for Public Comments and Recommendations

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

**DATES:** Comments should be submitted on or before May 20, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jean McKeever, Maritime Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-5737; FAX 202-366-6988 or e-mail: [jean.mckeever@dot.gov](mailto:jean.mckeever@dot.gov).

Copies of this collection can also be obtained from that office.

#### SUPPLEMENTARY INFORMATION:

*Title of Collection:* Application for Construction Reserve Fund (CRF) and Annual Statements.

*Type of Request:* Extension of currently approved information collection.

*OMB Control Number:* 2133-0032.

*Form Numbers:* None.

*Expiration Date of Approval:* Three years after date of approval by the Office of Management and Budget.

*Summary of Collection of Information:* The collection consists of an application required for all citizens who own or operate vessels in the U.S. foreign or domestic commerce and desire tax benefits under the Construction Reserve Fund (CRF) program. The annual statement sets forth a detailed analysis of the status of the CRF when each income tax return is filed.

*Need and Use of the Information:* The information is required in order for MARAD to determine whether the applicant is qualified for the benefits of the CRF program.

*Description of Respondents:* Owners or operators of vessels in the domestic or foreign commerce.

*Annual Responses:* 17 responses.

*Annual Burden:* 153 hours.

*Comments:* Comments should refer to the docket number that appears at the top of this document. Written comments may be submitted to the Docket Clerk, U.S. DOT Dockets, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. Comments may also be submitted by electronic means via the Internet at <http://www.regulations.gov>. Specifically address whether this information collection is necessary for proper performance of the functions of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance the quality, utility, and clarity of the information to be collected. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m. EDT (or EST), Monday through Friday, except Federal holidays. An electronic version of this document is available on the World Wide Web at <http://www.regulations.gov>.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, 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 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.regulations.gov>.

**Authority:** 49 CFR 1.66

By order of the Maritime Administrator.

Dated: March 17, 2008.

**Christine S. Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. E8-5721 Filed 3-20-08; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-21026]

**Holland America Line Inc.—Control—Westours Motor Coaches, Inc., Evergreen Trails, Inc., Westmark Hotels of Canada, Ltd., Horizon Coach Lines, Ltd., and Discover Alaska Tours, Inc.**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice Tentatively Approving Finance Transaction.

**SUMMARY:** On February 21, 2008, Holland America Line Inc. (HAL), a noncarrier that controls four regulated motor passenger carriers, Westours Motor Coaches, Inc. (Westours), Evergreen Trails, Inc., d/b/a Gray Line of Seattle (Evergreen), Westmark Hotels of Canada, Ltd. (Westmark), and Horizon Coach Lines, Ltd. (Horizon),<sup>1</sup> (collectively, applicants) filed an application under 49 U.S.C. 14303 for acquisition of control by HAL of a new motor passenger carrier, Discover Alaska Tours, Inc. (DAT),<sup>2</sup> and for continuance in control of Westours, Evergreen, Westmark, and Horizon. Persons wishing to oppose the application must follow the rules at 49 CFR 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by May 5, 2008. Applicants may file a reply by May 20, 2008. If no comments are filed by May 5, 2008, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC-F-21026 to: Surface Transportation Board, 395 E. Street, SW., Washington, DC 20423-0001. In addition, send one copy of comments to applicants' representative: Jeremy Kahn, 1730 Rhode Island Ave., NW., Suite 810, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 245-0395 [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339].

**SUPPLEMENTARY INFORMATION:** HAL currently controls four regulated motor

<sup>1</sup> HAL's control of the 4 carriers was approved by the Board in *Holland America Line—Westours, Inc.—Control—Westours Motor Coaches, Inc., Evergreen Trails, Inc., Westmark Hotels of Canada Ltd., and Horizon Coach Lines Ltd.*, STB Docket No. MC-F-20988 (STB served Feb. 22, 2002).

<sup>2</sup> DAT's application for motor passenger carrier authority in MC-636105 is pending.