

Bruce T. Loughary  
Demetrio Lozano

Roy F. Varnado, Jr.  
Rick A. Young

*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 Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was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 14 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 30285; 63 FR 54519; 65 FR 20245; 65 FR 57230; 67 FR 57266; 69 FR 52741; 71 FR 66217; 65 FR 33406; 65 FR 57234; 67 FR 57266; 69 FR 64810; 71 FR 66217; 65 FR 45817; 65 FR 77066; 67 FR 71610; 65 FR 77069). 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 December 15, 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 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 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: November 4, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. 20502(a), the following railroad has petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR Part 236, as detailed below.

[Docket Number FRA-2001-9972]

*Applicant:* CSX Transportation, Inc., John R. Rimer, Director of Locomotive Engineering, Mechanical Operations, 500 Water Street—J340, Jacksonville, Florida 32202.

As a point of clarification, FRA has requested that CSX Transportation (CSXT) submit an application request for a modification to a signal system that has previously been made.

Upon installation of the Advanced Civil Speed Enforcement System (ACSES) required by the Order of Particular Applicability, FRA Docket Number 2001-9972 (formerly FRA Docket No. 87-2, Notice No. 7 issued on July 22, 1998), CSXT became aware of frequent nuisance penalty brake applications being experienced while performing routine freight switching maneuvers. The circumstances of the situation are as described below.

As a method of "roll-away" protection, ACSES required a train to be at 0 miles per hour (mph) with the reverser centered. If a train was not at 0 mph and the reverser was centered, the condition was recognized by ACSES as a moving train not intended to be moving, and therefore a possible roll-away. Freight trains, unlike passenger trains, do a lot of back and forth movements, with the reverser moved through the neutral position numerous times, as the locomotive switches in and out of a yard or work a business along the Northeast Corridor (NEC).

In 2001, CSXT, while hosting bi-monthly ACSES problem-solving meetings with Amtrak, FRA, and system suppliers PHW and Alstom, proposed and executed a modification (Number M-0122) which was external to ACSES that made ACSES act as through the reverser was in forward, while it was actually centered. This allowed CSXT engineers to perform freight switching activities without the nuisance penalty brake applications described above.

This modification also disabled a portion of ACSES roll-away protection, which was intended to have ACSES prevent a train from rolling away in the event the train brakes were not set properly and an end was not selected. This accounted for the immediate recognition of a roll-away condition no longer being available if a train's speed was not 0 mph. However, as a train's speed began to increase with the reverser centered (as would be the case in a standing train should it begin to roll away), the alerter function is enabled and within a short period of time (30 to 60 seconds depending on gained speed), the brakes will be set.

CSXT does not believe that the ACSES roll-away protection function was intended to be active while a train is being brought to a stop such as within switching movements. CSXT has operated with modification M-0122 since September 30, 2001, without incident. CSXT was requested to, and has submitted, a request for regulatory relief to use this modification on their GP-40-2 locomotives.

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 be identified by Docket Number FRA-2001-9972 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 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).

Issued in Washington, DC on November 7, 2008.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### **United We Ride State/Tribal Mobility Management Coordination Grants; Solicitation for Proposals and Technical Assistance/Training Available**

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

**ACTION:** Notice of request for proposals.

**SUMMARY:** This notice solicits proposals from States and tribal associations or consortia for United We Ride (UWR) mobility management grants. This solicitation is issued by the Federal Transit Administration (FTA) on behalf of the Federal Interagency Coordinating Council on Access and Mobility (CCAM). Funding in the amount of \$1.5 million is provided by FTA to support grants ranging up to \$300,000 each.

These grants are intended to assist States and tribal associations in supporting the development of transportation coordination capabilities and capacity within local or regional human service networks to address the individualized customer transportation needs of persons and families with low income, persons with disabilities, older adults and youth. Specifically, these grants seek to address individual customer needs for mobility within workforce development, health care, aging, youth, disability, education, housing, veterans and other social service or human service support networks. State or tribal mobility management proposals may include the development of educational programs, training and technical assistance

activities, and mobility management coordination pilots for or within such networks. These grants are not intended to fund the capital or operating costs of specific transportation services or transportation brokerage programs. The projects proposed should represent new or expanded activities, not just the maintenance of existing actions already being funded. FTA-funded technical assistance and training programs are described that may prove helpful to applicants in either developing or implementing proposals.

**DATES:** Proposals must be submitted February 12, 2009. States are advised to begin the Grants.Gov registration process immediately, if they have not previously submitted grant applications through <http://www.Grants.Gov> in order to be able to meet the deadline. Grants.Gov allows organizations to electronically find and apply for competitive grant opportunities from all Federal grant-making agencies. Grants.Gov is the single access point for over 1000 grant programs offered by the 26 Federal grant-making agencies.

**ADDRESSES:** *Proposals are to be submitted electronically* through <http://www.Grants.Gov>. Alternatively, proposals can also be submitted in hard copy at the address below. All proposals must be received by close of business February 12, 2009. Use of a commercial delivery service is recommended as U.S. Postal Service delivery to the Department is routinely subject to delays. [Proposals may not be submitted by e-mail.]

Douglas Birnie, United We Ride Grants, 1200 New Jersey Avenue, SE., Room E46-309, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Doug Birnie at PH: 202-366-1666; FAX: 202-366-3394; or

[UnitedWeRide@dot.gov](mailto:UnitedWeRide@dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

United We Ride (UWR) is an initiative of the Federal Interagency Coordinating Council on Access and Mobility (CCAM), established by President George W. Bush under Executive Order 13330 on Human Service Transportation Coordination. The CCAM includes eleven Federal departments working together to coordinate Federal programs funding transportation. The goals are to simplify access for customers, reduce transportation service duplication, and enhance cost efficiencies within existing resources.

There are 64 different Federal programs across nine Federal agencies that provide funding that may be used to support community transportation