

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 standard 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 16 applicants listed in the notice of March 29, 2011 (76 FR 17481).

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 16 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 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, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also 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 one comment in this proceeding. The comment was considered and discussed below.

The Pennsylvania Department of Transportation is in favor of granting a Federal vision exemption to David Kibble, they indicated that they have reviewed the driving histories of this applicant and have no objections to FMCSA granting him a vision exemption.

### Conclusion

Based upon its evaluation of the 16 exemption applications, FMCSA exempts, David W. Bennett, Toby L. Carson, Fredrick M. DeHoff, Jr., Raul Donozo, Rick A. Ervin, Clifford D. Johnson, Dionicio Mendoza, David Kibble, Raymond J. Paiz, Tyler R. Peebles, Alfredo Reyes, Ronald M. Robinson, J. Bernardo Rodriguez, Esequiel Rodriguez, Jr., David I. Sosby and Donald E. Stone 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: May 9, 2011.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2011-11792 Filed 5-12-11; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2010-0162]

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated October 15, 2010, the Union Pacific Railroad Company (UP), has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at

Title 49 Code of Federal Regulations (CFR) part 231 (Safety Appliance Standards). FRA assigned the petition Docket Number FRA-2010-0162.

Specifically § 231.24(b)(3) *End platforms (3) Location. One (1) on each end of car not more than eight (8) inches above center sill.* UP requests relief on cars where the dimensional requirements of eight inches above the center sill are not in compliance and contend all other measurements are in compliance within Plate "U" of Appendix D of the Motive Power and Equipment Compliance Manual.

UP stated twenty-one different car owners are affected by this requirement with the potential of exceeding 18,000 cars that are involved to correct the problem for cars constructed in 49 CFR 231.24. UP contends that in order to correct the problem, many cars require extensive modifications which are time consuming and labor intensive. Additionally, UP stated that private car owners are concerned with service delays associated with the necessary car modifications and repairs. In addition, UP believes its review of safety and personal injury records indicated no underlying safety issues that would prevent the requested provided relief.

UP states that other dimensional requirements for end platforms cover other cars beyond 49 CFR 231.24(b)(3). UP respectfully restates the waiver request to grant relief from the provisions of 49 CFR 231 Safety Appliance Standards with reference to end platforms be not more than eight inches above the car center sill.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the Department of Transportation's Docket Operations Facility, 1200 New Jersey Ave., SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

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 identify the appropriate docket number 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 by June 27, 2011 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

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) or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on May 9, 2011.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory & Legislative Operations.*

[FR Doc. 2011-11774 Filed 5-12-11; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA-2010-0105]

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

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and the expected burden. The **Federal Register** Notice with a 60-day comment period was published on September 13, 2010 (75 FR 55627-55628).

**DATES:** Comments must be submitted on or before June 13, 2011.

**ADDRESS:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, attention NHTSA Desk Officer.

**FOR FURTHER INFORMATION CONTACT:** Randolph Atkins, Ph.D., Office of Behavioral Safety Research, National Highway Traffic Safety Administration, NTI-131, Room W46-500, 1200 New Jersey Ave, SE., Washington, DC 20590. Dr. Atkins' phone number is 202-366-5597 and his e-mail address is [randolph.atkins@dot.gov](mailto:randolph.atkins@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* System Analysis of Automated Speed Enforcement (ASE) Implementation.

*Type of Request:* New information collection requirement.

*Abstract:* A great many enforcement strategies are in use to combat speeding today. One important approach increasingly being used is Automated Speed Enforcement (ASE). A number of studies have shown the use of speed cameras for ASE to be effective in reducing traffic speeds. However, despite the effectiveness of speed cameras programs for ASE, it is often difficult to establish public acceptance for these programs and put them into place. The objectives of this study are to (1) Determine how the existing speed camera programs in the United States were developed and implemented; (2) Examine other variables that have affected these speed camera programs; and (3) Determine how all of these variables have affected the success of these programs. This information will be used to revise existing guidelines for ASE programs, help existing ASE programs improve their programs and provide new information on this countermeasure to assist other communities in establishing well-designed speed management programs, including ASE.

This study will conduct a census survey of existing ASE programs in the United States, as well as some recently discontinued ASE programs, and gather information from each site to address the objectives described above. Key personnel in the existing programs will be surveyed via mailed questionnaire with possible follow-ups by e-mail, phone or in person. This survey is expected to provide data relevant to ASE development and delivery that may affect the level of public acceptance for speed camera programs, as well as their success. The variables to be addressed include specific target sites for the ASE (school zones, work zones, *etc.*), program funding and revenue flow (who

pays for it and how, who profits from revenue, how it is promoted as a revenue generator or a safety measure), nature of citations issued (cite vehicle or cite driver), penalties for violations (level of fines, points on license, *etc.*), presence of other automated enforcement (red light cameras), level of traditional speed law enforcement, existence and results of program evaluations, media reports and level of media exposure, level of public acceptance, and the degree to which programs were set up and implemented according to NHTSA guidelines. This information is focused on achieving the greatest benefit in decreasing crashes and resulting injuries and fatalities, and providing informational support to States, localities, and law enforcement agencies that will aid them in their efforts to reduce traffic crashes. Given the widespread occurrence of speeding and the high toll in injuries and lives lost in speed-related crashes, as well as the high economic costs of speed-related crashes, this is a safety issue that demands attention.

*Affected Public:* This survey will target law enforcement agencies in the United States with ASE programs as well as agencies that recently discontinued ASE programs. A few key personnel from each of the agencies will be contacted to complete the survey on their ASE programs. This survey will include a mailed questionnaire and possible e-mail, telephone or in-person follow-up discussions, as needed, for the information collection. Participation will be voluntary. This is a census collection of information on existing ASE programs and some recently discontinued ASE programs. After continued research into the number of current and discontinued ASE programs, the original estimate of 80 jurisdictions has been updated to include a total census of 106 agencies to be contacted for participation in this survey.

*Estimated Total Annual Burden:* The total estimated annual burden is approximately 848 hours for the survey and follow-up contacts for the 106 jurisdictions. We estimate approximately 8 hours per jurisdiction responding to our request for information (106 agencies × 8 hours each = 848 hours total). These 8 hours will be expended on internal agency discussion of the survey, gathering information requested in the survey (data and past reports), completing the questionnaire, and speaking with the researchers should follow-up contacts be required. Personnel to be contacted in each jurisdiction include the Chief of Police, a traffic unit/ASE unit