

tractor-trailer combinations for 30 years, accumulating 160,080 miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Christopher S. Morgan*

Mr. Morgan, 30, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 20/50, and in his left eye, 20/20. Following an examination in 2012, his ophthalmologist noted, "In my medical opinion, Mr. Morgan has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Morgan reported that he has driven straight trucks for 5 years, accumulating 75,000 miles, and tractor-trailer combinations for 3 years, accumulating 135,000 miles. He holds an operator license from Louisiana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*William T. Owens*

Mr. Owens, 57, has central serous choroidopathy in his right eye since 2002. The best corrected visual acuity in his right eye is 20/150, and in his left eye, 20/20. Following an examination in 2012, his optometrist noted, "It is in my medical opinion that Mr. Owens has adequate visual function to perform his work duties and maintain his CDL license in the operation of a commercial vehicle." Mr. Owens reported that he has driven tractor-trailer combinations for 35 years, accumulating 3.2 million miles. He holds a Class A CDL from Virginia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Jeffrey S. Pennell*

Mr. Pennell, 49, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/15, and in his left eye, 20/400. Following an examination in 2012, his optometrist noted, "In my opinion, he has sufficient vision to operate a commercial vehicle." Mr. Pennell reported that he has driven straight trucks for 22 years, accumulating 792,000 miles, tractor-trailer combinations for 12 years, accumulating 336,000 miles, and buses for 5 months, accumulating 2,000 miles. He holds a Class A CDL from Vermont. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Donald R. Strickland*

Mr. Strickland, 71, has had amblyopia in his right eye since birth. The best corrected visual acuity in his right eye is 20/25, and in his left eye, 20/400. Following an examination in 2012, his optometrist noted, "In Summary, Mr. Strickland has excellent vision in the right eye and, somewhat diminished vision in the left eye. However, it is my medical opinion that Mr. Strickland has sufficient visual acuity to perform the duties required for a commercial vehicle." Mr. Strickland reported that he has driven tractor-trailer combinations for 35 years, accumulating 2.6 million miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Vaughn J. Suhling*

Mr. Suhling, 51, has a ocular histoplasmosis scar in his right eye sustained in 1990. The best corrected visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2012, his optometrist noted, "I believe Mr. Suhling has sufficient vision to perform the driving tasks required to continue to operate a commercial vehicle." Mr. Suhling reported that he has driven straight trucks for 35 years, accumulating 420,000 miles, and tractor-trailer combinations for 6 years, accumulating 24,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Max A. Thurman*

Mr. Thurman, 75, has a prosthetic left eye due to a traumatic injury sustained 10 years ago. The visual acuity in his right eye is 20/25. Following an examination in 2011, his optometrist noted, "I certify that patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Thurman reported that he has driven straight trucks for 60 years, accumulating 6,000 miles, and tractor-trailer combinations for 50 years, accumulating 4.5 million miles. He holds a Class A 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 October 31, 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: September 21, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2012-24141 Filed 9-28-12; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2004-17984; FMCSA-2006-24783; FMCSA-2008-0231; FMCSA-2008-0174; FMCSA-2010-0161; FMCSA-2010-0187]

**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 26 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 October 15, 2012. Comments must be received on or before October 31, 2012.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) numbers: Docket No. [Docket No. FMCSA-2004-17984; FMCSA-2006-24783; FMCSA-2008-0231; FMCSA-2008-0174; FMCSA-2010-0161; FMCSA-2010-0187], 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.

*Instructions:* 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 Federal Docket Management System (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, [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 26 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 26 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Robert L. Aurandt (PA)  
 Harry R. Brewer (TN)  
 Julian Collins (GA)  
 Ivory Davis (MD)  
 James G. Ethridge (TX)  
 Joseph H. Fowler (CO)  
 Edward P. Hynes II (VA)  
 Richard L. Kelly (MN)  
 Theodore Kirby (MD)  
 Kelly R. Konesky (AZ)  
 Joseph A. Leigh, Jr. (NC)  
 John L. Lethcoe (NC)  
 Gregory T. Lingard (MT)  
 Leonardo Lopez, Jr. (NJ)  
 Hollis J. Martin (AL)  
 Ronald J. McTague (OH)  
 Kevin C. Palmer (OR)  
 Charles O. Rhodes (FL)  
 Gordon G. Roth (KS)  
 Benito Saldana (TX)  
 Julius Simmons, Jr. (SC)  
 Richard T. Traigle (LA)  
 Carl V. Wheeler (NC)  
 Stephen B. Whitt (NC)  
 Darrell F. Woosley (IL)  
 Jason M. Zaragoza (CA)

The 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 requirements 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 provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retains 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 26 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (69 FR 33997; 69 FR 61292; 71 FR 32183; 71 FR 41310; 71 FR 55820; 73 FR 38497; 73 FR 48271; 73 FR 46973; 73 FR 54888; 73 FR 65009; 75 FR 39725; 75 FR 44050; 74 FR 47883; 75 FR 52063; 75 FR 57105; 75 FR 61833; 75 FR 63257). Each of these 26 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement 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 requirements. 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 October 31, 2012.

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 26 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 made on the merits of each case and made 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: September 21, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2012-24143 Filed 9-28-12; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Research and Innovative Technology Administration

#### University Transportation Centers Program

**AGENCY:** Research and Innovative Technology Administration, DOT.

**ACTION:** Notice of Funding Availability.

**SUMMARY:** The United States Department of Transportation (the Department) is publishing this notice to give eligible nonprofit institutions of higher learning advance notice that they will have an opportunity to submit grant applications for the University Transportation Centers (UTCs) program. The Department requests public comments on this notice.

Funds for this grant program are authorized beginning on October 1, 2012. In the near future, the Department, via the Research and Innovative Technology Administration

(RITA), will release a grant solicitation through Grants.gov and on the UTC Program's Web site, <http://utc.dot.gov>, describing the competition and deadlines for applications. Proposals will be evaluated through a competitive process on the basis of demonstrated ability, research, technology and education resources, leadership, multimodal research capability, and commitment to transportation workforce development programs, technology transfer capability, the use of peer review, and effective partnerships to advance diversity.

**DATES:** All public comments must be received by October 31, 2012.

**ADDRESSES:** You may send comments identified by Docket Number RITA-2012-0002 using any of the following methods:

*Government-wide rulemaking Web site:* <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

*Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. Fax 1-202-493-2251.

*Courier:* Commercial delivery service, such as, but not limited to the following—Federal Express or United Parcel Service, addressed to Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington DC 20590.

*Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

The Department will post all comments received, without change, to <http://dms.dot.gov>, including any personal information. If you mail or hand deliver your comments and want the Department to acknowledge receipt of your comments, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it to you.

*Docket:* To read background documents or comments received, go to <http://dms.gov> or to Docket Management Facility, U. S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. Monday through Friday, except Federal holidays.

*Privacy Act:* Anyone is able to search the electronic form of all comments received in any of our dockets by the name of the individual submitting the comment (or signing the comment if submitted on behalf of an association, a business, a labor union, etc.). You may

review the Department's complete Privacy Act statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://DocketsInfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Kevin Womack, Associate Administrator for Research, Development and Technology, mail code RDT-10, Research and Innovative Technology Administration (RITA), 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone Number (202) 366-5306 or Email [Kevin.Womack@dot.gov](mailto:Kevin.Womack@dot.gov).

#### SUPPLEMENTARY INFORMATION:

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#### I. Background

The Moving Ahead for Progress in the 21st Century Act (MAP-21, Pub. L. 112-141, Sec. 51001(a)(5)) authorizes \$72.5 million for each of the fiscal years 2013 (FY 2013) and 2014 (FY 2014) for up to 35 competitive grants for UTCs. The FY 2013 and FY 2014 funds are subject to an annual obligation limitation. The amount of budget authority available in a given year may be less than the amount authorized for that fiscal year.

MAP-21 authorizes the Secretary of Transportation to make grants to eligible nonprofit institutions of higher education to establish and operate UTCs. RITA will administer the program. The Department will solicit competitive grant applications for national university transportation Centers, regional university transportation Centers, and Tier I university transportation Centers as set forth in MAP-21. UTCs will be selected by the Secretary, in consultation as appropriate with the Administrators of the Federal Highway Administration and the Federal Transit Administration. (49 U.S.C. 5505(b)(4)(B) as amended by Pub. L. 112-141, Sec. 52009 (effective Oct. 1, 2012)).

The Department plans to competitively select five national UTCs with an award of \$3 million each, ten regional UTCs with an award of \$2.75 million each, and up to 20 Tier I UTCs with an award of \$1.5 million each.

The role of each UTC is to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology