

Donald C., "Accident Rate Potential: An Application of Multiple Regression Analysis of a Poisson Process," *Journal of American Statistical Association*, June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 30 applicants, no drivers were involved in crashes, and 2 drivers were convicted of moving violations in CMVs. All the applicants achieved a record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

We believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads 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 requirement 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 30 applicants listed in the notice of March 16, 2016 (81 FR 14190).

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 30 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 requirement 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 have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### V. Discussion of Comments

FMCSA received no comments in this proceeding.

#### IV. Conclusion

Based upon its evaluation of the 30 exemption applications, FMCSA exempts the following drivers from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)):

Gary L. Bartels (TX)  
 Christopher Benavidez (NM)  
 William H. Brence (SD)  
 Dean B. Carrick (MI)  
 Jaime V. Cavazos (TX)  
 Jacob Dehoyos (NM)  
 Larry D. Fulk (MO)  
 Hugo A. Galvis Barrera (GA)  
 Harold J. Gilbert (CO)  
 Darrell K. Harber (MO)  
 Clair G. High (PA)  
 Robert E. Holbrook (TN)  
 Lowell E. Jackson (MO)  
 Maurice L. Kinney (NY)  
 Richard R. Krafczynski, Jr. (PA)  
 Michael S. McHale (PA)  
 Darin P. Milton (TN)  
 Myron Morehouse (MN)  
 Dakota J. Papsun (PA)  
 Raffaello Petrillo (NJ)

William J. Powell (KY)  
 Cory R. Rand (NH)  
 Bobby W. Sanders (TN)  
 Logan D. Shaffer (SC)  
 Laurence W. Sellers (AL)  
 Johnny T. Solorio (CA)  
 Richard R. Vonderohe (IA)  
 William J. Watts (MT)  
 Russell Zelich (PA)  
 Frederick A. Zoeller, Jr. (NH)

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: June 6, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2016-14140 Filed 6-14-16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Approval of Product Safety Plan

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 May 12, 2016, CSX Transportation (CSX) has petitioned the Federal Railroad Administration (FRA) for approval of its Product Safety Plan (PSP) for its ElectroBlox Wayside Interface Unit (WIU). FRA assigned the petition Docket Number FRA-2010-0028.

The PSP submitted is intended to meet the requirements prescribed in 49 CFR part 236, subpart H—Standards for Processor-Based Signal and Train Control Systems, in 49 CFR 236.907 and 49 CFR 236.913. As such, CSX maintains that the ElectroBlox system was designed in a safe manner, reliably executes the functions of an interoperable Positive Train Control (PTC) wayside component, and does not result in risk that exceeds the previous condition.

The ElectroBlox system is used to translate discrete vital inputs into wayside status messages that comply with the Interoperable Train Control

(ITC) WIU specification. This system targets applications where existing microprocessor-based equipment does not exist or are in lieu of integrated WIU PTC upgrades to existing electronic signal controllers.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's (DOT) Docket Operations Facility, 1200 New Jersey Avenue 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 August 1, 2016 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 document, if submitted on behalf of an association, business, labor union, etc.). In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at

[www.dot.gov/privacy](http://www.dot.gov/privacy). See also <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

**Robert C. Lauby,**  
*Associate Administrator for Railroad Safety,*  
*Chief Safety Officer.*

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**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2010-0058]

#### Canadian Pacific Railway's Request for Positive Train Control Safety Plan Approval and System Certification

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

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

**SUMMARY:** This document provides the public with notice that Canadian Pacific Railway (CP) submitted to FRA its Positive Train Control Safety Plan (PTCSP) Version 1.0, dated May 9, 2016, on FRA's Secure Information Repository (SIR) site on May 11, 2016. CP asks FRA to approve its PTCSP and issue a Positive Train Control System Certification for CP's Interoperable Electronic Train Management System (I-ETMS), under 49 CFR part 236.

**DATES:** FRA will consider communications received by July 15, 2016 before taking final action on the PTCSP. FRA may consider comments received after that date if practicable.

**ADDRESSES:** All communications concerning this proceeding should identify Docket Number 2010-0058 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.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mark Hartong, Senior Scientific Technical Advisor, at (202) 493-1332, or [Mark.Hartong@dot.gov](mailto:Mark.Hartong@dot.gov); or Mr. David Blackmore, Staff Director, Positive Train Control Division, at (312) 835-3903, or [David.Blackmore@dot.gov](mailto:David.Blackmore@dot.gov).

**SUPPLEMENTARY INFORMATION:** In its PTCSP, CP asserts that it designed its I-ETMS as a vital overlay PTC system as defined in 49 CFR 236.1015(e)(2). The PTCSP describes CP's I-ETMS implementation and the associated I-ETMS safety processes, safety analyses, and test, validation, and verification processes used during the development of I-ETMS. The PTCSP also contains CP's operational and support requirements and procedures.

CP's PTCSP and the accompanying request for approval and system certification are available for review online at [www.regulations.gov](http://www.regulations.gov) (Docket Number FRA-2010-0058) and in person at DOT's Docket Operations Facility, 1200 New Jersey Avenue 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 comment on the PTCSP by submitting written comments or data. During its review of the PTCSP, FRA will consider any comments or data submitted. However, FRA may elect not to respond to any particular comment and, under 49 CFR 236.1009(d)(3), FRA maintains the authority to approve or disapprove the PTCSP at its sole discretion. FRA does not anticipate scheduling a public hearing regarding CP's PTCSP because the circumstances do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, the party should notify FRA in writing before the end of the comment period and specify the basis for his or her request.

#### Privacy Act Notice

Anyone can 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 document, if submitted on behalf of an association, business, labor union, etc.). Under 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which you can review at [www.dot.gov/privacy](http://www.dot.gov/privacy). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of [regulations.gov](http://www.regulations.gov).

**Robert C. Lauby,**  
*Associate Administrator for Railroad Safety,*  
*Chief Safety Officer.*

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