

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT), prepared a draft EIS for a project that has been proposed to improve the transportation system in the City of St. Louis and St. Louis County, Missouri. The notice of availability for the New I-64 EIS (volumes 1 and 2) was published in the **Federal Register** on January 3, 2003. The end of the official comment period was to be February 28, 2003. The comment period was subsequently extended to April 4, 2003. Due to the request from the city of Richmond Heights for additional time to prepare comments, we are further extending the comment period to May 30, 2003. Comments or questions should be directed to the FHWA or MoDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: April 22, 2003.

**Donald L. Neumann,**

*Programs Engineer, Jefferson City.*

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**BILLING CODE 4910-22-M**

Barclay, Jr., Richard  
Bell, Johnny  
Bonney, Stephen  
Bosanek, Theodore  
Brown, Brian  
Brown, Norman  
Browning, Raymond  
Browning, Jr., John  
Cadwell, Robert  
Carleton, David  
Carson, Roger  
Cerri, Phillip  
Chamblee, William  
Cheatham, Lonas  
Clemons, Curtis  
Crise, Duane  
Davis, Jr., William  
Denne, Kenneth  
Fraas, Jr., Louis  
Frazier, Wiley  
French, Russell  
Gann, Jr., Floyd  
Garner, Sr., Anthony  
Gingery, Nelson

One applicant, Mr. Jerry Ross, does not have experience operating a commercial motor vehicle (CMV) and therefore presented no evidence from

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

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

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

**ACTION:** Notice of denials.

**SUMMARY:** The FMCSA announces that 149 individuals were denied exemptions from the Federal vision standard applicable to interstate truck drivers and the reasons for the denials. The FMCSA has statutory authority to exempt individuals from vision standards if the exemptions granted will not compromise safety. The agency has concluded that granting these exemptions does not provide a level of safety that will equal or exceed the level of safety maintained without the exemptions for these commercial drivers.

#### FOR FURTHER INFORMATION CONTACT:

Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (MC-PSD), (202) 366-2987, Department of Transportation, FMCSA, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., *e.t.*, Monday through Friday, except Federal holidays.

Goodway, David  
Halfhill, Tyrone  
Harris, Clifford  
Hunter, Paul  
Ivie, Brent  
Jarvis, Monte  
Johnson, Terrell  
Kaufman, Chester  
Keating, Carl  
Knox, Jr., Robert  
Leitz, Jack  
Majors, Jr., Stanley  
Maloney, 3rd, John  
Mannings, Christopher  
Marancik, John  
Marple, Jay  
Martin, Bradley  
Martin, George  
Melton, Charles  
Moore, Timothy  
Norton, Kenneth  
Pimentel, Luiz  
Pinard, Kregg  
Raby, Joel

which FMCSA can conclude that granting the exemption is likely to achieve a level of safety equal to that existing without the exemption.

## SUPPLEMENTARY INFORMATION:

### Background

Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant an exemption from the Federal vision standard for a renewable 2-year period if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption. (49 CFR 391.41(b)(10))

Accordingly, FMCSA evaluated 149 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria established to demonstrate that granting an exemption is likely to achieve an equal or greater level of safety that exists without the exemption. Each applicant has, prior to this notice, received a letter of final disposition on his/her individual exemption request. Those decision letters fully outlined the basis for the denial and constitute final agency action. The list published today summarizes the agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reason for denials.

The following 71 applicants lacked sufficient recent driving experience over three years:

Reed, Donald  
Reichert, Daniel  
Reyes, Angelo  
Reynolds, Thomas  
Ryan, Paul  
Schaaf, James  
Severson, Carrie  
Smith, James  
Sosa, Freddy  
Steele, Duane  
Stout, David  
Taylor, Timothy  
Thomas, Steven  
Thomason, Douglas  
Thompson, John C.  
Toombs, Marvin  
Turenne, Gary  
Turner, Roy  
Tuttle, Brian  
Wilkinson, Sonya  
Williams, James  
Wilson, Leonard  
Winters, Timothy

The following 37 applicants do not have 3 years of experience driving a CMV on public highways with the vision deficiency:

Bacon, Nick  
 Barnes, Jesse  
 Cannon, Lawrence  
 Chase, Michael  
 Cloose, James  
 Collins, Kurt  
 Davis, John  
 Doucette, Joshua  
 Giffin, Richard  
 Gifford, Delbert  
 Guenther, Christopher  
 Harrison, Troy  
 Henson, Leon

Huffman, Charles  
 Johnson, Daniel  
 Jurgens, Merlyn  
 Martinez, Michael  
 Maxwell, Brian  
 McHugh, Jeanne  
 Montiel, Sr., Norbert  
 Murray, Kevin  
 Myron, James  
 Newman, Gordon  
 Parks, Sr., Benjamin  
 Peters, Ronald  
 Pitner, Edward

Pryor, Ronald  
 Savely, Danny  
 Schneider, Clifford  
 Slingerland, Gerrit  
 Smallwood, Jody  
 Tharp, Dustin  
 Warren, Lynn  
 Watson, Larry  
 Whitson, Christopher  
 Wilbur, Richard  
 Williams, Eddie

Five applicants do not have 3 years recent experience driving a CMV with the vision deficiency:

Camara, Mamadou  
 Little, Edward  
 Prentice, Nugent  
 Raatz, Richard  
 Randkin, David

The following 8 applicants do not qualify because they were charged with moving violation(s) in conjunction with CMV accident(s), which is a disqualifying offense under the exemption criteria:

Burke, Thomas  
 Davis, Sr., Eric  
 Margison, Samson  
 Milner, Robert  
 Mohr, James  
 Peters, Nathaniel  
 Potter, Douglas  
 Robinson, Bill

The following 4 applicants had more than two CMV moving violations during a 3-year period or while the applications were pending. Each applicant is only allowed two moving citations:

Hahn, George  
 McCone, Steve  
 Menken, David  
 Pasillas, Victor

The following 8 applicants' licenses were suspended during the 3-year period because of a moving violation. Applicants do not qualify for an exemption with a suspension during the 3-year period:

Cuddy, Randy  
 Eyre, Duane  
 Leffler, Terry  
 Melssen, Jeffrey  
 Phillips, Howard  
 Rosales, Guillermo  
 Shrewsbury, William  
 Williams, Jack

One applicant, Mr. Roger Keef, had two serious commercial motor vehicle violations within the 3-year period. Each applicant is allowed a total of two moving citations, of which only one can be serious.

One applicant, Mr. Thomas Jefferson, does not have verifiable proof of

commercial driving experience during a 3-year period under normal highway operating conditions that would serve as an adequate predictor of future safety performance.

The following 9 applicants were involved in CMV accidents in which they contributed to the accident:

Benitez, Randy  
 Johnson, James  
 McFall, Norma  
 Rawson, Merlyn  
 Sanchez, Luis  
 Thompson, John R.  
 Turpaud, Robert  
 Wilson, Calvin  
 Yocum, Paul

One applicant, Mr. Limmie Sweet, does not hold a license which allows operation of a CMV over 10,000 pounds gross vehicle weight rating (GVWR) for all or part of the 3-year period.

One applicant, Mr. James Peterson, was denied for multiple reasons.

Finally, two applicants, James Baldwin, Sr. and Robert Holecek, were denied because their vision had not been stable within the three-year period.

Issued on: April 22, 2003.

**Pamela M. Pelcovits,**

*Acting Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petitions for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) section 211.41, and 49 U.S.C. 20103, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

#### **Sacramento Regional Transit District FRA Waiver Petition No. FRA-2003-14565**

Sacramento Regional Transit District (SRTD) located in Sacramento, California, seeks a permanent waiver of compliance from Title 49 of the CFR for operation of a light rail line at a "limited connection" with the Union Pacific Railroad Company (UP). *See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000); *see also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

In this regard, SRTD's "F" line is in a common corridor with the UP and there are nine (9) shared highway-rail grade crossings. Due to an extension of the "F" line, an additional nine (9) shared highway-rail grade crossings are anticipated. In addition, SRTD plans to construct a new 6.3 mile long light rail system also in a common corridor with the UP. SRTD anticipates there will be twelve (12) shared highway-rail grade crossings with UP on this new line. There has not been, nor is it anticipated that there will be, any shared use of track with the general system of railroad transportation on the aforementioned.

Based on the foregoing, SRTD seeks a permanent waiver of compliance from certain CFR parts of Title 49, specifically: part 229, Railroad Locomotive Safety Standards; and part 234, Grade Crossing Signal System Safety.

Since FRA has not yet completed its investigation of SRTD's petition, the agency takes no position at this time on the merits of SRTD's stated justifications. As part of FRA's review of the petition, the Federal Transit Administration will appoint a representative to advise FRA's Safety