

will be prepared for a proposed toll highway facility in the vicinity of Baton Rouge, Louisiana.

FOR FURTHER INFORMATION CONTACT: Mr. Carl M. Highsmith, Project Delivery Team Leader, Federal Highway Administration, 5304 Flanders Drive, Suite A, Baton Rouge, Louisiana 70808, Telephone: (225) 757-7615, or Mr. Bryan K. Harmon, City of Baton Rouge, Parish of East Baton Rouge, Department of Public Works, Engineering Division, Deputy Director/Chief Engineer, Room 409, Municipal Building, 300 North Boulevard, Post Office Box 1471, Baton Rouge, LA 70821, Telephone: (225) 389-3186. Project information can be found at the project Internet Web site at <http://www.brloop.com>.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Capital Area Expressway Authority, and the City of Baton Rouge, Parish of East Baton Rouge, Louisiana will prepare a Tier 1 EIS on corridor alternatives for the proposed Baton Rouge Loop. The Baton Rouge Loop is planned on new location around Baton Rouge, Louisiana connecting I-10 west of Baton Rouge to I-10 south of Baton Rouge, I-10 west of Baton Rouge to I-12 east of Baton Rouge (which includes an interchange with I-110), and I-10 south of Baton Rouge to I-12 east of Baton Rouge. The project would include one or two major bridge crossings of the Mississippi River. The prototype corridor is approximately 77 miles long. The proposed facility would be controlled access toll road on new location that would initially have four lanes with provision to expand to six lanes. Major arterials that must be traversed, or incorporated into the complete Loop project may include: Interstate 10, Interstate 12, Interstate 100, US 190 (West Baton Rouge Parish), Scenic Highway (US 61), Airline Highway (US 190), Plank Road (LA 67), Harding Boulevard/Hooper Road (LA 408), Blackwater Road (LA 410), Joor Road (LA 946), Range Road (LA 16), Arnold Road (LA 1025), Walker Road North (LA 447), River Road (LA 327), Gardere Lane (LA 327), Bluebonnet Boulevard, Nicholson Road (LA 30), Airline Highway (US 61), LA 42, LA 44, and Walker Road South (LA 447).

The new facility is considered necessary to provide for existing and future traffic demand and to improve the hurricane evacuation system. At a minimum, the current project will examine, in addition to the no build alternative, three corridor build alternatives to be identified in the Baton Rouge Loop Implementation Plan, which is a planning study to identify engineering, environmental, financial,

and community input factors that are important elements in the identification of potential loop corridors. The Tier 1 EIS is being initiated concurrently with the completion of the latter stages of the Implementation Plan. When the full loop corridor is established as a result of the Tier 1 EIS, one or more Tier 2 EIS's will be initiated to select an alignment within the corridor and detailed design features for individual segments of independent utility.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, local agencies, tribes, elected officials and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. Numerous public meetings will be held throughout the term of the project. The first of these meetings, a series of public scoping meetings, will be conducted to provide the public with information about the project and an opportunity to assist in formulating the scope of the study. The public scoping meetings are scheduled as follows:

- February 25th—East Baton Rouge Parish—BREC Headquarters.
- February 26th—Ascension Parish—Gonzales Civic Center.
- February 27th—Livingston Parish—North Park Recreation Center.
- February 28th—West Baton Rouge Parish—Port Allen Community Center.
- March 3rd—Iberville Parish—Plaquemine Civic Center.

A formal scoping meeting for agency input will be scheduled soon after initiation of the EIS. In addition, a public hearing will be held. Public notice will be given of the time and place of the public hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed project are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

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

Authority: 23 U.S.C., 315; 23 CFR 771.123.

Issued on: February 6, 2008.

Charles "Wes" Bolinger,
Division Administrator, FHWA, Louisiana
Division, Baton Rouge, LA.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-99-5748, FMCSA-00-8398, FMCSA-03-15892, FMCSA-03-16241, FMCSA-03-16564, FMCSA-05-22194, FMCSA-05-22727]

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 20 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 March 5, 2008. Comments must be received on or before March 14, 2008.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-99-5748, FMCSA-00-8398, FMCSA-03-15892, FMCSA-03-16241, FMCSA-03-16564, FMCSA-05-22194, FMCSA-05-22727, 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.

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 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 the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78; Apr. 11, 2000). This information is also available at <http://DocketInfo.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Director, Medical Programs, (202)-366-4001, fmcamedical@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 20 individuals who have requested a renewal of their

exemption in accordance with FMCSA procedures. FMCSA has evaluated these 20 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Eric D. Bennett
Lee A. Burke
Barton C. Caldara
Charlie F. Cook
Allan Darley
John K. DeGolier
Robin S. England
Richard Hailey, Jr.
Robert V. Hodges
George R. Knavel
John R. Knott, III
John K. Love
Roger D. Mollak
Edward D. Pickle
Ezequiel M. Ramirez
Kent S. Reining
James L. Schmitt
Earl W. Sheets
Thomas E. Voyles, Jr.
James T. Wortham, Jr.

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 20 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (64 FR 40404; 64 FR 66962; 66 FR 66969; 68 FR 69432; 71 FR 6825; 65 FR 78256; 66 FR 16311; 68 FR 64944; 70 FR 67776; 68 FR 52811; 68 FR 61860; 70 FR 61165; 68 FR 61857; 68 FR 75715; 71 FR 644; 68 FR 74699; 69 FR 10503; 71 FR 6829; 70 FR 57353; 70 FR 72689; 70 FR 71884; 71 FR 4632; 68 FR 75715; 71 FR 6825). Each of these 20 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 March 14, 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 20 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: February 5, 2008.

Larry W. Minor,

Associate Administrator for Policy and Program Development.

[FR Doc. E8-2605 Filed 2-12-08; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket Nos. **FMCSA-99-5578**, **FMCSA-99-6480**, **FMCSA-00-7363**, **FMCSA-01-10578**, **FMCSA-02-11426**, **FMCSA-05-21711**, **FMCSA-05-22194**]

Qualification of Drivers; Exemption Renewals; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA previously announced 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 reviewed the comments submitted in response to the previous announcement and concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, 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:

Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at <http://www.regulations.gov>.

Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for a 2-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 statutes also allow the Agency to renew exemptions at the end of the 2-year period. The Notice was published on December 19, 2007. The comment period ended on January 18, 2008.

Discussion of Comments

FMCSA received one comment in this proceeding. The comment is considered and discussed below.

Advocates for Highway and Auto Safety (Advocates) expressed opposition to FMCSA's policy to grant exemptions from the FMCSR, including the driver qualification standards. Specifically, Advocates: (1) Objects to the manner in which FMCSA presents driver information to the public and makes safety determinations; (2) objects to the Agency's reliance on conclusions drawn from the vision waiver program; (3) claims the Agency has misinterpreted statutory language on the granting of exemptions (49 U.S.C. 31136(e) and 31315); and finally (4) suggests that a 1999 Supreme Court decision affects the legal validity of vision exemptions.

The issues raised by Advocates were addressed at length in 64 FR 51568 (September 23, 1999), 64 FR 66962 (November 30, 1999), 64 FR 69586 (December 13, 1999), 65 FR 159 (January 3, 2000), 65 FR 57230 (September 21, 2000), and 66 FR 13825 (March 7, 2001). We will not address these points again here, but refer interested parties to those earlier discussions.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 26 renewal applications, FMCSA renews the Federal vision exemptions for, Bruce W. Barrett, Anthony Brandano, Stanley E. Elliott, Elmer E. Gockley, Glenn T. Hehner, Edward E. Hooker, Vladimir Kats, Alfred Keehn, Martin D. Keough, Randall B. Laminack, Norman R. Lamy, Robert W. Lantis, James A. Lenhart, Dennis L. Lockhart, Sr., Jerry J. Lord,

Raymond P. Madron, Ronald S. Mallory, Eldon Miles, Jack E. Potts, Jr., Neal A. Richard, John E. Rogstad, Rene R. Trachsel, John H. Voigts, Kendle F. Waggle, Jr., DeWayne Washington, and Daniel G. Wilson.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal 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.

Issued on: February 5, 2008.

Larry W. Minor,

Associate Administrator for Policy and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. **FRA-2007-0023**, Notice No. 1]

Federal Railroad Administration Review of the New Quiet Zone in Little Falls, MN

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

ACTION: Notice of quiet zone review.

SUMMARY: In accordance with 49 CFR 222.51(c), FRA is providing notice of its intent to review the New Quiet Zone that has been established in Little Falls, MN. According to recent quiet zone risk calculations, the Quiet Zone Risk Index (QZRI) for the New Quiet Zone in Little Falls has undergone a dramatic increase and is now at a level above the Risk Index With Horns (RIWH). As it appears that safety systems and measures implemented within the quiet zone do not fully compensate for the absence of the locomotive horn due to a substantial increase in risk, FRA intends to review existing conditions within the New Quiet Zone to determine whether the quiet zone should be terminated or whether additional safety measures may be necessary to ensure motorist safety.

DATES: *Written Comments:* Comments must be received by March 14, 2008. Comments received after this date will be considered to the extent possible without incurring additional expense or delay.

ADDRESSES: All communications concerning these proceedings should