

satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (83 FR 45750; 83 FR 56137):

Thomas J. Knapp (WA)

The driver was included in docket number FMCSA–2018–0017. The exemption is applicable as of October 11, 2020, and will expire on October 11, 2022.

As of October 15, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following two individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (69 FR 33997; 69 FR 61292; 71 FR 55820; 73 FR 46973; 73 FR 54888; 73 FR 65009; 75 FR 52063; 75 FR 57105; 77 FR 52388; 77 FR 60010; 81 FR 71173; 83 FR 56902):

William C. Ball (NC) and Kevin C. Palmer (OR)

The drivers were included in docket numbers FMCSA–2004–17984; FMCSA–2008–0231. Their exemptions are applicable as of October 15, 2020, and will expire on October 15, 2022.

As of October 21, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (79 FR 56099; 79 FR 70928; 81 FR 71173; 83 FR 56902): Raymond Holt (CA)

The driver was included in docket number FMCSA–2014–0011. The exemption is applicable as of October 21, 2020, and will expire on October 21, 2022.

As of October 22, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following four individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (73 FR 51689; 73 FR 63047; 75 FR 39725; 75 FR 47883; 75 FR 61883; 75 FR 63257; 75 FR 64396; 77 FR 64582; 79 FR 56104; 81 FR 71173; 83 FR 56902):

Randall J. Benson (MN)  
James D. Drabek, Jr. (IL)  
Delone W. Dudley (MD)  
Jeromy W. Leatherman (PA)

The drivers were included in docket number FMCSA–2008–0266; FMCSA–2010–0161; FMCSA–2010–0187. Their exemptions are applicable as of October 22, 2020, and will expire on October 22, 2022.

As of October 23, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has

satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (77 FR 52381; 77 FR 64841; 79 FR 56097; 81 FR 71173; 83 FR 56902):

James T. Stalker (OH)

The driver was included in docket number FMCSA–2012–0215. The exemption is applicable as of October 23, 2020, and will expire on October 23, 2022.

As of October 27, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following two individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (69 FR 53493; 69 FR 62742; 71 FR 62148; 73 FR 61925; 75 FR 59327; 77 FR 64583; 79 FR 56117; 81 FR 71173; 83 FR 56902):

David W. Brown (TN) and Zbigniew P. Pietranik (WI)

The drivers were included in docket number FMCSA–2004–18885. Their exemptions are applicable as of October 27, 2020, and will expire on October 27, 2022.

As of October 31, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (79 FR 58856; 79 FR 72754; 81 FR 71173; 83 FR 56902): Henry L. Chrestensen (IA)

The driver was included in docket number FMCSA–2014–0296. The exemption is applicable as of October 31, 2020, and will expire on October 31, 2022.

## V. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must undergo an annual physical examination (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 certified medical examiner (ME), as defined by § 390.5, who attests that the driver is otherwise physically qualified under § 391.41; (2) each driver must provide a copy of the ophthalmologist's or optometrist's report to the ME at the time of the annual medical examination; and (3) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file or keep a copy of his/her driver's qualification if he/her is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly

authorized Federal, State, or local enforcement official. 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(b).

## VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

## VI. Conclusion

Based upon its evaluation of the 55 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the vision requirement in § 391.41(b)(10), subject to the requirements cited above. In accordance with 49 U.S.C. 31136(e) and 31315(b), each exemption will be valid for 2 years unless revoked earlier by FMCSA.

Larry W. Minor,

*Associate Administrator for Policy.*

[FR Doc. 2020–19356 Filed 9–1–20; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2011–0085]

### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on August 24, 2020, BNSF Railway Company (BNSF) petitioned the Federal Railroad Administration (FRA) to amend a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 213, Track Safety Standards. FRA assigned the petition Docket Number FRA–2011–0085.

Specifically, BNSF requests to modify its existing waiver from 49 CFR 213.109(d)(6) which allows for the use of concrete crossties with one shoulder broken off where, if turned end for end, every other crosstie is fastened 100 percent on both rails (“3/4 Concrete Ties”). BNSF seeks to: (1) Amend the waiver locations to reflect BNSF's historical practice under the waiver; and (2) clarify that multiple Gage Restraint Measurement System (GRMS) test platforms may be employed to test gage widening. BNSF's proposal would

effectively “grandfather” BNSF’s continued use of these types of crossties across six divisions throughout the BNSF operating system.

BNSF claims: (1) The performance of 3/4 Concrete Ties have not resulted in any derailments due to gage or defective crossties defects since the issuance of the waiver in 2011; (2) FRA has taken no exception to wide gage throughout BNSF’s use of 3/4 Concrete Ties in the past; and (3) foot-by-foot analysis by automated inspection show the 3/4 Concrete Ties remained stable and are not degrading.

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).

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 parties desire an opportunity for oral comment and a public hearing, 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:

- **Website:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Ave. SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by October 2, 2020 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

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

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

[FR Doc. 2020–19398 Filed 9–1–20; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2020–0068]

#### Petition for Waiver of Compliance

Under part 211 of title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that on August 14, 2020, the Association of American Railroads (AAR) and the American Short Line and Regional Railroad Association (ASLRRA) (Petitioners), on behalf of themselves and their member railroads, petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances. FRA assigned the petition Docket Number FRA–2020–0068.

Specifically, Petitioners request relief from 49 CFR 236.1021, which governs the Request for Amendment (RFA) process when material modifications are made to a mixed-certification Interoperable Train Control Positive Train Control (PTC) system or its accompanying Safety Plan (PTCSP). Petitioners state that the RFA process when modifications are made to a PTCSP is a time consuming and significant undertaking for both FRA and railroad staff, involving submission of a voluminous amount of information and likely a lengthy review and approval process. Petitioners further state that frequently occurring modifications to account for regular PTC technology updates of the FRA-certified PTC system are necessary to allow for the continued successful and safe operation of the PTC system.

Petitioners assert that approval of this waiver request would eliminate undue paperwork, administrative burdens, and delays to modifications that are intended to improve the functioning of

existing PTC systems. Petitioners also contend that approval would result in significant resource and cost savings to both FRA and the railroads.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov>.

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 parties desire an opportunity for oral comment and a public hearing, 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:

- **Website:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202–493–2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Ave. SE, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by October 19, 2020 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

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