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Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

Exemption Decision

Under 49 U.S.C. 31315 and 31136(e), the 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. This notice addresses 22 individuals who have requested renewal of their exemptions in a timely manner. The FMCSA has evaluated these 22 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Anthony Brandano, Norman R. Lamy, John E. Rogstad, Ronald B. Brown, James A. Lenhart, John R. Snyder, Stanley E. Elliott, Dennis L. Lockhart, Sr., Rene R. Trachsel, Elmer E. Gockley, Jerry J. Lord, Thomas A. Valik, Jr., Glenn T. Hehner, Raymond P. Madron, John H. Voigts, Thomas T. Ingebretsen, Ronald S. Mallory, Kendle F. Waggle, Jr., Martin D. Keough, Charles J. Morman, Randall B. Laminack, Jack E. Potts, 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 the 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. 31315 and 31136(e).

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. 31315 and 31136(e), each of the 22 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (66 FR 53826; 66 FR 66966; 68 FR 69434; 68 FR 10301; 68 FR 19596; 68 FR 52811; 68 FR 61860). Each of these 22 applicants has requested timely 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, the 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.

Comments

The 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. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these

drivers submit comments by January 13, 2006.

In the past the FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew, and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 69 FR 51346 (August 18, 2004). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on: December 7, 2005.

Larry W. Minor,

Director, Office of Bus and Truck, Standards and Operations.

[FR Doc. E5-7284 Filed 12-13-05; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than February 13, 2006.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590, or Mr. Victor Angelo, Office of Support Systems, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA

to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number 2130-0500". Alternatively, comments may be transmitted via facsimile to (202) 493-6265 or (202) 493-6170, or E-mail to Mr. Brogan at *robert.brogan@fra.dot.gov*, or to Mr. Angelo at *victor.angelo@fra.dot.gov*. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292) or Victor Angelo, Office of Support Systems, RAD-20, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6470). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to

provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(i)-(iv); 5 CFR 1320.8(d)(1)(i)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it

organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of currently approved information collection activities that FRA will submit for clearance by OMB as required under the PRA:

Title: Accident/Incident Reporting and Recordkeeping.

OMB Control Number: 2130-0500.

Abstract: The collection of information is due to the railroad accident reporting regulations set forth in 49 CFR part 225 which require railroads to submit monthly reports summarizing collisions, derailments, and certain other accidents/incidents involving damages above a periodically revised dollar threshold, as well as certain injuries to passengers, employees, and other persons on railroad property. Because the reporting requirements and the information needed regarding each category of accident/incident are unique, a different form is used for each category.

Form Number(s): FRA F 6180.54; 55; 55A; 56; 57; 78; 81; 97; 98; 99; 107.

Affected Public: Businesses.

Respondent Universe: 685 railroads.

Frequency of Submission: On occasion.

Reporting Burden:

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost (dollars)
225.9—Telephone Reports of Certain Accidents/Incidents and Other Events.	685 railroads	500 phone reports	15 minutes	125 hours	\$4,750
225.11—Reporting of Rail Equipment Accidents/Incidents—Form FRA F 6180.54.	685 railroads	3,000 forms	2 hours	6,000 hours	228,000
225.12—Rail Equipment Accident/Incident Reports Alleging Human Factor as Cause—Form FRA F 6180.81.	685 railroads	1,000 forms	15 minutes	250 hours	9,500
Part I Form FRA F 6180.78 (Notices).	685 railroads	1,000 notices + 4,100 copies.	10 minutes + 3 minutes.	372 hours	14,136
Joint Operations	685 railroads	100 requests	20 minutes	33 hours	1,254
Late Identification	685 railroads	20 attachments + 20 notices.	15 minutes	10 hours	380
Employee Statement Supplementing Railroad Accident Report (Part II Form FRA 6180.78).	Railroad employees	75 statements	1.5 hours	113 hours	4,972
Employee Confidential Letter	Railroad employees	10 letters	2 hours	20 hours	880
225.13—Late Reports	685 railroads	50 amended rpts. + 40 copies.	1 hour + 3 minutes	52 hours	1,976
225.17—Doubtful Cases; Alcohol or Drug Involvement: Narrative Reports to FRA.	685 railroads	80 reports	30 minutes	40 hours	1,520
Appended reports required by § 219.209(b).	685 railroads	5 reports	30 minutes	3 hours	114
225.19—Rail-Highway Grade Crossing Accident/Incident Report—Form FRA F 6180.57.	685 railroads	3,000 forms	2 hours	6,000 hours	228,000

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours	Total annual burden cost (dollars)
Death, Injury, or Occupational Illness (Form FRA F 6180.55a).	685 railroads	12,000 forms	20 minutes	4,000 hours	152,000
225.21—Railroad Injury and Illness Summary—Form FRA F 6180.55.	685 railroads	8,220 forms	10 minutes	1,370 hours	52,060
225.21—Annual Railroad Report of Employee Hours and Casualties, By State—Form FRA F 6180.56.	685 railroads	685 forms	15 minutes	171 hours	6,498
225.21/25—Railroad Employee Injury and/or Illness Record—Form FRA F 6180.98.	685 railroads	18,000 forms	60 minutes	18,000 hours	792,000
Copies of Forms to Employees	685 railroads	540 form copies	2 minutes	18 hours	792
225.21—Initial Rail Equipment Accident/ Incident Record—Form FRA F 6180.97.	685 railroads	13,000 forms	30 minutes	6,500 hours	286,000
225.21—Alternative Record for Illnesses Claimed to Be Work Related—Form FRA F 6180.107.	685 railroads	300 forms	15 minutes	75 hours	2,850
225.25 (h)—Posting of Monthly Summary.	685 railroads	8,220 lists	16 minutes	2,192 hours	83,296
225.27—Retention of Records	685 railroads	1,900 records	2 minutes	63 hours	2,394
225.33—Internal Control Plans—Amendments.	685 railroads	25 amendments	14 hours	350 hours	13,300
225.35—Access to Records and Reports.	15 railroads	400 lists	20 minutes	133 hours	5,054
Subsequent Years	4 railroads	16 lists	20 minutes	5 hours	190
225.37—Magnetic Media Transfer and Electronic Submission.	8 railroads	96 transfers	10 minutes	16 hours	608
Electronic Submission: Batch Control Forms (6180.99) and Form FRA F 6180.55.	685 railroads	200 forms	3 minutes	10 hours	380

Total Responses: 76,602.

Estimated Total Annual Burden: 45,921 hours.

Status: Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Issued in Washington, DC on December 7, 2005.

D.J. Stadler,

Director, Office of Budget, Federal Railroad Administration.

[FR Doc. E5–7288 Filed 12–13–05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Federal Motor Vehicle Motor Theft Prevention Standard; General Motors Corporation

AGENCY: National Highway Traffic Safety Administration, Department of Transportation (DOT).

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the petition of General Motors Corporation, (GM) for an exemption in accordance with § 543.9(c)(2) of 49 CFR part 543, *Exemption from the Theft Prevention Standard*, for the Chevrolet Malibu/Malibu Maxx vehicle line beginning with model year (MY) 2006. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the Theft Prevention Standard.

DATES: The exemption granted by this notice is effective beginning with model year (MY) 2006.

FOR FURTHER INFORMATION CONTACT: Ms. Carlita Ballard, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Ballard's phone number is (202) 366–5222. Her fax number is (202) 493–2290.

SUPPLEMENTARY INFORMATION: In a petition dated July 19, 2005, GM requested an exemption from the parts-marking requirements of the theft prevention standard (49 CFR part 541) for the Chevrolet Malibu/Malibu Maxx vehicle line beginning with MY 2006.

The petition requested an exemption from parts-marking pursuant to 49 CFR 543, Exemption from Vehicle Theft Prevention Standard, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under § 543.5(a), a manufacturer may petition NHTSA to grant exemptions for one line of its vehicle lines per year. In its petition, GM provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the new vehicle line. The antitheft device is a transponder-based, electronic, immobilizer system. GM will install its antitheft device as standard equipment on its Chevrolet Malibu /Malibu Maxx vehicle line beginning with MY 2006. GM's submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

The antitheft device to be installed on the MY 2006 Chevrolet Malibu/Malibu Maxx is the PASS–Key III+. The PASS–Key III+ device is designed to be active at all times without direct intervention by the vehicle operator. The system is fully armed immediately after the ignition has been turned off and the key removed. The system will provide