

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 January 21, 2009.

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 44 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: December 12, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket Number: FTA-2008-0054]

#### Notice of Availability of Guidance on the Application of 49 U.S.C. 5324(c), Railroad Corridor Preservation, and Request for Comments

**AGENCY:** Federal Transit Administration (FTA), DOT.

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

**SUMMARY:** This notice by the Federal Transit Administration (FTA) announces the availability of proposed guidance on the application of a provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) concerning the acquisition of railroad right-of-way for transit projects. The guidance explains FTA's interpretation of the provision, which allows the acquisition of pre-existing railroad right-of-way, under certain conditions, before the completion of the environmental review for a transit project that would use the right-of-way. FTA requests comments on this guidance, which is available on the U.S. Government electronic docket site and on the FTA Web site.

**DATES:** Comments must be received by January 21, 2009. Comments filed after the deadline will be considered to the extent practicable.

**ADDRESSES:** You must include the agency name (Federal Transit Administration) and the docket number (FTA-2008-0054) with your comments. To ensure your comments are not entered into the docket more than once, please submit comments, identified by the docket number [FTA-2008-0054], by only one of the following methods:

1. *Web site:* The U.S. Government electronic docket site is <http://www.regulations.gov>. Go to this Web site and follow the instructions for submitting comments into docket number FTA-2008-0054.
2. *Fax:* Telefax comments to (202) 493-2251.
3. *Mail:* Mail your comments to U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, Room W12-140, Washington, DC 20590.

4. *Hand Delivery:* Bring your comments to the U.S. Department of Transportation, 1200 New Jersey Avenue SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Joseph Ossi, Office of Planning and Environment (TPE-30), 202-366-1613, or Christopher VanWyk, Office of Chief Counsel (TCC-30), 202-366-1733, Federal Transit Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** Section 3024 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) added a new provision at 49 U.S.C. 5324(c) that allows a grant applicant, under conditions that may be specified by the Secretary of Transportation, to acquire existing railroad right-of-way prior to the completion of the environmental review of the transportation project(s) that will eventually use that right-of-way. Under authority delegated by the Secretary, FTA has developed proposed guidance that would (1) specify the conditions under which this provision may be used and (2) give guidance on applying that provision to specific situations. We request your comments on the guidance, which is available in the U.S. Government's electronic docket site at <http://www.regulations.gov> under docket number FTA-2008-0054 and on the FTA Web site at <http://www.fta.dot.gov> under "Planning and Environment." FTA will respond to comments received on this Notice in a second **Federal Register** notice to be published after the close of the comment period. That second notice is expected to announce the availability of final guidance that reflects the changes implemented as a result of comments received.

Issued on: December 16, 2008.

**Sherry E. Little,**

*Acting Administrator.*

[FR Doc. E8-30372 Filed 12-19-08; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Notice of Meeting Cancellation of the Advisory Committee on the Ten-Year Framework for Energy and Environment Cooperation With China

**AGENCY:** Office of the Special Envoy to China and the SED, Treasury.