

**DATES:** This policy became effective November 1, 2010.

**FOR FURTHER INFORMATION:** A frequently asked questions (FAQ) page about the suspension of the expunction policy and its effects on pilots is available at: [http://www.faa.gov/pilots/lic\\_cert/pria/guidance/pilotfaq](http://www.faa.gov/pilots/lic_cert/pria/guidance/pilotfaq). Further questions may be directed to 9-AGC-ExpunctionSuspension@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Background:** In 1991, the FAA adopted a policy of expunging records of certain closed legal enforcement actions against individuals, see 56 FR 55,788 (Oct. 29, 1991). This includes both airman certificate holders and non-holders, such as passengers. Among other things, the policy provides that, in general, records of legal enforcement actions involving suspension of an airman certificate or a civil penalty against an individual are maintained for five years, then expunged. Cases closed with no enforcement action are expunged within ninety days. In addition, the FAA has a policy of expunging records of administrative actions after two years that was in existence at the time of and was left unchanged by the adoption of the 1991 expunction policy.

On August 1, 2010, the Airline Safety and Federal Aviation Administration Extension Act of 2010, Public Law 111-216, 124 Stat. 2348 (2010) (“Act”), was signed into law. The Act amends the Pilot Records Improvement Act (“PRIA”) by requiring the FAA to create a pilot records database. Air carriers will use this database to perform background checks on pilots before hiring them, as required by PRIA. The database will contain various types of records, including summaries of legal enforcement actions against individuals resulting in a finding by the FAA Administrator of a violation. These records must be kept by the FAA until it receives notice that the individual is deceased. The requirement to keep these records began on the date of the law’s enactment, August 1, 2010.

The five-year expunction of certain legal enforcement action records is not consistent with the Act’s amendments to PRIA. Although the requirement to maintain the records began on August 1, 2010, the FAA last expunged on November 1, 2010, as we began determining which records must be kept in order to comply with the law. The November 1, 2010 expunction covered records from scheduled for expunction during October. We will continue to expunge records of administrative actions and cases with no enforcement action, as PRIA does not require the FAA to put this information in the pilot

record database. The FAA will determine the full effect of the Act’s requirements on the expunction policy and will amend its expunction policy accordingly. The details of the amended expunction policy will be published in the **Federal Register**.

Issued in Washington, DC on February 4, 2011.

**J. Randolph Babbitt,**  
*Administrator.*

[FR Doc. 2011-3101 Filed 2-10-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**Sunshine Act Meetings; Unified Carrier Registration Plan Board of Directors**

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

**TIME AND DATE:** March 3, 2011, 12 noon to 3 p.m., Eastern Daylight Time.

**PLACE:** This meeting will take place telephonically. Any interested person may call 877-768-0032, passcode, 4856462 to participate in this meeting.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** The Unified Carrier Registration Plan Board of Directors (the Board) will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement and to that end, may consider matters properly before the Board.

**FOR FURTHER INFORMATION CONTACT:** Mr. Avelino Gutierrez, Chair, Unified Carrier Registration Board of Directors at (505) 827-4565.

Issued on: February 8, 2011.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. 2011-3229 Filed 2-9-11; 4:15 pm]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2010-0372]

**Qualification of Drivers; Exemption Applications; Vision**

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

**ACTION:** Notice of applications for exemptions; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from 19 individuals for

exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the Federal vision standard.

**DATES:** Comments must be received on or before March 14, 2011.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2010-0372 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:* 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.

*Instructions:* Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below for further information.

*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 DOT’s Privacy Act Statement for the FDMS published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit

<http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Director, Medical Programs, (202) 366-4001, [fmcsamedical@dot.gov](mailto: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:**

**Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations 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." FMCSA can renew exemptions at the end of each 2-year period. The 19 individuals listed in this notice have each requested such an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

**Qualifications of Applicants**

*James L. Acree*

Mr. Acree, age 56, has had chronic open angle glaucoma in his left eye since 2006. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/200. Following an examination in 2010, his optometrist noted, "In my professional opinion, Mr. Acree has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Acree reported that he has driven straight trucks for 20 years, accumulating 300,000 miles and tractor-trailer combinations for 17 1/2 years accumulating 2.6 million miles. He holds a Class A Commercial Driver's License (CDL) from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Tracey M. Baucom*

Mr. Baucom, 37, has had refractive amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/25 and in his left eye, 20/400. Following an examination in 2010, his optometrist noted, "In my medical opinion, Mr. Tracey Baucom has demonstrated that he has sufficient vision to drive and operate commercial

vehicle." Mr. Baucom reported that he has driven straight trucks for 5 years, accumulating 125,000 miles and tractor-trailer combinations for 1 year accumulating 500 miles. He holds a Class A CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*David L. Botkins*

Mr. Botkins, 58, has had corneal scar and amblyopia in his right eye since 1961. The visual acuity in his right eye is count-finger vision and in his left eye, 20/20. Following an examination in 2010, his optometrist noted, "Mr. Botkins has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Botkins reported that he has driven straight trucks for 33 years, accumulating 57,750 miles. He holds a Class D operator's license from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Richard D. Flaherty*

Mr. Flaherty, 50, has had a prosthetic right eye since 1999. The best corrected visual acuity in his right eye is 20/15. Following an examination in 2010, his ophthalmologist noted, "In my medical opinion Doug Flaherty has excellent vision in his remaining eye OS to safely operate a commercial vehicle." Mr. Flaherty reported that he has driven straight trucks for 15 years, accumulating 390,000 miles and tractor-trailer combinations for 15 years accumulating 615,000 miles. He holds a Class A CDL from New Mexico. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Michael R. Holmes*

Mr. Holmes, 61, has had ocular melanoma in his right eye since 2003. The best corrected visual acuity in his right eye is Light perception and in his left eye, 20/20. Following an examination in 2010, his optometrist noted, "It is in my medical opinion that patient does have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Holmes reported that he has driven straight trucks for 39 years, accumulating 1.5 million miles and tractor-trailer combinations for 11 years accumulating 110,000 miles. He holds a Class A CDL from South Dakota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*James W. Hoover*

Mr. Hoover, 44, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 20/60 and in his left eye, 20/20. Following an examination in 2010, his optometrist noted, "With his level of vision and visual field I feel he has adequate vision to drive commercially." Mr. Hoover reported that he has driven straight trucks for 18 years, accumulating 270,000 miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Mark C. Jeffrey*

Mr. Jeffrey, 61, has had a central retinal vein occlusion in his right eye since 2005. The best corrected visual acuity in his right eye is 20/200 and in his left eye, 20/20. Following an examination in 2010, his ophthalmologist noted, "In my medical opinion Mr. Mark Jeffrey has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Jeffrey reported that he has driven straight trucks for 35 years, accumulating 8,750 miles and tractor-trailer combinations for 30 years, accumulating 2.1 million miles. He holds a Class A CDL from Montana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Paul J. Jones*

Mr. Jones, 45, has had complete loss of vision in his right eye since birth. The best corrected visual acuity in his right eye is No light perception and in his left eye, 20/20. Following an examination in 2010, his ophthalmologist noted, "I certify that in my opinion Mr. Jones' vision is sufficient to perform his driving tasks of a commercial vehicle." Mr. Jones reported that he has driven straight trucks for 24 years, accumulating 210,000 miles. He holds a Class B CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Pedro G. Limon*

Mr. Limon, 39, has had amblyopia and aphakic in his right eye for 35 years. The best corrected visual acuity in his right eye is 20/200 and in his left eye, 20/20. Following an examination in 2010, his ophthalmologist noted, "In my opinion Mr. Limon has sufficient vision to perform the duties to operate a commercial vehicle safely." Mr. Limon reported that he has driven straight trucks for 6 years, accumulating 280,800 miles. He holds a Class C operator's

license from Texas. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*William G. Marshall*

Mr. Marshall, 56, has had amblyopia in his left eye since birth. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/400. Following an examination in 2010, his optometrist noted, "In my medical opinion Mr. William Marshall has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Marshall reported that he has driven straight trucks for 23 years, accumulating 851,000 miles and tractor-trailer combinations for 20 years, accumulating 300,000 miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Timothy S. Moore*

Mr. Moore, 35, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/300 and in his left eye, 20/20. Following an examination in 2010, his ophthalmologist noted, "I believe that Mr. Moore has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Moore reported that he has driven tractor trailer combinations for 4 years, accumulating 200,000 miles. He holds a Class A CDL from Washington. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Kenneth H. Morris*

Mr. Morris, 42, has had prosthetic left eye since childhood. The visual acuity in his right eye is 20/20. Following an examination in 2010, his optometrist noted, "He has sufficient vision to drive a commercial vehicle." Mr. Morris reported that he has driven straight trucks for 18 years, accumulating 72,000 miles, tractor trailer combinations for 18 years, accumulating 72,000 miles, and buses for 3 years, accumulating 9,000 miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Shelby V. Nicholson*

Mr. Nicholson, 58, has had amblyopia in his left eye since childhood. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/100. Following an examination in 2010, his optometrist noted, "It is my medical opinion that visually Mr. Nicholson is

more than capable of performing the tasks required by him in operating a commercial vehicle."

Mr. Nicholson reported that he has driven straight trucks for 24 years, accumulating 2 million miles and tractor trailer combinations for 27 years, accumulating 2.7 million miles. He holds a Class A CDL from Kentucky. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Tracy J. Omeara*

Mr. Omeara, 46, has had dense cataract and retinal damage in his left eye due to an injury sustained 22 years ago. The visual acuity in his right eye is 20/20 and in his left eye, count-finger vision. Following an examination in 2010, his ophthalmologist noted, "In my opinion, Mr. Omeara has adequate vision to perform the driving tasks required to operate a commercial vehicle." Mr. Omeara reported that he has driven tractor trailer combinations for 3 years, accumulating 53,481 miles. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Gary W. Pope*

Mr. Pope, 43, has had complete loss of vision in his left eye due to an infection since childhood. The best corrected visual acuity in his right eye is 20/20. Following an examination in 2010, his optometrist noted, "In my professional opinion since Gary has had this condition since early childhood, he is very well adapted and functional to drive a commercial vehicle." Mr. Pope reported that he has driven straight trucks for 13 years, accumulating 468,000 miles. He holds a Class R operator's license from Colorado. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*George D. Ruth*

Mr. Ruth, 56, has had amblyopia in his left eye since birth. The best corrected visual acuity in his right eye is 20/25 and in his left eye, 20/200. Following an examination in 2010, his optometrist noted, "Mr. Ruth's vision seems sufficient to continue to operate a commercial vehicle." Mr. Ruth reported that he has driven straight trucks for 35 years, accumulating 1.7 million miles and tractor trailer combinations for 35 years, accumulating 1.7 million miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Benjamin Stone*

Mr. Stone, 38, has had amblyopia in his left eye due to an injury 34 years ago. The visual acuity in his right eye is 20/25 and in his left eye, 20/400. Following an examination in 2010, his optometrist noted, "In my medical opinion Benjamin Stone has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Stone reported that he has driven straight trucks for 3 years, accumulating 191,400 miles. He holds a Class B CDL from Virginia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*James H. Wallace, Sr.*

Mr. Wallace, 42, has had amblyopia in his left eye since birth. The best corrected visual acuity in his right eye is 20/20 and in his left eye, 20/400. Following an examination in 2010, his optometrist noted, "In my medical opinion, I believe Mr. James Wallace, Sr., has sufficient vision to continue to perform the driving tasks required to operate a commercial vehicle." Mr. Wallace reported that he has driven straight trucks for 3 years, accumulating 600,000 miles and tractor trailer combinations for 7 years, accumulating 525,000 miles. He holds a Class A CDL from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Ronald C. Wolfe*

Mr. Wolfe, 74, has had macular degeneration in his right eye since 1987. The visual acuity in his right eye is 20/400 and in his left eye, 20/30. Following an examination in 2010, his ophthalmologist noted, "I certify that in my medical opinion that he has sufficient vision to continue to perform driving tasks required to operate a commercial vehicle." Mr. Wolfe reported that he has driven straight trucks for 54 years, accumulating 29,700 miles and tractor trailer combinations for 52 years, accumulating 13,000 miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

**Request for Comments**

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business March 14, 2011. Comments will be available for examination in the

docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable.

In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: January 31, 2011.

**Larry W. Minor,**

*Associate Administrator, Office of Policy.*

[FR Doc. 2011-2983 Filed 2-10-11; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket No. NHTSA-2011-0018]

#### Reports, Forms, and Recordkeeping Requirements

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

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections.

This document describes a collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before April 12, 2011.

**ADDRESSES:** You may submit comments [identified by DOT Docket No. NHTSA-2011-0018] by any of the following methods:

- *Federal Rulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online 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:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, between 9 a.m. and 5 p.m. ET, Monday through

Friday, except Federal holidays.

Telephone: 1-800-647-5527.

- *Fax:* 202-493-2251.

**Instructions:** All submissions must include the agency name and docket number for this proposed collection of information. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laurie Flaherty, Program Analyst, National 9-1-1 Program, Office of Emergency Medical Services, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., NTI-140, Room W44-322, Washington, DC 20590. (202) 366-2705. [laurie.flaherty@dot.gov](mailto:laurie.flaherty@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must publish a document in the **Federal Register** providing a 60 day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulations (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following:

- (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (ii) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (iii) How to enhance the quality, utility, and clarity of the information to be collected; and
- (iv) How to minimize the burden of the collection of information on those

who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses. In compliance with these requirements, NHTSA asks public comment on the following proposed collection of information:

*Title:* National 9-1-1 Profile Database.

*OMB Control Number:* N/A.

*FORM Number:* This collection of information uses no standard forms, but does utilize a Web-based, data reporting/collection tool (<https://www.911resourcecenter.org/code/9-1-1ProfileDatabase.aspx>).

*Abstract:* The 911 Resource Center, funded by a cooperative agreement with NHTSA, is proposing to collect and aggregate information from State level reporting entities that can be used to measure the progress of 9-1-1 authorities across the country in enhancing their existing operations and migrating to—Internet-Protocol-enabled emergency networks. The data will be maintained in a “National 9-1-1 Profile Database.” One of the objectives of the National 9-1-1 Program is to develop, collect, and disseminate information concerning practices, procedures, and technology used in the implementation of E-911 services and to support 9-1-1 Public Safety Answering Points (PSAPs) and related State and local agencies for 9-1-1 deployment and operations. The national 9-1-1 profile database can be used to follow the progress of 9-1-1 authorities in enhancing their existing systems and implementing next-generation networks for more advanced systems.

*Description of the Need for the Information and Proposed Use of the Information—*

The goal of the data collection process is to support a national 9-1-1 profile that will be used to help accurately measure and depict the current status and planned capabilities of 9-1-1 systems across the United States. Evaluations, based upon the data collected, will help draw attention to key roadblocks and solutions in the deployment process and to target possible future activities and resources consistent with the goals of the program. The information in aggregated form will be available to State and local stakeholders in the public safety community.

The information to be collected includes data useful to evaluating the status of 9-1-1 programs across the country, along with their progress of implementing advanced systems and capabilities. The data elements involved