

violations in a CMV during the last 3 years.

22. Vincent Rubino

Mr. Rubino, 33, has amblyopia in his right eye. His best-corrected visual acuity is counting fingers in the right eye and 20/20 in the left. His ophthalmologist examined him in 2002 and stated, "Based on my exam and Mr. Rubino's past history, I feel he has sufficient vision to perform the tasks required to operate a commercial vehicle." Mr. Rubino reported that he has driven straight trucks for 4 years, accumulating 200,000 miles, and tractor-trailer combinations for 10 years, accumulating 550,000 miles. He holds a Class A CDL from New Jersey. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

23. Randy G. Spilman

Mr. Spilman, 47, has amblyopia in his right eye. His best-corrected visual acuity is 20/50 in the right eye and 20/20 in the left. His optometrist examined him in 2002 and stated, "It is my medical opinion that Mr. Spilman's vision is sufficient to perform the driving tasks required to operate a commercial vehicle." Mr. Spilman submitted that he has driven tractor-trailer combinations for 16 years, accumulating 1.9 million miles. He holds a Class A CDL from Ohio. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

24. Wyatt W. Thayer, Jr.

Mr. Thayer, 63, has had open angle glaucoma and iritis in his right eye since 1997. His best-corrected visual acuity is 20/40-2 in the right eye and 20/20 in the left. His optometrist examined him in 2002 and stated, "In my medical opinion, Mr. Thayer has more than sufficient vision to perform the driving tasks of a commercial vehicle." Mr. Thayer reported that he has driven tractor-trailer combinations for 16 years, accumulating 974,000 miles. He holds a Class A CDL from North Carolina. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

25. Thomas S. Thompson

Mr. Thompson, 61, is blind in his left eye due to trauma in 1974. His best-corrected visual acuity in the right eye is 20/20. His optometrist examined him in 2002 and certified, "It is my opinion that this individual has sufficient vision to perform the driving tasks of operating a commercial vehicle as he has done previously for the past 25 years without

incident." Mr. Thompson submitted that he has driven tractor-trailer combinations for 28 years, accumulating 2.1 million miles. Mr. Thompson holds a Class A CDL from Nebraska. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

26. Robert A. Wegner

Mr. Wegner, 38, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2002, his optometrist certified, "The condition of amblyopia is one that Robert has compensated for his entire life and, in my opinion, will not impair his ability to safely operate any motor vehicle." Mr. Wegner submitted that he has driven tractor-trailer combinations for 7 years, accumulating 390,000 miles. He holds a Class A CDL from Minnesota. His driving record for the last 3 years shows no accidents and one conviction for a moving violation in a CMV. Mr. Wegner failed to obey a stop sign.

27. John E. Wertz

Mr. Wertz, 48, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/60 and in the left, 20/20. His optometrist examined him in 2002 and certified, "In my medical opinion, I feel John is capable of performing the driving tasks necessary to operate a commercial vehicle." Mr. Wertz reported that he has driven tractor-trailer combinations for 14 years, accumulating 1.7 million miles. He holds a Class A CDL from Pennsylvania. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

28. John W. Williams

Mr. Williams, 56, lost his left eye due to trauma in childhood. The visual acuity in his right eye is 20/20. An optometrist examined him in 2002 and certified, "His visual capacity should be sufficient to perform commercial vehicle operation." Mr. Williams reported that he has driven straight trucks for 20 years, accumulating 322,000 miles, and tractor-trailer combinations for 12 years, accumulating 1.2 million miles. He holds a Class AM CDL from Illinois. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

29. Christopher D. Yates

Mr. Yates, 31, has amblyopia in his left eye. His best-corrected visual acuity is 20/20 in the right eye and 20/60 in

the left. Following an examination in 2002, his optometrist certified, "Chris has sufficient vision to operate a commercial vehicle safely." Mr. Yates reported that he has driven straight trucks for 3 years, accumulating 60,000 miles. He holds a Class DC operator's license/CDL from Kentucky. His driving record shows no accidents and one conviction for a moving violation—"disregarding a stop sign"—in a CMV during the last 3 years.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption applications described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in the notice.

Issued on: April 15, 2003.

Pamela Pelcouits,

Acting Associate Administrator, Policy, Plans and Regulation.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with part 211 of title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Norfolk Southern Corporation (Docket Number FRA-2002-11896)

Norfolk Southern Corporation (NS) seeks to modify existing waiver FRA-2002-11896, which is a conditional waiver of compliance from certain provisions of the Safety Appliances Standards, 49 CFR part 231, and Power Brakes and Drawbars regulations, 49 CFR part 232, concerning the operation of RoadRailer equipment in Triple Crown Service over their railroad system. Specifically, NS requests that FRA modify the existing waiver to incorporate the use of the new "RoadRailer® Drawbar Connector" in its RoadRailer operations.

NS would like to undertake the introduction of the new "RoadRailer Drawbar" technology in a two-phase