

20/200. Following an examination in 2002, his ophthalmologist certified, "In my medical opinion, he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Sandlin reported that he has driven straight trucks for 15 years, accumulating 157,000 miles. He holds a Class B CDL from Florida. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

32. Jon D. Schwengel

Mr. Schwengel, 60, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/100. Following an examination in 2003, his optometrist certified, "He is visually capable of handling driving tasks. I would trust him fully with any multiple axle vehicle." Mr. Schwengel reported that he has driven tractor-trailer combinations for 10 years, accumulating 800,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

33. Steven R. Smith

Mr. Smith, 45, has had a serous maculopathy in his right eye since 1988. His best-corrected visual acuity in the right eye is counting fingers and in the left, 20/20. Following an examination in 2003, his ophthalmologist stated, "In my medical opinion, Mr. Smith has visual acuity sufficient to perform driving tasks required to operate a commercial vehicle." Mr. Smith reported that he has driven straight trucks for 18 years, accumulating 198,000 miles, tractor-trailer combinations for 14 years, accumulating 1.5 million miles, and buses for 1 year, accumulating 57,000 miles. He holds a Class A CDL from Idaho. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

34. Calvin D. Tomlinson

Mr. Tomlinson, 43, experienced a retinal detachment in his right eye in 1974. His best-corrected visual acuity in the right eye is 20/100 and in the left, 20/20. His optometrist examined him in 2003 and certified, "I believe Mr. Tomlinson would have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Tomlinson submitted that he has driven straight trucks for 14 years, accumulating 840,000 miles. He holds a Class A CDL from Kentucky. His driving record for the last 3 years shows no accidents and two convictions for

speeding in a CMV. Mr. Tomlinson exceeded the speed limit by 17 mph in one instance and 11 mph in the other.

35. Mona J. van Krieken

Ms. van Krieken, 45, lost her right eye due to an accident 20 years ago. Her best-corrected visual acuity in the left eye is 20/20. An ophthalmologist examined her in 2002 and certified, "In my opinion, she has sufficient vision to perform driving tasks as required by an operator of a commercial vehicle." Ms. van Krieken reported that she has driven straight trucks for 5 years, accumulating 32,000 miles, and tractor-trailer combinations for 11 years, accumulating 275,000 miles. She holds a Class A CDL from Oregon. Her driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

36. Paul S. Yocum

Mr. Yocum, 38, has amblyopia in his left eye. His visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2003, his ophthalmologist certified, "In my medical opinion, Mr. Yocum has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Yocum reported that he has driven straight trucks for 7 years, accumulating 56,000 miles. He holds a chauffeur's license from Indiana. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

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 petitions 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: June 17, 2003.

Pamela M. Pelcovits,

Acting Associate Administrator, Policy and Program Development.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34360]

Sierra Railroad Company-Corporate Family Transaction Exemption—Yolo Shortline Railroad Company

Sierra Railroad Company (SRC)¹ and Yolo Shortline Railroad Company (YSL), both Class III carriers, have jointly filed a verified notice of exemption for approval of a proposed intercorporate transaction by which SRC's common carrier rights and obligations will be transferred to its subsidiary YSL. As a result of the transaction, the operations of SRC and YSL will be combined within YSL and SRC will be a noncarrier entity in control of YSL.

The transaction is expected to be consummated by June 30, 2003.

The purpose of the transaction is to allow SRC and YSL to combine their resources, to expand their business opportunities, and to develop other railroad and transportation related businesses.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance

¹ This filing is related to STB Finance Docket No. 34351, *Sierra Railroad Company-Acquisition of Control Exemption-Yolo Shortline Railroad Company*, in which SRC and YSL jointly filed a verified notice of exemption on May 12, 2003, for SRC to acquire control of YSL through stock purchase of YSL's parent, Midland Railroad Enterprises Corporation. This notice was served and published on June 11, 2003.