

## Background

Under 49 U.S.C. 31136(e) and 31315, 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.

## Exemption Decision

This Notice addresses 59 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 59 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Catarino, Aispuro, Gary R. Andersen, Edwin A. Betz, Donald L. Carman, Mitchell L. Carmen, Christopher R. Cone, Walter O. Connelly, Stephen B. Copeland, Armando P. D'Angeli, Donald R. Davis, Ivory Davis, Louis A. DiPasqua, Jr., Henry L. Donivan, Randy J. Doran, Robert E. Dukes, Roger D. Elders, James F. Epperson, Lucious J. Erwin, Riche Ford, Kelly L. Foster, Kevin J. Friedel, Donald W. Garner, Paul W. Goebel, Jr., Ronnie L. Hanback, Steven G. Harter, Michael C. Hensley, George F. Hernandez, Jr., Scott A. Hillman, Charles S. Huffman, Jesse P. Jamison, James A. Jones, Ronnie M. Jones, Andrew C. Kelly, Jason W. King, James T. Leek, Billy J. Lewis, Velmer L. McClelland, Larry McCoy, Sr., Robert W. McMillian, Danny W. Nuckles, Richard A. Peterson, Willam R. Proffitt, Chad M. Quarles, Carroll G. Quisenberry, Daniel S. Rebstad, Ryan J. Reimann, Ronney L. Rogers, Manuel C. Savin, Brandon J. See, Douglas A. Sharp, Ricky L. Shepler, LeTroy D. Sims, Robert M. Stewart, John L. Stone, Nils S. Thornberg, Daniel W. Toppings, Kenneth E. Valentine, Christopher R. Whitson, and George L. Young.

The exemptions are extended subject to the following conditions: (1) That each individual has 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 provides 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 retains 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 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. 31136(e) and 31315.

## 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. 31136(e) and 31315, each of the 59 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 66226; 64 FR 16517; 65 FR 78256; 66 FR 16311; 68 FR 13360; 70 FR 12265; 72 FR 27624; 67 FR 15662; 67 FR 37907; 69 FR 26206; 71 FR 26601; 73 FR 52451; 71 FR 14566; 71 FR 30227; 73 FR 48275; 73 FR 35194; 73 FR 48273; 73 FR 38497; 73 FR 48271). Each of these 59 applicants has requested 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, 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 August 26, 2010.

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 59 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 made on the merits of each case and made 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: July 19, 2010.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2010-005-N-5]

### Resolicitation of Applications for the Railroad Safety Technology Program Grant Program (RS-TEC-10-001)

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Funds Availability, Resolicitation of Applications (RS-TEC-10-001).

**SUMMARY:** Due to a significant number of technical errors in applicant grant proposal submissions for the Railroad Safety Technology Grant Program

(Funding Opportunity RS-TEC-10-001), the Federal Railroad Administration (FRA) has elected to reopen the application period.

Applicants who previously submitted a proposal for funding under this program and those who do not want to make changes to their submission do not need to do anything. Their original application will be reviewed as is.

Applicants wanting to make any changes to their application must reapply and submit a new, complete application package with all required documentation. The new application package will be reviewed and the previous application from the July 1, 2010, deadline will be ignored. It is therefore essential that applicants submit all required documentation as if they were a new applicant. Those seeking to modify their application must resubmit their proposals through Grants.gov (<http://www.grants.gov/>) before 23:59 (11:59 p.m.) Eastern Daylight Time September 3, 2010. Applications after this date and time will not be considered. Applications submitted directly to GrantSolutions or via e-mail, fax, or any other method other than Grants.gov, will not be considered.

The Railroad Safety Technology Program (RSTP) is a newly authorized program under the Rail Safety Improvement Act of 2008 (RSIA) (Pub. L. 110-432; October 16, 2008). The program authorizes DOT to provide grants to passenger and freight rail carriers, railroad suppliers, and State and local governments for projects that have a public benefit of improved railroad safety and efficiency. The program makes available \$50 million in Federal funds. This grant program has a mandatory maximum 80 percent Federal, and minimum 20 percent grantee, cost share (cash or in-kind) requirement. Applications that do not clearly indicate at least a 20 percent non-Federal cost share, and do not adequately identify how the non-Federal cost share will be provided, will be rejected as nonresponsive.

**DATES:** FRA will begin accepting grant applications 10 days after publication of this Notice of Funding Availability in the **Federal Register**. Applications may be submitted until September 3, 2010. Reviews will be conducted immediately following the solicitation close date. Selection announcements will be made approximately 60 days after the closing date for applications.

**ADDRESSES:** All grant applications must be submitted through Grants.gov (<http://www.grants.gov/>). The Grants.gov Web site allows organizations to find

and electronically apply for competitive grant opportunities from all Federal grant-making agencies. Any entity wishing to submit an application pursuant to this notice should immediately initiate the process of registering with Grants.gov. FRA strongly recommends that applicants complete and submit their applications with sufficient lead time to account for any difficulties they may have in the use of Grants.gov. FRA does not recommend waiting until the closing date to submit applications. Instructions for the use of Grants.gov by applicants can be found on the Grants.gov Web site (<http://www.grants.gov/>). The help center for the use of Grants.gov can be reached at (800) 518-4726. The help center is closed on Federal holidays. Callers to the help center should have the Funding Opportunity Number (RS-TEC-10-001), the name of the agency you are applying to (Federal Railroad Administration), and the specific area of concern. No applications will be accepted after the closing date and time.

**FOR FURTHER INFORMATION CONTACT:**

Those interested in responding to this solicitation are strongly encouraged to first call Dr. Mark Hartong, FRA, Senior Electronics Engineer (phone: (202) 493-1332; e-mail: [Mark.Hartong@dot.gov](mailto:Mark.Hartong@dot.gov)); or Mr. David Blackmore, FRA, Program Manager, Advanced Technologies (phone: (312) 835-3903, e-mail: [David.Blackmore@dot.gov](mailto:David.Blackmore@dot.gov)) to discuss the prospective idea, its potential responsiveness to the solicitation, and potential for FRA interest. Taking this action could forestall costly efforts by interested parties whose proposed work may not be of interest to FRA under this grant. Nontechnical inquiries should be directed to the Grants Officer, Ms. Jennifer Capps (phone: (202) 493-0112, e-mail: [Jennifer.Capps@dot.gov](mailto:Jennifer.Capps@dot.gov)).

**SUPPLEMENTARY INFORMATION:**

**Authority and Funding:** RSTP, authorized under Section 105 of RSIA (Division A, Pub. L. 110-432) (49 U.S.C. 20158), authorizes the appropriation of \$50 million annually for fiscal years (FY) 2009 through 2013. The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2010 provided \$50 million for this purpose.

**Eligible Organizations:** Title 49 U.S.C. 20158 provides that "Grants shall be made under this section to eligible passenger and freight railroad carriers, railroad suppliers, and State and local governments for projects \* \* \* that have a public benefit of improved safety and network efficiency."

To be eligible for assistance, entities must have either received approval of

the Technology Implementation Plans (TIP) and Positive Train Control Implementation Plans (PTCIP) required by 49 U.S.C. 20156(e)(2) and 20157, or demonstrate, to the satisfaction of FRA, that they are currently developing the required plans. Preference will be given in the following order:

1. Entities that have completed and received FRA approval of both their TIP and PTCIP.

2. Entities that have completed and received FRA approval of their PTCIP.

3. Entities that have submitted their PTCIP to FRA for approval.

4. Entities that have certified to FRA progress towards completion of their PTCIP and TIP.

5. All other entities.

Collaborative project submissions by freight and passenger carriers, suppliers, and State and local governments on eligible projects will be evaluated more favorably.

**Eligible Projects:** Grant awards will focus on using technologies or methods that are ready for deployment, or of sufficient technical maturity that they can be made ready for deployment within the 24 months after the grant award. FRA will give preference to collaborative projects by multiple railroads that have active railroad carrier and sponsoring public authority participation in the following order:

**Priority 1: Projects that:**

(a) Support the resolution of Northeast Corridor Positive Train Control (PTC) interoperability issues,

(b) Support the resolution of mixed freight and passenger PTC interoperability issues in the Los Angeles basin, or

(c) Facilitate sharing of PTC communications infrastructure and spectrum.

**Priority 2: Projects that:**

(a) Support high-speed passenger operations using general freight PTC technologies, or

(b) Optimize PTC deployment on the core 2015 PTC territory, or

(c) Support PTC deployment on non-2015 core PTC territory.

**Priority 3: All other projects.**

**Selection Criteria:** Applications will be evaluated and ranked based on both technical and cost/price factors.

**Technical Factors (75% overall weighting):**

1. Responsiveness to Solicitation Intent and Requirements (20%): Degree to which the proposal meets the conceptual intent and submission requirements of the solicitation.

2. Significance for Implementing Interoperable PTC Deployment and Fit with FRA Mission (30%): Degree to which successful implementation of the

proposed idea would make interoperable PTC deployment more technically or economically practical (includes contribution to cost-effectiveness, reliability, safety, availability, or maintainability), and fit within FRA's primary mission of ensuring the safety of the Nation's approximately 700 railroads.

3. **Technical Merit (20%):** Degree to which proposed ideas exhibit a sound scientific and engineering basis; how well the proposed ideas could be practically applied in and would be compatible with the railroad environment; and perceived likelihood of technical and practical success.

4. **Key Personnel and Supporting Organization (15%):** Technical qualifications and demonstrated experience of key personnel proposed to lead and perform the technical efforts; qualifications of primary and supporting organizations to fully and successfully execute proposal plan within the proposed timeframe and budget.

5. **Collaborative Efforts (15%):** Degree to which the proposed effort is supported by multiple entities and the applicability and availability of results to the larger railroad industry.

*Cost/Price Factor (25% overall weighting):*

1. **Affordability and degree to which proposed effort appears to be a good value for the amount of funding requested.** This includes the reasonableness and realism of the proposed costs (60%).

2. **The extent of proposed cost-sharing or cost-participation under the proposed effort (exclusive of the applicant's prior investment) (40%).**

An offer must be found acceptable under all applicable evaluation factors to be considered eligible for award. Awards will be made to responsible applicants whose offers provide the best value to the Government in terms of technical excellence, cost or price, and performance risk, to include consistency and accord with the objectives of the solicitation and FRA's expressed areas of interest.

*Requirements and Conditions for Grant Applications:* Detailed application requirements and conditions may be found in the grant application guidance for this solicitation on Grants.gov. Before submitting their proposals, applicants must carefully read the grant guidance associated with this funding opportunity, ensure that their applications are submitted on or before the closing date provided herein, and ensure that they have complied with all of the requirements of the grant application guidance, including providing applicable certifications.

*Information Collection:* The Office of Management and Budget (OMB), under emergency clearance procedures, has approved the information collection associated with the PTC grant program for 6 months. The approval number for this collection of information is OMB No. 2130-0587, and the expiration date is September 30, 2010. FRA will be publishing a Notice in the **Federal Register** shortly in which the agency will be seeking regular OMB clearance for this collection of information. Such approvals are normally good for 3 years. FRA will publish a Notice for this second OMB approval once it is obtained.

Issued in Washington, DC, on July 20, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Proposed Collection; Comment Request: CDFI/CDE Project Profiles Web Form

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A). Currently, the Community Development Financial Institutions (CDFI) Fund, Department of the Treasury, is soliciting comments concerning the CDFI/CDE Project Profile Web Form, a voluntary information collection effort involving all CDFI Fund programs. The specific information collection relates to the voluntary collection of narrative descriptions of projects financed by CDFI Fund awardees and allocatees in response to the public's request for better and more narrative information on impact and best practices associated with all of the CDFI Fund's programs. The purpose of the information collection is to more fully describe and record the innovative approaches community development financial institutions (CDFIs) and community development entities (CDEs) use in

revitalizing communities and serving families, and the impact that these CDFIs and CDEs are realizing. CDFI Fund awardees and allocatees will be invited to submit narratives on community development projects that they believe demonstrate innovation or high impact. The project description may be for a project previously reported to the CDFI Fund through the Community Investment Impact System (CIIS) or for a new project that has not yet been reported in CIIS. The CDFI Fund plans to use the descriptions in CDFI Fund publications, on its Web site and in other ways to highlight the work of its awardees and allocatees.

**DATES:** Written comments should be received on or before September 27, 2010 to be assured of consideration.

**ADDRESSES:** Please direct all comments on the CDFI/CDE Project Profiles Web Form in writing to Kimberly Beaman, Legislative and External Affairs Specialist, CDFI Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by e-mail to [LegislativeAndExternalAffairsOffice@cdfi.treas.gov](mailto:LegislativeAndExternalAffairsOffice@cdfi.treas.gov), or by facsimile to (202) 622-7754. **Please note:** This is not a toll free number.

**FOR FURTHER INFORMATION CONTACT:** A draft of the information collection may be obtained from the CDFI Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Kimberly Beaman, Legislative and External Affairs Specialist, CDFI Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or by phone to (202) 622-4436.

**SUPPLEMENTARY INFORMATION:**

*Title:* CDFI/CDE Project Profile Web Form.

*Abstract:* The voluntary collection of narrative descriptions of projects financed by CDFI Fund awardees and allocatees via the CDFI/CDE Project Profile Web Form is in response to the public's request for better and more narrative information on impact and best practices associated with all of the CDFI Fund's programs. The purpose is to more fully describe and record the innovative approaches CDFIs (Community Development Financial Institutions) and CDEs (Community Development Entity) use in revitalizing communities and serving families, and the impact that these CDFIs and CDEs are realizing.

Each best practice is generated by one or more of the following six CDFI Fund programs:

1. Through the CDFI Program by directly investing in, supporting and