through and out of marine terminal facilities. As noted above, the Port Authority has amended its tariff to clarify that the compliance stickers are a voluntary way to demonstrate compliance with the DTR and that no truck will be denied access to marine terminal facilities for failure to display a sticker.

Section 4306(a) of SAFETEA–LU, codified at 49 U.S.C. 14506, prohibits States from requiring motor carriers to display in or on commercial motor vehicles any form of identification other than forms required by the Secretary of Transportation. Section 14506(b)(3) authorizes the Secretary to make an exception for display requirements that he "determines are appropriate."

FMCSA seeks comment on whether the Port Authority's sticker display requirement is preempted by Federal law. Specifically, the Agency seeks comment on whether the Port Authority's sticker display requirement should qualify for the Secretary's exception in 49 U.S.C. 14506(b)(3). NJMTA's petition, the Port Authority's October 21, 2010 submission to FMCSA in response to the petition, NJMTA's November 2, 2010 amended petition and the relevant portions of the Port Authority's October 1 and October 15, 2010 marine terminal tariffs are available in the docket for inspection.

Request for Comments

FMCSA invites the Port Authority, as well as any other interested party, to comment on the limited issue of whether the Port Authority's sticker display requirement is preempted by 49 U.S.C. 15406. Interested parties are requested to limit their comments to this issue. FMCSA will not consider NJMTA's request to preempt substantive provisions of the DTR as a part of this docket. FMCSA encourages commenters to submit data or legal authorities supporting their positions.

Issued on: November 19, 2010.

Anne S. Ferro,

Administrator.

[FR Doc. 2010–30315 Filed 12–2–10; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2000–7165; FMCSA–2000–8398; FMCSA–2004–17984; FMCSA–2004–18885; FMCSA–2008–0266]

Qualification of Drivers; Exemption Renewals; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA previously announced its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 21 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained, Director, Medical Programs, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, without the exemptions for these commercial motor vehicle (CMV) drivers.

FOR FURTHER INFORMATION CONTACT: Dr. Mary D. Gunnels 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 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." The statute also allows the Agency to renew exemptions at the end of the 2-year period. The comment period ended on October 27, 2010 (75 FR 59327).

Discussion of Comments

FMCSA received no comments in this proceeding.

Conclusion

The Agency has not received any adverse evidence on any of these drivers that indicates that safety is being compromised. Based upon its evaluation of the 21 renewal applications, FMCSA renews the Federal vision exemptions for Paul G. Albrecht, Elijah A. Allen, Jr., David W. Brown, Monty G. Calderon, Awilda S. Colon, David M. Hagadorn, Zane G. Harvey, Jr., Jeffrey M. Keyser, Donnie A. Kildow, Daniel A. McNabb, David G. Meyers, Thomas L. Oglesby, Michael J. Paul, Russell A. Payne, Rodney M. Pegg, Raymond E. Peterson, Zbigniew P. Pietranik, John C. Rodriguez, Terrance L. Trautman, Charles E. Wood, and Joseph F. Wood.

In accordance with 49 U.S.C. 31136(e) and 31315, each renewal exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked 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 and 31315.

Issued on: November 20, 2010.

Larry W. Minor,

Associate Administrator, Office of Policy.

[FR Doc. 2010–30384 Filed 12–2–10; 8:45 am]

BILLING CODE 4910–EX–P

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 standards. 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.

Albany Port Railroad Corporation

[Waiver Petition Docket Number FRA–2010–0164]

The Albany Port Railroad (APRR) and the United Transportation Union (UTU) (together referred to as "Petitioners") jointly seek a waiver from compliance of a certain provision of the Federal Hours of Service Laws (49 U.S.C. Chapter 211; HSL). Specifically, APRR and UTU request relief from 49 U.S.C. 21103(a)(4), which states that a train employee may not be required, or allowed to remain, or go on duty after that employee has initiated an on-duty period each day for 6 consecutive days unless that employee has had at least 48 consecutive hours off-duty at the employee's home terminal. In support of the request for relief, the petitioners explain that UTU is the sole