Finally, the AHAS notes that the record contains no assessment of the character of mileage driven by Mr. Rauenhorst. It asserts that intrastate operations involve different driving conditions than interstate operations so Mr. Rauenhorst's mileage must be categorized in order to properly evaluate his experience and driving record. Such an approach would create a Catch-22 for persons seeking a waiver. Drivers like Mr. Rauenhorst do not physically qualify to drive in interstate commerce. If interstate driving experience is required before obtaining a waiver, a physically challenged driver would never qualify for a waiver, or, alternatively, would be compelled to drive illegally in interstate commerce to acquire the experience necessary to be evaluated for a waiver. The FHWA cannot sanction a standard that yields such a result. Moreover, intrastate driving amply tests the skills and capability of a driver.

Intrastate driving could very well expose the driver to more congested urban areas, narrower rural roads, a greater variety of vehicles, more pedestrians, and more vehicle traffic than exists on interstate highways. Intrastate driving also involves substantial driving on highways on the interstate system and on other roads built to interstate standards. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. For this reason, we believe Mr. Rauenhorst's intrastate driving experience provides an adequate basis for evaluating his ability to safely operate a CMV in interstate commerce.

Conclusion

After considering the comments to the Docket and based upon its evaluation of Mr. Rauenhorst's waiver application in accordance with *Rauenhorst* v. *United States Department of Transportation, Federal Highway Administration,* the FHWA waives application of the vision requirement in 49 CFR 391.41(b)(10) as it applies to Mr. Rauenhorst subject to the following conditions: (1) That Mr. Rauenhorst be physically examined every year (a) by an ophthalmologist or optometrist who attests to the fact that his vision continues to measure at least 20/40 (Snellen) in the better eye; and (b) by a medical examiner who attests to the fact that he is otherwise physically qualified under 49 CFR 391.41; (2) that he provide a copy of the ophthalmologist or optometrist report to the medical examiner at the time of the annual medical examination; and (3) that he keep a copy of the annual medical certification in his driver qualification file as long as he is self-employed or provide a copy to his employer for retention in the driver's qualification file, and retain a copy of the certification on his person while driving for presentation to a duly authorized Federal, State, or local enforcement official.

Authority: 49 U.S.C. 31136; 23 U.S.C. 315; 49 CFR 1.48.

Issued on: December 31, 1997.

Kenneth R. Wykle,

Federal Highway Administrator.

[FR Doc. 98–568 Filed 1–8–98; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Environmental Impact Statement on the Proposed Commuter Rail Project Between Everett and Seattle, WA

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The Federal Transit Administration (FTA) and the Central Puget Sound Regional Transit Authority (RTA) intend to prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA). The RTA will ensure that the EIS also satisfies the requirements of the Washington State Environmental Policy Act (SEPA). The FTA will be the NEPA lead agency. The RTA will be the SEPA lead agency. Corridor alternatives were evaluated in a SEPA plan-level EIS (1993) and in a Major Investment Study (1997).

The EIS will evaluate the Everett-Seattle Commuter Rail Project, including station location alternatives and track improvement/expansion design variations design alternatives in sensitive (shoreline and wetland) areas, along the 35-mile long corridor between Everett and Seattle, Washington. The project will generally, though not solely, be located in existing Burlington Northern Sante Fe Railway (BNSF) right-of-way. The proposed Commuter Rail Project is intended to provide peak-hour commuter rail service between key activity centers along the corridor, including two of the region's largest employment centers: Seattle and Everett. The commuter rail line will connect with the proposed Seattle-to-Tacoma/Lakewood commuter rail service, and the proposed Central Light Rail Transit line between north Seattle and SeaTac, Washington, at the King Street Station in Seattle.

The project will also evaluate site alternatives for a proposed commuter rail vehicle overnight storage and light maintenance facility or facilities. In addition, the EIS will evaluate the no-build alternative and any new reasonable alternatives generated through the scoping process.

Scoping will be accomplished through correspondence with interested persons, organizations, and federal, state, regional, and local agencies, as well as through meetings with interested persons. Five public scoping meetings will be held, as well as one interagency scoping meeting. See **DATES** below for details.

DATES: *Comment Due Date:* Written comments on the scope of alternatives and impacts to be considered should be sent to the RTA by February 20, 1998. See **ADDRESS** below. Oral comments should be made at one of the four public scoping meetings scheduled below. *Scoping Meetings:* Public scoping meetings will be held on the following days and locations:

Monday, February 2, 1998, from 5:00 p.m. to 8:00 p.m., Everett Senior Center, 3025 Lombard Street, Everett, WA

Wednesday, February 4, 1998, from 5:00 p.m. to 8:00 p.m., Rosehill Community Center, 304 Lincoln Ave., Mukilteo, WA

Thursday, February 5, 1998, from 5:00 p.m. to 8:00 p.m., Edmonds Public Library, Library Plaza Room, 650 Main Street, Edmonds, WA

Monday, February 9, 1998 from 5:00 p.m. to 8:00 p.m., Nordic Heritage Museum Auditorium, 3014 NW 67th St., Seattle, WA

Tuesday, February 10, 1998, from 5:00 p.m. to 8:00 p.m., Richmond Beach Congregational Church, Pilgrim Room, 1512 NW 195th St., Shoreline, WA

A scoping meeting for governmental agencies will be held on Monday, February 2, 1998, between 10:00 a.m. and 1:00 p.m., at the RTA, 1100 2nd Avenue, Suite 500, Seattle, WA 98101–3423. This meeting for governmental agencies will be held in the RTA's fourth floor Board conference room. All the locations for the scoping meetings are accessible to people with disabilities. People with special needs (such as individuals needing a language translator) should contact the RTA at the address below or by calling (206) 684–6776. A TDD number is also available: (206) 684–1395.

Scoping meetings will be held in an ''open-house'' format. Project

representatives will be available to discuss the project throughout the entire meeting. Informational displays and written materials will also be available throughout the entire meeting. In addition to written comments, which may be made at the meeting or as described below, individual oral comments will be recorded at the meeting.

ADDRESSES: *Written comments on the project scope should be sent to:* Perry Weinberg, Environmental Compliance Manager, Regional Transit Authority, 1100 Second Avenue, Suite 500, Seattle, WA 98101–3423; fax Number (206) 689–3525.

FOR FURTHER INFORMATION CONTACT: Mr. F. William Fort, Transportation Program Specialist, Federal Transit Administration, Region X, 915 Second Avenue, Room 3142, Seattle, WA 98174; phone number: (206) 220–4461.

SUPPLEMENTARY INFORMATION:

I. Scoping

The FTA and the RTA invite interested individuals, organizations, and federal, state, regional and local agencies to participate in defining the alternatives within the corridor to be evaluated in the EIS and identifying any significant, social, economic, or environmental issues related to the alternatives. An Environmental Scoping Information Report describing the project, the proposed alternatives, the impact areas to be evaluated, the public involvement program and the preliminary project schedule has been prepared. You may request a copy of the report by contacting the RTA at (206) 684–6776. Scoping comments may be made orally at the public scoping meetings or in writing. See **DATES** above for locations and times, and see the **ADDRESSES** section above for written comments. During scoping, comments should focus on identifying specific social, economic, or environmental impacts to be evaluated and suggesting alternatives that are more cost-effective or have fewer environmental impacts while achieving similar transit objectives.

Scoping materials will be available at the meeting or in advance of the meeting by contacting the RTA at (206) 684–6776. If you wish to be placed on the mailing list to receive further information as the project proceeds, please contact the following individual at the RTA: David Phillip Beal, Program Manager—Project Development, Commuter Rail Department (206) 684–1883.

II. Description of Study Area and Project Need

The Everett-Seattle Commuter Rail Project consists of a north-south corridor approximately 35 miles long between Everett and Seattle, Washington. The project will include a group of physical and operational improvements to existing tracks and rights-of-way, track, along with station facilities and systems in order to provide commuter rail service. These improvements may also include new tracks in some locations. Service is expected to operate during peak commute periods, with a total of 6 train trips in each direction. Trains will consist of 6 to 10 passenger cars pulled by a diesel locomotive.

Up to 7 stations will be developed to serve Seattle, Shoreline, Edmonds, Mukilteo, Everett and surrounding areas. Stations are proposed at the following locations: Edmonds Multi-modal, Mukilteo, Everett Bond St. AMTRAK station and Everett Multi-modal station. Provisional stations that are currently unfunded but that will be analyzed in this EIS include stations in the Ballard area of Seattle and the Richmond Beach area of Shoreline. An additional, currently unfunded station will be analyzed in the Seattle downtown/north waterfront area.

Station improvements will generally consist of a platform on each side of the tracks at most locations, a canopy over the platform, a fare machine, and related facilities. Bus access will be provided at all stations. Parking facilities will be provided to serve all of the stations except for the Seattle waterfront and, possibly, Ballard stations.

Track and other right-of-way improvements will be made to allow commuter rail to operate along this corridor, which is extensively used for freight operations. The existing railroad is double-tracked in most places. However, in order to operate commute rail in the corridor, it will be necessary to double-track in the several remaining single-track locations. It will also be necessary to add sidings in a number of locations. The EIS will analyze alternative designs for such facilities to minimize or avoid adverse impacts to sensitive resources, including the shoreline of Puget Sound and wetlands.

The proposed commuter rail project will provide an important and cost-effective alternative to the automobile in the congested I–5 corridor. The ridership forecast for the year 2010 is 3,000 to 4,000 passengers/day. Project need is described in the Documentation of Major Investment Study, RTA, March 12, 1997. This document is available from the RTA by calling (206) 684–6776.

III. Alternatives

The proposed Everett-Seattle Commuter Rail Project would largely be implemented in existing BNSF railroad right-of-way, except for some stations and parking facilities. Alternatives relating to alignment location and mode were previously considered and documented in the Major Investment Study (1997). Therefore, this project-level EIS will focus on alternative station locations, and alternative locations and/or designs for track facilities that minimize or avoid adverse impacts on sensitive environmental resources.

To date, the station locations and alternatives proposed for study in the EIS include the following:

- Seattle, North Downtown/Waterfront (unfunded).
- Ballard in Seattle (provisional).
- Richmond Beach in Shoreline (provisional).
- Edmonds, at the site of the Edmonds Multi-modal Facility; or at the existing AMTRAK station.
- Mukilteo, at the site of the proposed Mukilteo Multi-modal Facility; or near the existing ferry passenger boarding point in downtown.
- Everett, at the existing Bond Street AMTRAK station; and
- Everett, at the new Everett Multi-modal Facility.

In addition to stations, other improvements required to implement commuter rail include double-tracking, and construction of additional sidings in a number of locations to allow operation of commuter rail in a heavily used freight corridor. Those improvements are described in detail in the Environmental Scoping Information Report, which is available from the RTA. The EIS will analyze design alternatives for track improvements that may have adverse environmental impacts on the waters of Puget Sound or on other natural resources including wetlands. The design alternatives may include rip-rap fill, bulkheads, and/or slope excavations.

The proposed project also includes construction of a commuter rail vehicle overnight storage and light maintenance facility or facilities. Alternative locations for the facility(ies) will be evaluated.

The No-Build alternative, which involves no change to transportation services or facilities in the corridor beyond those currently programmed, will also be evaluated in the EIS.

IV. Probable Effects/Potential Impacts for Analysis

The FTA and RTA plan to evaluate in the EIS all significant, social, economic, and environmental impacts of the alternatives. The EIS is being prepared largely to evaluate the potential environmental impacts on natural resources associated with track and siding improvements and additions, which may involve fill in shoreline or wetland areas. Other environmental and social impacts proposed for analysis include land use and neighborhood impacts, traffic and parking impacts near stations, traffic circulation, visual impacts, health and safety impacts, impacts on cultural and archaeological resources, impacts on parkland areas, and noise and vibration impacts. The impacts on natural areas, rare and endangered species, and earth, air and water quality, will also be covered. The impacts will be evaluated both for the construction period and for the long-term period of operations. Reasonable measures to mitigate adverse impacts will be identified.

V. FTA Procedures

The locally preferred commuter rail transit mode and its general alignment were selected previously on the basis of the evaluation in the Major Investment Study (1997). The EIS/PE process will assess the social, economic and environmental impacts of alternative station locations, maintenance facility locations, and track designs to minimize and mitigate adverse impacts. A draft EIS will be published and made available for public and agency review and comment, and public hearings will be held. On the basis of the draft EIS and the comments received, the RTA will refine the project design and complete preliminary engineering and the final EIS.

Issued on: January 5, 1998.

Shelly R. Brown,

Regional Counsel.

[FR Doc. 98–491 Filed 1–8–98; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33531]

Dallas Area Rapid Transit; Acquisition and Operation Exemption—Line of Union Pacific Railroad Company

Dallas Area Rapid Transit (DART), a political subdivision of the State of Texas, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire approximately 1.5 miles of rail line owned by Union Pacific Railroad Company (UP) from approximately milepost 749.75 to approximately milepost 748.25 in the vicinity of Garland, TX.[1]

The transaction was expected to be consummated on or soon after December 18, 1997, the effective date of the exemption.

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 Docket No. 33531, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on: Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street, N.W., Suite 400, Washington, DC 20036.

Decided: January 2, 1998.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 98–581 Filed 1–8–98; 8:45 am]

BILLING CODE 4915–00–P

[1] Applicant states that it will grant trackage rights to UP (or UP's designee) on the subject line and that freight railroad operations on the subject line will be conducted by UP (or UP's designee) pursuant to the trackage rights. UP (or UP's designee) will seek the Board's approval for the trackage rights in a separate filing.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33530]

RailTex, Inc., Indiana & Ohio Rail Corp., Cincinnati Terminal Railway Company, Indiana and Ohio Railroad, Inc., Indiana & Ohio Railway Company, and Indiana & Ohio Central Railroad, Inc; Corporate Family Transaction Exemption

RailTex, Inc. (RailTex),[1] Indiana & Ohio Rail Corp. (I&O),[2] Cincinnati Terminal Railway Company (CTER), Indiana and Ohio Railroad, Inc. (INOH), Indiana & Ohio Railway Company (IORY), and Indiana & Ohio Central Railroad, Inc. (IOCR) have jointly filed a verified notice of exemption. CTER and INOH will be merged into IORY. After consummation of the transaction, I&O will directly control two Class III railroads: the IORY and the IOCR.

The transaction was to be consummated on or after December 18, 1997. The transaction will simplify RailTex's corporate structure and eliminate costs associated with separate accounting, tax, bookkeeping and reporting functions.

The merger of CTER and INOH into IORY 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 changes in service levels, 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. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33530, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Karl Morell, Esq., Ball Janik LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

Decided: December 31, 1997.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 98–580 Filed 1–8–98; 8:45 am]

BILLING CODE 4915–00–P

[1] RailTex is a noncarrier which directly controls 17 Class III railroads operating in 21 states, as well as 3 rail carriers that operate in Canada.

[2] RailTex also directly controls I&O, a noncarrier, which controls CTER, INOH, IORY, and IOCR, 4 Class III railroads that have been operated as a single system.