DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[DOcket No. FMCSA–2012–0018]

Agency Information Collection Activities; Revision of a Currently-Approved Information Collection Request: Designation of Agents, Motor Carriers, Brokers and Freight Forwarders

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. The FMCSA requests approval to revise an ICR entitled, “Designation of Agents, Motor Carriers, Brokers and Freight Forwarders (OMB Control Number 2126–0015).” which is used to provide registered motor carriers, property brokers, and freight forwarders a means of meeting the Agency’s process agent requirements.

On November 29, 2011, FMCSA published a Federal Register notice allowing for a 60-day comment period on the ICR. The Agency did not receive any comments on the notice.

DATES: Please send your comments by April 13, 2012. OMB must receive your comments by this date in order to act quickly on the ICR.

ADDRESSES: All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA–2012–0018. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to oira_submission@omb.eop.gov, or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 2412, Washington, DC 20590–2128.

For further information contact: Ms. Tura Gatling, Customer Support Team Leader, Commercial Enforcement Division, Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Telephone Number: (202) 385–2412; Email Address: tura.gatling@dot.gov. Office hours are from 8 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Designation of Agents, Motor Carriers, Brokers and Freight Forwarders. OMB Control Number 2126–0015. Type of Request: Revision of a currently-approved information collection. Respondents: Motor carriers, freight forwarders and brokers. Estimated Number of Respondents: 35,000. Estimated Time per Response: 10 minutes.

Expiration Date: May 31, 2012. Frequency of Response: Form BOC–3 must be filed by all for-hire motor carriers, freight forwards and brokers when the transportation entity first registers with the FMCSA. All brokers shall make a designation for each State in which it has an office or in which contracts are written. Subsequent filings are made only if the motor carrier, broker or freight forwarder changes their process agent designations. Estimated Total Annual Burden: 5,833 hours [35,000 Form BOC–3 filings per year × 10 minutes/60 minutes to complete form = 5,833 hours].

Background: The Secretary of Transportation (Secretary) is authorized to register for-hire motor carriers of regulated commodities under the provisions of 49 U.S.C. 13902; freight forwarders under the provisions of 49 U.S.C. 13903; and property brokers under provisions of 49 U.S.C. 13904. These persons may conduct transportation services only if they are registered pursuant to 49 U.S.C. 13901. The Secretary has delegated authority pertaining to these registration requirements to the FMCSA pursuant to 49 CFR 1.73(a)(5).

Registered motor carriers (including private carriers), brokers and freight forwarders must designate an agent on whom service of notices in proceedings before the Secretary may be made (49 U.S.C. 13303). Registered motor carriers must also designate an agent for every State in which they operate and traverse in the United States during such operations, agents on whom process issued by a court may be served in any of the following methods:

- Mail: Docket Management Facility; U.S. Department of Transportation, 1200
New Jersey Avenue SE., West Building
Ground Floor, Room W12–140, 
Washington, DC 20590–0001.

Hand Delivery: West Building
Ground Floor, Room W12–140, 1200
New Jersey Avenue SE., Washington,
DC, between 9 a.m. and 5 p.m., Monday
through Friday, except Federal
Holidays.


Instructions: Each submission must
include the Agency name and the
docket numbers for this notice. Note
that all comments received will be
posted without change to http://
www.regulations.gov, including any
personal information provided. Please
see the Privacy Act heading below for
further information.

Docket: For access to the docket to
read background documents or
comments, go to http://www.
regulations.gov at any time or Room
W12–140 on the ground level of the
West Building, 1200 New Jersey Avenue
SE., Washington, DC, between 9 a.m.
and 5 p.m., Monday through Friday,
except Federal holidays. The FDMS is
available 24 hours each day, 365 days
each year. If you want acknowledgment
that we received your comments, please
include a self-addressed, stamped
envelope or postcard or print the
acknowledgement page that appears
after submitting comments on-line.

Privacy Act: Anyone may search the
electronic form of all comments
received into any of our dockets by the
name of the individual submitting the
comment (or of the person signing the
comment, if submitted on behalf of an
association, business, labor union, etc.).
You may review DOT’s Privacy Act
Statement for the FDMS published in the
Federal Register on January 17,
2008 (73 FR 3316), or you may visit
http://edocket.access.gpo.gov/2008/pdf/
E8–785.pdf.

FOR FURTHER INFORMATION CONTACT:
Elaine M. Papp, Chief, Medical
Programs Division, (202) 366–4001,
fmcsmedical@dot.gov, FMCSA,
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 from
the Federal Motor Carrier Safety
Regulations 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.”
FMCSA can renew exemptions at the
end of each 2-year period. The
seventeen individuals listed in this
notice have each requested such an
exemption from the vision requirement
in 49 CFR 391.41(b)(10), which applies
to drivers of CMVs in interstate
commerce. Accordingly, the Agency
will evaluate the qualifications of each
applicant to determine whether granting
an exemption will achieve the required
level of safety mandated by statute.

Qualifications of Applicants
David A. Brannon

Mr. Brannon, age 51, has had a
macular scar in his left eye since
childhood. The best corrected visual
acuity in his right eye is 20/15 and in
his left eye, 20/60. Following an
examination in 2011, his optometrist
noted, "I feel Mr. Brannon is qualified to
operate a commercial motor vehicle, and he has
sufficient vision to perform the task.”
Mr. Brannon reported that he has driven
tractor-trailer combinations for 32 years,
accumulating 4.2 million miles. He
holds a Class A Commercial Driver’s
License (CDL) from Florida. His driving
record for the last 3 years shows no
crashes and no convictions for moving
violations in a Commercial Motor
Vehicle (CMV).

Robert L. Brauns

Mr. Brauns, 50, has had complete loss
of vision in his right eye due to a
traumatic injury sustained in 1998. The
best corrected visual acuity in his right
eye is no light perception and in his left
eye, 20/20. Following an examination in 2011,
his optometrist noted, “I feel
Robert L. Brauns has sufficient vision to
perform the driving tasks required to
operate a commercial vehicle.”
Mr. Brauns reported that he has driven
tractor-trailer combinations for 31 years,
accumulating 2.5 million miles. He
holds a Class A CDL from Florida. His driving
record for the last 3 years shows no
crashes and no convictions for moving
violations in a CMV.

Bobby R. Brooks

Mr. Brooks, 61, has had complete loss of
vision in his right eye due to a
traumatic injury sustained 5 years ago.
The best corrected visual acuity in his
right eye is no light perception and in
his left eye, 20/20. Following an
examination in 2011, his optometrist
noted, “Yes, this person has sufficient
vision to operate a commercial motor
vehicle safely.” Mr. Brooks reported that
he has driven tractor-trailer
combinations for 39 years, accumulating
5.4 million miles. He holds a Class A
CDL from Georgia. His driving record
for the last 3 years shows no crashes and no
convictions for moving violations in
a CMV.

Melvin D. Clark

Mr. Clark, 54, has macular scarring in
his right eye due to a traumatic injury
sustained at age 10. The best corrected
visual acuity in right eye is 20/150 and
in his left eye, 20/20. Following an
examination in 2011, his optometrist
noted, “In my medical opinion, Mr.
Clark demonstrates sufficient vision to
perform the driving tasks required to
safely operate a commercial vehicle.”
Mr. Clark reported that he has driven
straight trucks for 12 years,
accumulating 120,000 miles and tractor-
trailer combinations for 21 years,
accumulating 700,000 miles. He holds a
Class A CDL from Georgia. His driving
record for the last 3 years shows no
crashes and no convictions for moving
violations in a CMV.

Jackie K. Cooper

Mr. Cooper, 50, has had amblyopia in
his left eye since childhood. The best
corrected visual acuity in right eye is
20/20 and in his left eye, 20/200.
Following an examination in 2011, his
optometrist noted, “In my medical
opinion this patient, who has been
driving commercial vehicles within the
state of Utah for an extended period of
time and operating safely, has sufficient
vision to perform these driving tasks
outside the state of Utah as well.”
Mr. Cooper reported that he has driven
straight trucks for 10 years,
accumulating 50,000 miles and tractor-
trailer combinations for 10 years,
accumulating 50,000 miles. He holds a
Class A CDL from Utah. His driving
record for the last 3 years shows no
crashes and no convictions for moving
violations in a CMV.

William C. Dempsey, Jr.

Mr. Dempsey, 53, has had amblyopia in
his right eye since childhood. The best
corrected visual acuity in his right
eye is 20/200 and in his left eye, 20/15.
Following an examination in 2011, his
ophthalmologist noted, “Sufficient
vision to operate a commercial vehicle.”
Mr. Dempsey reported that he has driven
straight trucks for 8 years,
accumulating 160,000 miles and tractor-
trailer combinations for 33 years,
accumulating 1.2 million miles. He
holds a Class A CDL from Massachusetts. His driving record
for the last 3 years shows no crashes and no
convictions for moving violations in a
CMV.
Ryan C. Dugan

Mr. Dugan, 31, has a prosthetic right eye due to an injury sustained 10 years ago. The best corrected visual acuity in his left eye is 20/20. Following an examination in 2011, his optometrist noted, “Because his left eye is completely normal and meets the requirements of horizontal field necessary to operate a commercial vehicle, it is my medical opinion that he has sufficient vision required to operate a commercial vehicle safely.” Mr. Dugan reported that he has driven straight trucks for 11 years, accumulating 440,000 miles. He holds a Class D operator’s license from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Donald J. Garrison

Mr. Garrison, 67, has a corneal scar in his right eye due to a traumatic injury sustained at age 3. The best corrected visual acuity in right eye is count-finger vision and in his left eye, 20/25. Following an examination in 2011, his ophthalmologist noted, “I feel that Mr. Garrison has adequate vision to operate a motor vehicle and/or a commercial vehicle safely as his vision has been stable most of his life.” Mr. Garrison reported that he has driven straight trucks for 4 years, accumulating 54,000 miles. He holds a Class D operator’s license from Tennessee. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Glenn C. Grimm

Mr. Grimm, 53, has complete loss of vision in his right eye due to a traumatic injury sustained 33 years ago. The best visual acuity in his left eye is 20/20. Following an examination in 2011, his ophthalmologist noted, “I see no medical ophthalmic contraindication to the patient continuing to perform as a commercial vehicle operator.” Mr. Grimm reported that he has driven straight trucks for 30 years, accumulating 156,000 miles. He holds a Class B CDL from New Jersey. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; failure to obey a traffic signal.

Lee P. Holt

Mr. Holt, 45, has had complete loss of vision in his right eye due to a traumatic injury sustained at age 15. The visual acuity in his right eye is light perception and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, “Mr. Holt’s vision condition has not changed and he has sufficient vision to perform at the same level as perversity in driving a commercial vehicle.” Mr. Holt reported that he has driven straight trucks for 1 year, accumulating 30,000 miles and tractor-trailer combinations for 6 years, accumulating 2.4 million miles. He holds a Class A CDL from Tennessee. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Lance C. Phares

Mr. Phares, 49, has had complete loss in his left eye due to a traumatic injury sustained in 1982. The visual acuity in right eye is 20/20. Following an examination in 2011, his ophthalmologist noted, “In my medical opinion, I feel Lance has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Phares reported that he has driven straight trucks for 26 years, accumulating 780,000 miles. He holds a Class D operator’s license from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Richard A. Pucker

Mr. Pucker, 56, has loss of vision in his left eye due to a traumatic injury sustained in 1974. The best corrected visual acuity in right eye is 20/15 and in his left eye, 20/30. Following an examination in 2011, his optometrist noted, “In my opinion, the patient has sufficient vision in his right eye and sufficient peripheral vision in his left eye to perform the driving tasks required to operate a commercial vehicle.” Mr. Pucker reported that he has driven straight trucks for 38 years, accumulating 1.9 million miles. He holds a Class A CDL from Wisconsin. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Mark A. Smith

Mr. Smith, 47, has had anterior ischemic optic neuropathy in left right eye since 2002. The best corrected visual acuity in right eye is 20/16 and in his left eye, no light perception. Following an examination in 2011, his optometrist noted, “I feel that Mark A. Smith has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Smith reported that he has driven straight trucks for 9 years, accumulating 421,000 miles and tractor-trailer combinations for 6 years, accumulating 250,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Randy L. Stevens

Mr. Stevens, 28, has a prosthetic left eye due to an injury sustained when he was 4 years old. The best corrected visual acuity in his right eye is 20/20. Following an examination in 2011, his ophthalmologist noted, “I believe that Mr. Stevens is doing very well from an ophthalmologic standpoint and he should have no difficulty in regards to his driving tasks and operating a commercial vehicle.” Mr. Stevens reported that he has driven straight trucks for 24 years, accumulating 360,000 miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Marion Tutt, Jr.

Mr. Tutt, 46, had amblyopia in his right eye since childhood. The best corrected visual acuity in right eye is 20/200 and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, “In my opinion, this person has sufficient vision to operate a commercial vehicle safely.” Mr. Tutt reported that he has driven tractor-trailer combinations for 19 years, accumulating 2.8 million miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Wade W. Ward

Mr. Ward, 51, has had an enucleated right eye since 1998. The best corrected visual acuity in his left eye is 20/15. Following an examination in 2011, his ophthalmologist noted, “I, Dr. Dirk Dijstal, have as a medical opinion that Mr. Wade Ward has sufficient vision to perform driving tasks such as driving a commercial vehicle.” Mr. Ward reported that he has driven straight trucks for 2 years, accumulating 22,000 miles and tractor-trailer combinations for 4 years, accumulating 380,000 miles. He holds a Class A CDL from Wyoming. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; failure to obey a traffic device.

Jimmy S. Zamora

Mr. Zamora, 54, has had retinal neovascularization in his right eye for the last four years. The best corrected visual acuity in right eye is 20/50 and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, “In my medical opinion, Mr. Zamora has sufficient vision to perform
the driving tasks required to operate a commercial vehicle. Mr. Zamora reported that he has driven straight trucks for 30 years, accumulating 300,000 miles and tractor-trailer combinations for 30 years, accumulating 3 million miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows two crashes; he was cited for one of the crashes, and no convictions for moving violations in a CMV.

Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31135, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business April 13, 2012. Comments will be available for examination in the docket at the location listed under the ADDRESSES section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: March 1, 2012.
Larry W. Minor, Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board
[DOcket No. RR 999 (Amendment No. 5)]

Released Rates of Motor Common Carriers of Household Goods

AGENCY: Surface Transportation Board.

ACTION: Notice of changes to rules protecting consumers during interstate household-goods moves.

SUMMARY: Notice is hereby given of recent Board decisions concerning interstate household-goods moves. In a decision served January 21, 2011 (January 2011 Decision), the Board implemented a Congressional directive to enhance consumer protection in the case of loss or damage that occurs during interstate household-goods moves. The January 2011 Decision


required movers to provide certain information concerning the two available cargo-liability options on the written estimate form—the first form that a moving company must give to a customer—and tentatively raised the dollar value levels used in reimbursing a consumer under the replacement-value option for lost or damaged goods when the consumer had not declared in advance how much the goods were worth. In a decision served on January 12, 2012 (January 2012 Decision), the Board, after reviewing comments filed in response to the January 2011 Decision, modified the requirement in the January 2011 Decision that certain information be put on the estimate form, and it adopted the raised value levels. In particular, the estimate form will now require a shorter notice to be conspicuously placed to notify the consumer early on that it will need to select a liability option at a later time. The brief notice must also refer a potential customer to two sources of further information on the two liability levels and their meaning. Furthermore, the Board will require that movers include the lengthier Valuation Statement on the bill of lading. In addition, the Board affirmed that the charges for full-value protection when the customer does not provide a declared value for a shipment will be the higher of $6.00 per pound (which may be indexed annually) or $6,000. The Board also clarified other aspects of the January 2011 Decision, including the application of these changes to household-goods freight forwarders. Finally, the Board established April 2, 2011, as the effective date for moving companies to comply with the changes outlined in the two decisions. These Board decisions are available on the Board’s Web site at www.stb.dot.gov. By decision served on March 9, 2012, the Board granted in part the request of the American Moving and Storage Association for a postponement of the effective date of the decisions. The January 2011 and January 2012 Decisions will become effective on May 15, 2012. This decision will not significantly affect either the human environment or the conservation of energy resources.

Decided: March 8, 2012.
By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.
Jeffrey Herzog, Clearance Clerk.

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0730]

Proposed Information Collection; Comment Request; Deployment Risk and Resilience Inventory (DRRI)

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to prepare future military personnel for the challenges of being deployed overseas and how to better assist them after deployment.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before May 14, 2012.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at www.Regulations.gov; or to Cynthia Harvey-Pryor, Veterans Health Administration (193E1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420; or email: cynthia.harvey- pryor@va.gov. Please refer to “OMB Control No. 2900–0730” in any correspondence. During the comment period, comments may be viewed online through the FDMS.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor (202) 461–5870 or FAX (202) 273–9381.