

FMCSA believes that the operations of the 12 Isuzu driver-employees will ensure a level of safety that is equivalent to, or greater than, the level of safety that would be achieved without the exemption. FMCSA's decision to grant this exemption is based on the merits of the application and the considerable CMV driving experience of these drivers. In addition, FMCSA considers the rigorous skills and knowledge testing that drivers undergo to obtain a Japanese commercial license to be comparable to, or as effective as, the requirements of a U.S. CDL (49 CFR part 383). Therefore, FMCSA grants exemption from the requirements of 49 CFR 383.23 to the following 12 individuals while employed by Isuzu, to enable them to operate CMVs in this country without a CDL for a period of 5 years: Naoto Morimoto, Kenji Sugawara, Ryota Hisamatsu, Takehiro Oshima, Yasuhiro Sakai, Hiroaki Takahashi, Kazunori Aizawa, Atsushi Fujiwara, Kazuya Takahashi, Koichi Ueno, Takahisa Chiba, and Takamasa Ono.

VII. Terms and Conditions of the Exemption

This exemption is subject to the following terms and conditions: (1) These drivers are subject to the drug and alcohol regulations, including testing, as provided in 49 CFR part 382, (2) these drivers are subject to the same driver disqualification rules under 49 CFR parts 383 and 391 that apply to other CMV drivers in the United States, (3) Isuzu shall notify FMCSA in writing if an exempted driver is convicted of a disqualifying offense described in sections 383.51 or 391.15 of the Federal Motor Carrier Safety Regulations (49 CFR 350 *et seq.*), (4) these drivers must keep, at all times, a copy of the exemption with them in the CMV they are driving, and (5) Isuzu must notify FMCSA in writing of any accident, as defined in 49 CFR 390.5, that involves an exempted driver.

FMCSA will revoke this exemption if: (1) The Isuzu drivers fail to comply with the terms and conditions of the exemption, (2) the exemption results 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. 31315 and 31316.

VIII. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate or intrastate commerce that

conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

Issued on: February 13, 2019.

Raymond P. Martinez,
Administrator.

[FR Doc. 2019-02950 Filed 2-20-19; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0137]

Qualification of Drivers; Exemption Applications; Hearing

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

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 30 individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: Comments must be received on or before March 25, 2019.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2018-0135 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *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., e.t., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

Instructions: Each submission must include the Agency name and the docket number(s) 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., e.t., 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 online.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the FMCSRs for a five-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 five-year period. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum duration of a driver's medical certification.

The 30 individuals listed in this notice have requested an exemption from the hearing requirement in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard for drivers regarding hearing found in 49 CFR 391.41(b)(11) states that a person is physically qualified to drive a

CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

On February 1, 2013, FMCSA announced in a Notice of Final Disposition titled, Qualification of Drivers; Application for Exemptions; National Association of the Deaf, (78 FR 7479), its decision to grant requests from 30 individuals for exemptions from the Agency's physical qualification standard concerning hearing for interstate CMV drivers. Since the February 1, 2013 notice, the Agency has published additional notices granting requests from hard of hearing and deaf individuals for exemptions from the Agency's physical qualification standard concerning hearing for interstate CMV drivers.

II. Qualifications of Applicants

Maurice N. Abenchuchan

Mr. Abenchuchan, age 61, holds an operator's license in Florida.

Gary Abendroth

Mr. Abendroth, age 43, holds an operator's license in Wisconsin.

Ronnie R. Adkins

Mr. Adkins, age 62, holds a class A CDL in Missouri.

Brigit Anne Alm

Ms. Alm, age 63, holds an operator's license in Wisconsin.

Prince K. Bempong

Mr. Bempong, age 30, holds an operator's license in Texas.

Kenneth Bilodeau

Mr. Bilodeau, age 38, holds an operator's license in Texas.

William B. Britt

Mr. Britt, age 47, holds an operator's license in Tennessee.

James A. Bryan

Mr. Bryan, age 35, holds an operator's license in Arkansas.

Shawn R. Carico

Mr. Carico, age 23, holds an operator's license in Tennessee.

Gillia J. Cobb

Mr. Cobb, age 32, holds an operator's license in California.

Perry Lynn Cobb

Mr. Cobb, age 43, holds an operator's license in Tennessee.

George P. Cuadera

Mr. Cuaderr, age 42, holds an operator's license in Maryland.

Donte Darrington

Mr. Darrington, age 27, holds an operator's license in Missouri.

Kevin A. Dent

Mr. Dent, age 38, holds an operator's license in Mississippi.

Thomas Garro

Mr. Garro, age 72, holds an operator's license in Arizona.

John L. Gonzagowski

Mr. Gonzagowski, age 81, holds a class A CDL in Missouri.

Marc Graham

Mr. Graham, age 40, holds an operator's letter in California.

Jacob D. Hamilton

Mr. Hamilton, age 30, holds an operator's license in Indiana.

Robert R. Hefner

Mr. Hefner, age 40, holds a class A CDL in South Carolina.

Dwayne Johnson

Mr. Johnson, age 26, holds an operator's license in Illinois.

Marina S. Hernandez

Ms. Hernandez, age 55, holds an operator's license in New Jersey.

Patrick L. Johnson

Mr. Johnson, age 31, holds an operator's license in Michigan.

Justin Kilgore

Mr. Kilgore, age 37, holds a class A CDL in Iowa.

Lawrence Hung K. Lam

Mr. Lam, age 38, holds on operator's license in California.

John N. McKee

Mr. McKee, age 59, holds a class A CDL in Iowa.

John Rhoades

Mr. Roades, age 53, holds an operator's license in Idaho.

Darryl Rutland

Mr. Rutland, age 54, holds an operator's license in California.

Phillip Shook Jr.

Mr. Shook, age 53, holds an operator's license in Mississippi.

Shana Williamson

Ms. Williamson, age 52, holds an operator's license in Texas.

Carl E. Wood

Mr. Wood, age 77, holds a class A CDL in Louisiana.

III. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, 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 in the dates section of the notice.

IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2018-0137 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and materials received during the comment period. FMCSA may issue a final determination any time after the close of the comment period.

V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to <http://www.regulations.gov> and in the search box insert the docket number

FMCSA–2018–0137 and click “Search.” Next, click “Open Docket Folder” and you will find all documents and comments related to this notice.

Issued on: February 13, 2019.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2019–02951 Filed 2–20–19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2010–0027]

Hours of Service of Drivers: WestRock, Application for Renewal of Exemption

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

ACTION: Notice of application for renewal of exemption; request for comments.

SUMMARY: WestRock, formerly known as RockTenn has requested a renewal of its exemption from certain provisions of the hours-of-service (HOS) requirements for drivers of property-carrying vehicles. WestRock currently holds an exemption for the period April 17, 2014, through April 16, 2019 for 11 shipping department employees and occasional substitute commercial driver’s license (CDL) holders who transport paper mill products over a 275-foot stretch of public road between its shipping and receiving locations. WestRock requested an exemption from the 14-hour rule and the requirement for 10 consecutive hours off duty before the start of the workday. The renewal of the exemption would allow these individuals occasionally to drive after the 14th hour after coming on duty and allow them to return to work following eight consecutive hours off-duty. FMCSA requests public comment on WestRock’s application for exemption.

DATES: If granted, this exemption would be effective during the period of April 17, 2019 through April 16, 2024. Comments must be received on or before March 25, 2019.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number FMCSA–2010–0027 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. Follow the online instructions for submitting comments.
- *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 or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 1–202–493–2251.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the *Public Participation* heading below. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the *Privacy Act* heading below.

Docket: For access to the docket to read background documents or comments received, go to www.regulations.gov, and follow the online instructions for accessing the dockets, or go to the street address listed above.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

Public participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal website. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlie Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 202–366–4225. Email: MCPSD@dot.gov. If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this

notice (FMCSA–2010–0027), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to www.regulations.gov and put the docket number, “FMCSA–2010–0027” in the “Keyword” box, and click “Search.” When the new screen appears, click on “Comment Now!” button and type your comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period and may grant or not grant this application based on your comments.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to www.regulations.gov and insert the docket number, “FMCSA–2010–0027” in the “Keyword” box and click “Search.” Next, click “Open Docket Folder” button and choose the document listed to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also