III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption for up to five years from the epilepsy and seizure disorder prohibition in 49 CFR 391.41(b)(8) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum duration of a driver’s medical certification.

In reaching the decision to grant these exemption requests, FMCSA considered the 2007 recommendations of the Agency’s Medical Expert Panel (MEP). The January 15, 2013, Federal Register notice (78 FR 3069) provides the current MEP recommendations which is the criteria the Agency uses to grant seizure exemptions.

The Agency’s decision regarding these exemption applications is based on an individualized assessment of each applicant’s medical information, including the root cause of the respective seizure(s) and medical information about the applicant’s seizure history, the length of time that has elapsed since the individual’s last seizure, the stability of each individual’s treatment regimen and the duration of time on or off of anti-seizure medication. In addition, the Agency reviewed the treating clinician’s medical opinion related to the ability of the driver to safely operate a CMV with a history of seizure and each applicant’s driving record found in the Commercial Driver’s License Information System (CDLIS) for commercial driver’s license (CDL) holders, and interstate and intrastate inspections recorded in the Motor Carrier Management Information System (MCMIS). For non-CDL holders, the Agency reviewed the driving records from the State Driver’s Licensing Agency (SDLA). A summary of each applicant’s seizure history was from the State Driver’s Licensing Agency (SDLA). A summary of each applicant’s seizure history was discussed in the February 21, 2019, Federal Register notice (84 FR 5552) and will not be repeated in this notice.

These six applicants have been seizure-free over a range of 24 years while taking anti-seizure medication and maintained a stable medication treatment regimen for the last two years. In each case, the applicant’s treating physician reviewed his or her seizure history and supports the ability to drive commercially.

The Agency acknowledges the potential consequences of a driver experiencing a seizure while operating a CMV. However, the Agency believes the drivers granted this exemption have demonstrated that they are unlikely to have a seizure and their medical condition does not pose a risk to public safety.

Consequently, FMCSA finds that in each case exempting these applicants from the epilepsy and seizure disorder prohibition in 49 CFR 391.41(b)(8) is likely to achieve a level of safety equal to that existing without the exemption.

V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) Each driver must remain seizure-free and maintain a stable treatment during the two-year exemption period; (2) each driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified Medical Examiner, as defined by 49 CFR 390.5; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver’s qualification file, or keep a copy of his/her driver’s qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VII. Conclusion

Based upon its evaluation of the six exemption applications, FMCSA exempts the following drivers from the epilepsy and seizure disorder prohibition, 49 CFR 391.41(b)(8), subject to the requirements cited above:

- John D. Archer (MO)
- Travis W. Flowers (VA)
- Stephen T. Root (NY)
- Jeffrey L. Slagan (WI)
- Dereck Welch (FL)
- Mark D. Wray (NY)

In accordance with 49 U.S.C. 31315(b)(4), each exemption will be valid for two years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (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 prior to being 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: April 11, 2019.

Larry W. Minor, Associate Administrator for Policy.

[FR Doc. 2019–07793 Filed 4–17–19; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No. FTA–2019–0002]

Joint Development: Proposed Updated Circular

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of availability of update to joint development circular and request for comments.

SUMMARY: The Federal Transit Administration (FTA) has placed in the docket and on its website proposed changes to an existing Circular (7050.1A) on joint development projects using FTA funds or FTA-funded property. The purpose of these proposed changes is to increase flexibility for project sponsors to pursue joint development projects, reduce FTA oversight of joint development agreements negotiated between project sponsors and their partners, streamline FTA’s project eligibility review process, and clarify prior guidance in FTA Circular 7050.1B: FTA Guidance on Joint Development. If proposed changes are approved, the revised document will be renumbered as Circular 7050.1B: FTA Guidance on Joint Development. By this notice, FTA seeks public comment on proposed changes, which are at pages III–6, VI–1, VI–2, VI–4, VI–5, and VI–6 of the Circular.

DATES: Comments must be submitted by June 3, 2019. Late filed comments will be considered to the extent practicable.

ADDRESSES: Please submit your comments by only one of the following methods, identifying your submission by DOT Docket Number FTA–2019–0002. All electronic submissions must be made to the U.S. Government electronic site at http://www.regulations.gov. Federal e-Rulemaking Portal: Go to http://www.regulations.gov and follow the online instructions for submitting comments.
I. Overview

The proposed changes to Circular 7050.1A regarding joint development affect: (1) The minimum threshold for the statutory “fair share of revenue” requirement; and (2) the submission and review process for FTA-assisted joint development projects.

II. Proposed Changes to Circular 7050.1A

A. Fair Share of Revenue

Section 5302(3)(G)(iii) of title 49, United States Code, requires FTA-assisted joint development projects to provide a “fair share of revenue that will be used for public transportation.” Prior to the October 1, 2014 effective date of Circular 7050.1A, FTA generally deferred to a project sponsor’s assessment of a “fair share” of revenue, and did not require any specific amount of revenue for transit purposes.

FTA proposed for joint development projects to incorporate a minimum threshold that a joint development project must produce revenue for transit purposes that at least equals the federal government’s initial investment in the joint development project. (79 FR 50,728; 50,731–32.)

Over time, FTA has found that defining a fair share of revenue minimum threshold unnecessarily limits the pool of potential projects by reducing flexibility for project sponsors and their partners to determine what amounts to a fair share of revenue. Accordingly, FTA proposes to no longer define a minimum revenue threshold, or set a monetary requirement from a joint development project for transit purposes.

Although FTA proposes to allow the amount and form of revenue received by the project sponsor to be negotiated between the joint development parties, consistent with Circular 7050.1A, the project sponsor must continue to report to FTA the amount and source of the revenue it will receive, and the revenue must be used for transit purposes.

B. Submission and Review Process

Circular 7050.1A prescribes a process by which project proposals are submitted to FTA for review. Currently, formal project proposals must include: (1) A completed project request form that contains pertinent information about the joint development project, including how the eligibility criteria are to be satisfied, (2) all proposed agreements between the project sponsor and project partners, (3) an executed certificate of compliance, and (4) two forms identifying other required and supplemental documentation, including a baseline market analysis to demonstrate a good faith effort to provide a fair share of revenue to the project sponsor.

FTA proposes to update the project request form to reflect the changes described in Section (A) above. The revised project request form will be published on FTA’s website at www.transit.dot.gov/jointdevelopment.

FTA has also determined that elimination of the fair share of revenue minimum threshold makes the submission of a baseline market analysis and certificate of compliance unnecessary. Accordingly, FTA proposes to no longer require project sponsors to submit either document.

FTA encourages project sponsors to conduct baseline market analyses to better understand current market conditions and evaluate the viability of joint development projects.

The proposed changes will streamline the review of FTA-assisted joint development projects by reducing the amount of paperwork that project sponsors must prepare and FTA must review.

FTA recommends that interested stakeholders review the proposed changes to the Circular carefully and provide comment on any impacts these proposed changes may have on future joint development projects.

K. Jane Williams, Acting Administrator.

[FR Doc. 2019–07812 Filed 4–17–19; 8:45 am]
BILLING CODE 4910–57–P

DEPARTMENT OF THE TREASURY
Bureau of the Fiscal Service

Proposed Collection of Information: Supporting Statement of Ownership for Overdue United States Bearer Securities

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. Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Supporting Statement of