

### 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 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 verified 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)(1), 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 7050.1A: *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.

*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. Eastern time, Monday  
through Friday, except Federal holidays.

*Fax:* 202-493-2251.

*Instructions:* You must include the  
agency name (Federal Transit  
Administration) and Docket number  
(FTA-2019-0002) for this notice at the  
beginning of each submission of your  
comments. Submit two copies of your  
comments if you submit them by mail.  
For confirmation that FTA received  
your comments, include a self-  
addressed stamped postcard. All  
comments received will be posted  
without change to [www.regulations.gov](http://www.regulations.gov)  
including any personal information  
provided and will be available to  
internet users. You may review DOT's  
complete Privacy Act Statement  
published in the **Federal Register** on  
April 11, 2000 (65 FR 19477) or [http://  
DocketsInfo.dot.gov](http://DocketsInfo.dot.gov).

*Docket:* For access to the docket to  
read background documents and  
comments received, go to  
[www.regulations.gov](http://www.regulations.gov) at any time or to  
the U.S. Department of Transportation,  
1200 New Jersey Avenue SE, Docket  
Operations, M-30, West Building  
Ground Floor, Room W12-140,  
Washington, DC 20590 between 9:00  
a.m. and 5:00 p.m. Eastern Standard  
Time, Monday through Friday, except  
Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For  
policy guidance questions, Daniel  
Schned, Office of Budget and Policy,  
Federal Transit Administration, 1200  
New Jersey Ave. SE, Room E52-314,  
Washington, DC 20590, phone: (202)  
366-1652, or email, [daniel.schned@  
dot.gov](mailto:daniel.schned@dot.gov). For legal questions, Kathryn  
Loster, Office of Chief Counsel, 200  
West Adams Street, Suite 320, Chicago,  
IL 60606, phone: (312) 353-3869; or  
email: [kathryn.loster@dot.gov](mailto:kathryn.loster@dot.gov).

**SUPPLEMENTARY INFORMATION:** This  
notice provides a summary of the  
proposed changes to Circular 7050.1A.  
The Circular itself is not included in  
this notice; instead, an electronic  
version may be found on FTA's website  
at [www.transit.dot.gov](http://www.transit.dot.gov), and in the  
docket at [www.regulations.gov](http://www.regulations.gov). Paper  
copies of the Circular may be obtained  
by contacting FTA's Administrative  
Services Help Desk at (202) 366-4865.

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### 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 from a joint  
development project. FTA defined "fair  
share of revenue" in Circular 7050.1A 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](http://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.*

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## 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