

is likely to cause loss of consciousness or any loss of ability to control a CMV.” Since that time, the Agency has published additional notices granting requests from individuals for exemptions from the regulatory requirement regarding epilepsy found in § 391.41(b)(8).

To be considered for an exemption from the epilepsy and seizure disorders prohibition in § 391.41(b)(8), applicants must meet the criteria in the 2007 recommendations of the Agency’s Medical Expert Panel (78 FR 3069).

### III. Qualifications of Applicants

#### *Joseph Bellamy*

Mr. Bellamy is a 23-year-old class C driver in Maryland. He has a history of epilepsy and has been seizure free since 2011. He takes anti-seizure medication with the dosage and frequency remaining the same since 2014. His physician states that he is supportive of Mr. Bellamy receiving an exemption.

#### *Brian Bommer*

Mr. Bommer is a 31-year-old class D driver in Ohio. He has a history of seizure disorder and has been seizure free since 2012. He takes anti-seizure medication with the dosage and frequency remaining the same since 2012. His physician states that he is supportive of Mr. Bommer receiving an exemption.

#### *Allen Bradley*

Mr. Bradley is a 22-year-old class D driver in Alabama. He has a history of epilepsy and has been seizure free since 2010. He takes anti-seizure medication with the dosage and frequency remaining the same since 2008. His physician states that he is supportive of Mr. Bradley receiving an exemption.

#### *Sonny Chase*

Mr. Chase is a 52-year-old class B CDL holder in Minnesota. He has a history of epilepsy and has been seizure free since 2012. He takes anti-seizure medication with the dosage and frequency remaining the same since November 2015. His physician states that he is supportive of Mr. Chase receiving an exemption.

#### *Stephen Claphan*

Mr. Claphan is a 57-year-old class A CDL holder in Michigan. He has a history of epilepsy and has been seizure free since 1991. He takes anti-seizure medication with the dosage and frequency remaining the same since 2006. His physician states that he is supportive of Mr. Claphan receiving an exemption.

#### *Robert King*

Mr. King is a 58-year-old class OPR–MC driver in New Hampshire. He has a history of a single unprovoked seizure and has been seizure free since 1995. His anti-seizure medication was discontinued in 2016. His physician states that she is supportive of Mr. King receiving an exemption.

#### *Jason Miller*

Mr. Miller is a 33-year-old Class A driver in Nebraska. He has a history of epilepsy and has been seizure free since 2006. He takes anti-seizure medication with the dosage and frequency remaining the same since 2015. His physician states that he is supportive of Mr. Miller receiving an exemption.

#### *Michael Morris*

Mr. Morris is a 43-year-old class A CDL holder in Oregon. He has a history of epilepsy and has been seizure free since 2010. He takes anti-seizure medication with the dosage and frequency remaining the same since 2010. His physician states that he is supportive of Mr. Morris receiving an exemption.

#### *Daryl Schuetz*

Mr. Schuetz is a 59-year-old class D driver in Colorado. He has a history of epilepsy and has been seizure free since 1997. He takes anti-seizure medication with the dosage and frequency remaining the same since 2000. His physician states that he is supportive of Mr. Schuetz receiving an exemption.

#### *Thomas Smutnik*

Mr. Smutnik is a 41-year-old class B CDL holder in Pennsylvania. He has a history of epilepsy and has been seizure free since 2009. He takes anti-seizure medication with the dosage and frequency remaining the same since 2009. His physician states that he is supportive of Mr. Smutnik receiving an exemption.

### IV. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), 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 under the **DATES** section of the notice.

#### **Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2020–10688 Filed 5–18–20; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2020–0025]

#### 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 11 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 June 18, 2020.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA–2020–0025 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/docket?D=FMCSA-2020-0025>. Follow the online instructions for submitting comments.

- *Mail:* Docket Operations; 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., ET, Monday through Friday, except Federal Holidays.

- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the “Public Participation” portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, [fmcsamedical@dot.gov](mailto: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., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Operations, (202) 366–9826.

**SUPPLEMENTARY INFORMATION:**

## I. Public Participation

### A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–2020–0025), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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/docket?D=FMCSA-2020-0025>. Click on the “Comment Now!” button and type your comment into the text box on 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.

### B. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to <http://www.regulations.gov/docket?D=FMCSA-2020-0025> and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Operations 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., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Docket Operations.

### C. 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](http://www.regulations.gov), as described in

the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at [www.transportation.gov/privacy](http://www.transportation.gov/privacy).

## II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-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 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

The 11 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 § 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 40 individuals for exemptions from the Agency’s physical qualification standard concerning hearing for interstate CMV drivers. Since that time 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.

## III. Qualifications of Applicants

### Joshua Affholter

Mr. Affholter, 37, holds a class B license in Michigan.

### Badarch Gantulga

Mr. Gantulga, 47, holds a class D license in Illinois.

### Awash Demoz

Mr. Demoz, 36, holds a class C license in Maryland.

### Daniel DeSimone

Mr. DeSimone, 53, holds a class A license in Maryland.

### Muhammad Javed

Mr. Javed, 28, holds a class B license in Indiana.

### Charles O’Bryan

Mr. O’Bryan, 45, holds a class D license in New York.

### Darrell Pfaff

Mr. Pfaff, 65, holds a class C license in Texas.

### Juan Reyes, Jr.

Mr. Reyes, 23, holds a class C license in Texas.

### Steven Rice

Mr. Rice, 35, holds a class D license in New York.

### Anna Ruiz

Ms. Ruiz, 50, holds a class D license in Arizona.

### Kyle Taylor

Mr. Taylor, 28, holds a class C license in Georgia.

## IV. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), 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 under the **DATES** section of the notice.

### Larry W. Minor,

Associate Administrator for Policy.

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