

C. Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory 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.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 18 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 (Apr. 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

Michael Beam

Mr. Beam, 50, holds a commercial driver's license in Michigan.

Nathaniel Borton

Mr. Borton, 26, holds a class DM license in Wisconsin.

Wallace Bostrom

Mr. Bostrom, 39, holds a class D license in Minnesota.

Daniel Cohen

Mr. Cohen, 70, holds a class A commercial driver's license in Vermont.

Thomas Cook

Mr. Cook, 48, holds a regular driver's license in Virginia.

Lee Desoto

Mr. DeSoto, 49, holds a class D license in New Mexico.

Ruben Faulkwell

Mr. Faulkwell, 36, holds a class C license in Texas.

Christopher Gibbons

Mr. Gibbons, 39, holds a class F license in Missouri.

Renier Gonzalez

Mr. Gonzalez, 40, holds a class E license in Florida.

Leonie Hall

Ms. Hall, 45, holds a class D license in Illinois.

Dylan Lewis

Mr. Lewis, 22, holds class D license in Delaware.

Waylon Mathern

Mr. Mathern, 41, holds a class C license in Maryland.

Randall Norton

Mr. Norton, 36, holds a class CM license in Texas.

Adem Rexhepi

Mr. Rexhepi, 46, holds a class D license in Illinois.

Fernando Rizo

Mr. Rizo, 29, holds a class C license in California.

ZanDraya Schwab

Ms. Schwab, 30, holds a class D license in Utah.

Arnold Vega

Mr. Vega, 36, holds a class C license in Texas.

Larry West

Mr. West, 67, holds a class A license in Tennessee.

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. 2022-03274 Filed 2-15-22; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2022-0017]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of denials.

SUMMARY: FMCSA announces its decision to deny applications from 24 individuals who requested an exemption from the vision standard in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a CMV in interstate commerce.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing materials in the docket, contact Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number, FMCSA-2022-0017, in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click "Browse Comments." If you

do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, 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 Dockets Operations.

B. Privacy Act

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II. Background

FMCSA received applications from 24 individuals who requested an exemption from the vision standard in the FMCSRs.

FMCSA has evaluated the eligibility of these applicants and concluded that granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with § 391.41(b)(10).

III. Basis for Exemption Determination

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. FMCSA grants exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on medical reports about the applicants' vision, as well as their driving records and experience driving with the vision deficiency.

IV. Conclusion

The Agency has determined that these applicants do not satisfy the eligibility criteria or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with § 391.41(b)(10). Therefore, the 24 applicants in this notice have been denied exemptions

from the physical qualification standards in § 391.41(b)(10).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final action by the Agency. This notice summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following two applicants did not have sufficient driving experience over the past 3 years under normal highway operating conditions:

John T. Gerber (IN)

Kyle A. Varin (NJ)

The following 19 applicants had no experience operating a CMV:

Hussein M. Abdi (WI)

Jacob M. Bright (IN)

Julie A. Fippen (IN)

Donald T. Glenn (AL)

Lawrence E. Grant (NH)

Cynthia M. Jefferson (DE)

Vadim Kusraev (PA)

Jerry G. Morrison (NC)

Alexandra M. Padden (CA)

James P Parris (PA)

Todd W. Pastrick (MI)

Ezekiel Quiroz (FL)

Elizabeth M. Sanborn (NJ)

Kathleen A. Santos (ME)

Jeffrey N. Smith (MO)

Michelle M. Turner (CA)

Bebienfa B. Vadrine (VA)

Robert B. Wood (IN)

Sarah A. Yoder (WI)

The following applicant, Navjot Singh (CA), did not have 3 years of experience driving a CMV on public highways with their vision deficiency.

The following applicant, Terrence A. Grundysen (ND), did not have 3 years of recent experience driving a CMV on public highways with their vision deficiency.

The following applicant, Richard J. Stafford (VA), has not had stable vision for the preceding 3-year period.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2022-03271 Filed 2-15-22; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0154; FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2015-0326; FMCSA-2015-0329; FMCSA-2016-0003; FMCSA-2017-0058; FMCSA-2019-0111]

Qualification of Drivers; Exemption Applications; Hearing

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 17 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are from 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 Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number, FMCSA-2012-0154, FMCSA-2013-0122, FMCSA-2013-0123, FMCSA-2015-0326, FMCSA-2015-0329, FMCSA-2016-0003, FMCSA-2017-0058, or FMCSA-2019-0111 in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click "Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., ET,