

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration**

[Docket No. FHWA-2022-0020]

Agency Information Collection**Activities: Request for Comments for a New Information Collection****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice and request for comments.

SUMMARY: The FHWA has forwarded the information collection request described in this notice to the Office of Management and Budget (OMB) for approval of a new (periodic) information collection. We published a **Federal Register** Notice with a 60-day public comment period on this information collection on October 18, 2021. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by May 5, 2022.

ADDRESSES: You may submit comments identified by DOT Docket ID Number 2022-0020 by any of the following methods:

Web site: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1-202-493-2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Danielle Betkey, 202-366-9417, or David Kopacz, 708-402-0840, Office of Safety, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Safety Performance Target Setting: State-of-the-Practice Report.

Background: Performance management is a critical element in roadway safety and is measured by the number of lives lost and serious injuries

sustained on our Nation's roadways. The State's safety performance targets help to improve data, foster transparency and accountability, and allow safety progress to be tracked at the national and State level. States use the safety performance management framework to assist them in making progress toward improving road safety through the Highway Safety Improvement Program (HSIP), which requires a data-driven, strategic approach to improving highway safety on all public roads with a focus on performance.

Per 23 CFR part 490 subpart B, States are required to set safety performance targets in the HSIP annual report. The performance measures are based on 5-year rolling averages and include the following (1) number of fatalities; (2) rate of fatalities; (3) number of serious injuries; (4) rate of serious injuries; and (5) number of non-motorized fatalities and serious injuries.

FHWA shares the vision that zero fatalities on our Nation's roadways is the only acceptable goal. The State's annual safety performance targets represent an important step in helping States work toward the ultimate goal of eliminating traffic deaths and serious injuries. The safety performance targets are interim performance levels that contribute toward the progress of the long-term goal of zero fatalities.

FHWA does not prescribe a methodology for States to set their annual safety performance targets. States have the flexibility to use the methodology they deem most appropriate. FHWA encourages States to review data sets and trends and consider factors that may affect targets. The safety performance targets should be data-driven, realistic, and attainable and should align with the performance management framework and legislative intent.

Since 2016 when 23 CFR 490 went into effect, States have had the opportunity to go through several rounds of safety performance target setting. States have now set safety performance targets for calendar years (CY) 2018 through 2022 and have been assessed on the safety performance targets for CY 2018 and 2019. As States have gained more experience with target setting over the last several years, FHWA is interested in getting a better understanding of the state of the practice as it relates to safety target setting. FHWA seeks to identify how States are setting targets; what methods States are using to set targets; how States are integrating target setting into planning and programming practices; and how States are modifying their safety

program in response to meeting or not meeting safety performance targets. The research will focus on identifying current practices as well as identifying gaps and noteworthy practices.

Respondents: Approximately 104 participants, which would allow for up to two participants for each of the 50 States plus the District of Columbia and Puerto Rico.

Frequency: One-time collection.

Estimated Average Burden per Response: Approximately 60 minutes.

Estimated Total Annual Burden Hours: Approximately 104 hours for a one-time collection.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued On: March 31, 2022.

Michael Howell,

Information Collection Officer.

[FR Doc. 2022-07160 Filed 4-4-22; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Notice of Final Federal Agency Action on Proposed Highway in Georgia, State Route 400 Express Lanes, Fulton and Forsyth Counties, Georgia (Atlanta Metropolitan Area)**

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of limitations on claims for judicial review of action by FHWA, the United States Army Corps of Engineers (USACE), and the National Park Service (NPS).

SUMMARY: This notice announces actions taken by FHWA and other Federal agencies that are final. The actions relate to a proposed highway project, the State Route (SR) 400 Express Lanes beginning from the North Springs Metropolitan Atlanta Rapid Transit

Authority (MARTA) station in Fulton County and ending at 0.9 mile north of McFarland Parkway in Forsyth County, Georgia. The approximate length of the proposed project is approximately 16 miles. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public of the final agency actions subject to 23 U.S.C. 139(j)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before September 2, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Mr. Daniel T. Hinton, Acting Division Administrator, Georgia Division, Federal Highway Administration, 61 Forsyth Street, Suite 17T100, Atlanta, Georgia 30303; FHWA's normal business hours are 8:00 a.m. to 5:00 p.m. (eastern time) Monday through Friday, 404-562-3630; email: *Daniel.Hinton@dot.gov*. For United States Army Corps of Engineers (USACE): Mr. Edward B. Johnson, Jr., Chief, Management Branch, 4751 Best Road, Suite 140, College Park, Georgia 30337, email: *Edward.B.Johnson@usace.army.mil*. USACE's normal business hours are 8:00 a.m. to 5:00 p.m. (Eastern time) Monday through Friday. For Georgia Department of Transportation (GDOT): Mr. Russell McMurray, Commissioner, Georgia Department of Transportation, 600 West Peachtree Street, 22nd Floor, Atlanta, Georgia 30308, 8:00 a.m. to 5:00 p.m. (eastern time) Monday through Friday, Telephone: (404) 631-1990, email: *RMcMurray@dot.ga.gov*. For National Park Service (NPS): Ms. Ann Honious, Superintendent, Chattahoochee River Recreation Area, 1978 Island Ford Parkway, Sandy Springs, Georgia 30350, 9:00 a.m. to 5:00 p.m. (eastern time) Monday through Friday, Telephone: (678) 538-1211, email: *ann_honious@nps.gov*.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the FHWA and other federal agencies have taken final actions subject to 23 U.S.C. 139(j) by issuing licenses and approvals for the following highway project in the State of Georgia: The SR 400 Express Lanes located in metropolitan Atlanta, Georgia. The Selected Alternative will add two (2) priced Express Lanes in each direction along State Route 400 from North Springs MARTA station (currently Exit 5C) to McGinnis Ferry Road and one (1) priced Express Lane in each direction

from McGinnis Ferry Road to approximately 0.9 mile north of McFarland Parkway (currently Exit 12) in Forsyth County. The approximate length of the proposed construction is approximately 16 miles. The facility will be tolled by electronic toll lane (ETL). The purpose of the project is listed below:

- Provide a transportation alternative that offers reliable travel times for drivers and transit users;
- Improve connections between regional destinations through priced, additional lanes that integrate with the greater metro Atlanta express lanes network;
- Accelerate project delivery.

The actions by the Federal Agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) for the project, approved on July 29, 2020, and the Finding of No Significant Impact (FONSI) for the SR 400 Express Lanes, approved on February 5, 2021. The FONSI and other project records are available by contacting FHWA or the Georgia Department of Transportation at the addresses listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

The actions by the Federal Agencies and the laws under which such actions were taken are described in the USACE Individual Permit for the SR 400 Express Lanes project, authorized on February 15, 2022. The Public Notice for the Individual Permit is available by contacting FHWA or the Georgia Department of Transportation at the addresses listed above. The USACE Public Notice for the Individual Permit can be reviewed in the following manner:

(1) <https://www.sas.usace.army.mil/Missions/Regulatory/Public-Notices/?Page=2> or [SAS-2018-01018-FultonandForsyth (IP-NML) > Savannah District > Public Notices (army.mil)]; and

(2) If you are unable to access the Public Notice above, please make a request by mail to: U.S. Army Corps of Engineers, ATTN: Mr. Edward B. Johnson, Jr., Chief, Management Branch, 4751 Best Road, Suite 140, College Park, Georgia 30337.

The actions by the Federal Agencies and the laws under which such actions were taken are described in the National Park Service (NPS) Decision Document for the SR 400 Express Lanes project, approved on June 24, 2021. The NPS Decision Document can be reviewed and downloaded from the project website in two ways:

(1) At <https://0001757-gdot.hub.arcgis.com/> and click on

Environmental Assessment (EA) and FONSI; and

(2) Electronic versions of the NPS Decision Document have been sent to the following local libraries in the vicinity of the SR 400 corridor with a request to make the digital document available to patrons, including:

- a. Fulton County Library at the Sandy Springs Branch (395 Mount Vernon Hwy. NE, Sandy Springs, GA 30328),
- b. Fulton County Library at the Roswell Branch (115 Norcross St. Roswell, GA 30075),
- c. Fulton County Library at the East Roswell Branch (2301 Holcomb Bridge Rd., Roswell, GA 30076),
- d. Fulton County Library at the Alpharetta Branch (10 Park Plaza, Alpharetta, GA 30009),
- e. Fulton County Library at the Milton Branch (855 Mayfield Rd., Milton, GA 30009),
- f. DeKalb Public Library at the Dunwoody Branch (5339 Chamblee Dunwoody Rd., Dunwoody, GA 30338), and

g. Forsyth County Public Library at the Sharon Forks Branch (2820 Old Atlanta Rd., Cumming, GA 30041).

This notice applies to all Federal Agency final actions taken after the issuance date of the FHWA **Federal Register** notice described in 86 FR 9421 (Feb. 12, 2021). See <https://www.govinfo.gov/content/pkg/FR-2021-02-12/pdf/2021-02803.pdf>. The laws under which actions were taken include, but are not limited to:

1. Wetlands and Water Resources: Clean Water Act, (section 404, section 401, section 319) [33 U.S.C. 1251-1377]; 33 CFR 208.10; Safe Drinking Water Act [42 U.S.C. 300(f)-300(j-26)]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4128]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406].

2. Executive Orders: E.O. 11990, Protection of Wetlands; E.O. 11988 Floodplain Management; Nothing in this notice creates a cause of action under these E.O.s.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Daniel Thomas Hinton,
Acting Division Administrator, Atlanta,
Georgia.

[FR Doc. 2022-07009 Filed 4-4-22; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2022-0018]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 24 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. They are unable to meet the vision requirement in one eye for various reasons. The exemptions enable these individuals to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: The exemptions were applicable on March 19, 2022. The exemptions expire on March 19, 2024.

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 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-2022-0018, 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

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. 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.

II. Background

On February 16, 2022, FMCSA published a notice announcing receipt of applications from 24 individuals requesting an exemption from vision requirement in 49 CFR 391.41(b)(10) and requested comments from the public (87 FR 8912). The public comment period ended on March 18, 2022, and one comment was received.

FMCSA has evaluated the eligibility of these applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in § 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received one comment in this proceeding. The Minnesota Department of Public Safety submitted a comment in support of the decision to issue an exemption to Larry Magrath.

IV. 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. 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 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. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the February 16, 2022, **Federal Register** notice (87 FR 8912) and will not be repeated here.

FMCSA recognizes that some drivers do not meet the vision requirement but have adapted their driving to accommodate their limitation and demonstrated their ability to drive safely. The 24 exemption applicants listed in this notice are in this category. They are unable to meet the vision requirement in one eye for various reasons, including amblyopia, complete loss of vision, corneal scar, enucleation, glaucoma, histoplasmosis, inoperable mature cataract, macular neovascular scar, macular retinal scar, proliferative retinopathy, retinal artery occlusion, retinal detachment, retinal scar, ruptured globe, strabismus, and vitreoretinal adhesion. In most cases, their eye conditions did not develop recently. Fourteen of the applicants were either born with their vision impairments or have had them since childhood. The 10 individuals that developed their vision conditions as adults have had them for a range of 4 to 16 years. Although each applicant has one eye that does not meet the vision requirement in § 391.41(b)(10), each has at least 20/40 corrected vision in the other eye, and, in a doctor's opinion, has sufficient vision to perform all the tasks necessary to operate a CMV.

Doctors' opinions are supported by the applicants' possession of a valid license to operate a CMV. By meeting State licensing requirements, the applicants demonstrated their ability to operate a CMV with their limited vision in intrastate commerce, even though their vision disqualified them from driving in interstate commerce. We believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian