

Transportation, Region 9, Binghamton State Office Building, 44 Hawley Street, Binghamton, New York 13901, Telephone: (607) 721-8116.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the NYSDOT, previously intended to prepare an EIS to improve a section of the NYS Route 17 corridor within the Towns of Deposit and Hancock in Delaware County, New York. The NOI was published in the **Federal Register** on July 9, 2001, at 66 FR 35824.

The NOI indicated that the Project objectives were to eliminate all at-grade intersections and driveways on NYS Route 17 between Hale Eddy and Hancock and to upgrade NYS Route 17 to Interstate standards for the designation of NYS Route 17 to Interstate 86.

As stated in the 2001 NOI, alternatives under consideration included (1) Do Nothing and (2) Controlled access freeway, built to Interstate standards, with at least one full interchange serving the community of Hale Eddy. Several alignment alternatives were under consideration for further study under the controlled access freeway alternative, which generally included new interchanges and reconstruction of the freeway. Within all of the alternatives, various options for maintaining access to existing properties incorporating service roads were under study. Incorporated into and studied with the various alternatives were design variations of grade and alignment.

Development of the EIS and advancement of the Project was delayed primarily due to increased Project costs and reprioritization of funding. Funding constraints and a subsequent shift in overall NYSDOT priorities led to reprioritization of budget allocations and design resources. Since the Project has not progressed, and because a substantial amount of time has passed since the original NOI was published, the 2001 NOI is being rescinded. The FHWA and NYSDOT will reassess the transportation needs for the NYS Route 17 corridor at this location. If a new action is proposed warranting preparation of an EIS, a new NOI will be published in the future.

Comments and questions concerning this rescission should be directed to the FHWA or NYSDOT at the addresses provided above.

**Richard J. Marquis,**  
Division Administrator, HDA-NY, Federal Highway Administration.

[FR Doc. 2023-21056 Filed 9-26-23; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2023-0023]

#### Qualification of Drivers; Exemption Applications; Hearing

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

**ACTION:** Notice of applications for exemption; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from nine 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 October 27, 2023.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System Docket No. FMCSA-2023-0023 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov/](https://www.regulations.gov/), insert the docket number (FMCSA-2023-0023) in the keyword box and click "Search." Next, choose the only notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, 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, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). 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 Dockets 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-2023-0023), 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 <https://www.regulations.gov/docket/FMCSA-2023-0023>. Next, choose the only notice listed, click the "Comment" 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.

FMCSA will consider all comments and material received during the comment period.

###### B. Viewing Comments

To view comments go to [www.regulations.gov](https://www.regulations.gov). Insert the docket number (FMCSA-2023-0023) in the keyword box and click "Search." Next, choose the only 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 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.

###### C. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](https://www.regulations.gov). As described in

the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

## 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 statutes also allow 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 nine 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 8, 1971), respectively).

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

### *Fred Dudley*

Fred Dudley, 53, holds a class C driver's license in Texas.

### *Jonathan Garcia*

Jonathan Garcia, 28, holds a class D driver's license in Arizona.

### *Juan Hernandez*

Juan Hernandez, 23, holds a class C driver's license in Texas.

### *Francisco Luna*

Francisco Luna, 53, holds a class C driver's license in Texas.

### *Dylan Luttrell*

Dylan Luttrell, 36, holds a class F driver's license in Missouri.

### *Wanda Mack*

Wanda Mack, 34, holds a class E driver's license in Florida.

### *Kevin Nadrowski*

Kevin Nadrowski, 42, holds a class D driver's license in Connecticut.

### *Kevin Prior*

Kevin Prior, 38, holds a class D driver's license in New Hampshire.

### *William Schoemig*

William Schoemig, 57, holds a class D driver's license in Utah.

## 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. 2023–20957 Filed 9–26–23; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0141]

### Qualification of Drivers; Exemption Applications; Narcolepsy

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

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA announces receipt of an application from one individual for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against operation of a commercial motor vehicle (CMV) in interstate commerce by persons with either a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a CMV. If granted, the exemption would enable this individual who has been diagnosed with narcolepsy and is receiving medical treatment to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before October 27, 2023.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System Docket No. FMCSA–2023–0141 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov/](http://www.regulations.gov/), insert the docket number (FMCSA–2023–0141) in the keyword box, and click "Search." Next, choose the only notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery:* West Building Ground Floor, 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.

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**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001, (202) 366–4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). 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. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–2023–0141), indicate the specific section of this