

without the exemption, consistent with the applicable standard in 49 U.S.C. 31315(b)(1).

V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and include the following: (1) each driver must report any crashes or accidents as defined in § 390.5T; (2) each driver must report all citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391 to FMCSA; and (3) each driver is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements.

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 nine exemption applications, FMCSA exempts the following drivers from the hearing standard; in § 391.41(b)(11), subject to the requirements cited above:

Fred Dudley (TX)
Jonathan Garcia (AZ)
Juan Hernandez (TX)
Francisco Luna (TX)
Dylan Luttrell (MO)
Wanda Mack (FL)
Kevin Nadrowski (CT)
Kevin Prior (NH)
William Schoemig (UT)

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 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, 49 U.S.C. chapter 313, or the FMCSRs.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2014-0387; Docket No. FMCSA-2018-0138; Docket No. FMCSA-2018-0139; Docket No. FMCSA-2019-0109; Docket No. FMCSA-2021-0014; Docket No. FMCSA-2021-0015]

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 16 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, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001, (202) 366-4001, 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. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number (FMCSA-2014-0387, FMCSA-2018-0138, FMCSA-2018-0139, FMCSA-2019-0109, FMCSA-2021-0014, or FMCSA-2021-0015) 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 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 requests. 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 (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

On October 6, 2023, FMCSA published a notice announcing its decision to renew exemptions for 16 individuals from the hearing standard in 49 CFR 391.41(b)(11) to operate a CMV in interstate commerce and requested comments from the public (88 FR 69677). The public comment period ended on November 6, 2023, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(11).

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).

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the 16 renewal exemption applications, FMCSA announces its decision to

exempt the following drivers from the hearing requirement in § 391.41 (b)(11).

As of October 1, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following five individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 69679):

Azulita-Jane Camacho (CA)
Robert Culp (FL)
Charles Davis (AL)
Christopher Fisher (WA)
John Price (TX)

The drivers were included in docket number FMCSA–2018–0139. Their exemptions were applicable as of October 1, 2023 and will expire on October 1, 2025.

As of October 8, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following five individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 69679):

Judith Badore (VT)
Dareous Glover (IL)
Delroy Hunt (FL)
John Norman (IL)
Kyle Voss (WI)

The drivers were included in docket number FMCSA–2021–0015. Their exemptions are applicable as of October 8, 2023 and will expire on October 8, 2025.

As of October 10, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following two individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 69679): Kurt Bernabei (IL); and Steven Robelia (TN).

The drivers were included in docket number FMCSA–2019–0109. Their exemptions are applicable as of October 10, 2023 and will expire on October 10, 2025.

As of October 22, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following four individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 69679):

Richard Carter (MD)
Clinton Homon (IL)
Pete Kujawa (WI)
Jonathan Muhm (KY)

The drivers were included in docket numbers FMCSA–2014–0387, FMCSA–2018–0138, or FMCSA–2021–0014. Their exemptions are applicable as of October 22, 2023 and will expire on October 22, 2025.

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 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, 49 U.S.C. chapter 313, or the FMCSRs.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0153]

Agency Information Collection Activities; Request for OMB Approval To Renew an Information Collection Request: Truck and Bus Maintenance Requirements and Their Impact on Safety

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. The Federal Motor Carrier Safety Administration (FMCSA) is authorized to study vehicle maintenance to determine the impact of vehicle maintenance requirements on overall motor carrier safety. FMCSA may fund research, development, and technology projects that improve the safety and efficiency of commercial motor vehicle operations through technological innovation and improvement.

DATES: Comments on this notice must be received on or before December 15, 2023.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this information collection by selecting “Currently under 30-day Review—Open for Public

Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mike Lukuc, Program Manager, Technology Division, DOT, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 834–6180; mike.lukuc@dot.gov.

SUPPLEMENTARY INFORMATION: In this study, FMCSA will collect, via two surveys of freight motor carriers and passenger carrier maintenance managers, qualitative and quantitative data to assess the opinions of carrier representatives to develop an operational definition of “systematic maintenance” for trucks and buses, examine maintenance differences between vehicle classes, and identify industry maintenance norms. Survey results of those carriers with low crash and vehicle maintenance violation rates will be combined to provide guidance on recommended practices. Additionally, respondents from carriers with high rates of crashes and violations may provide useful feedback on the effect of the interventions within their maintenance programs or activities, and an evaluation of adequacy of current regulations. The information collected by the survey will be a critical input to the Recommended Practices Report, which is a required final product for the project. Three comments were received in response to the 60-day **Federal Register** notice.

Title: Truck and Bus Maintenance Requirements and Their Impact on Safety.

OMB Control Number: 2126–0069.

Type of Request: Renewal of a currently approved ICR.

Respondents: Freight motor carriers and passenger carriers.

Estimated Number of Respondents: 578 respondents [578 respondents will complete the Online Recruitment Survey. Of those 578 respondents, 289 will also complete the Carrier Maintenance Manager Survey].

Estimated Time per Response: Varies [Online Recruitment Survey: 5 minutes. Carrier Maintenance Manager Survey: 45 minutes].

Expiration Date: November 30, 2023.

Frequency of Response: Annually.

Estimated Total Annual Burden: 265 hours [Online Recruitment Survey: 578 respondents × (5 minutes ÷ 60 minutes) = 48 hours; Carrier Maintenance Manager Survey: 289 respondents × (45 minutes ÷ 60 minutes) = 217 hours].

Background: FMCSA’s core mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. To aid in accomplishing this, the Agency uses