

entity will process or manage the program funds. The term “eligible entity” means a State or local government, tribal government, transit agency, public toll authority, MPO, other political subdivision of a State or local government, or a multistate or multijurisdictional group applying through a single lead applicant.<sup>1</sup> Only one entity should be identified as the lead for grant administration purposes. Other transportation agencies are expected to partner with eligible entities to submit an application. (FHWA plans to administer these grants through the appropriate FHWA Division Offices.)

12. Proposals should include a description of the basic approach for an optional phase two deployment project. This should include, at a minimum, an implementation plan (or the approach to develop the implementation plan), and the relationship to the success factors identified above. If the DOT elects to proceed with phase two, it will provide a complete request for applications at that time. Proposals should not exceed 25 pages in length. Additional information supporting the application, such as maps, completed ICM planning documents, technical information, and letters of endorsement may be submitted as addenda to the application and will not count against the application page limit.

To ensure that all proposals receive fair and equal consideration for the limited available funds, the Department requires formal grant applications to be submitted to <http://www.grants.gov> by close of business December 31, 2013.

#### **Application for Optional Phase Two: How To Apply**

Upon the request of the DOT, successful initial recipients may submit an application for optional phase two funding. In addition to the information included in the initial application, the phase two application is expected to include, at a minimum:

1. Deployment project goals and objectives;
2. Description of deployment;
3. Approach to deployment design, build, and operate;
4. Development and application of analytical tools;
5. Schedule;
6. Risk mitigation summary; and
7. Scope.

#### **Evaluation Criteria for Phase One**

The ICM program has identified a series of criteria to help assess the potential for ICM in a corridor or region, and prioritize grant applicants. These

criteria are intended to gauge how successful a potential grant recipient will be in delivering the expected output as described above. In addition, these criteria are intended to enable the ICM Program to prioritize among grant applicants. Listed in order of importance:

1. Overall effectiveness—how well the vision of the organization and the activities proposed address the transportation issues and challenges in the corridor, provide an integrated management perspective, and align with DOT goals.

2. Institutional collaboration—depth, clarity, and potential effectiveness of the organization’s structure; evidence of commitments by key partners to participate.

3. Integrated strategies and systems—the level of integration and coordination already demonstrated for routine operations, incident management, and other operational conditions of the corridor. This criterion also incorporates data sharing among involved agencies.

4. Performance issues assessment—the identification and qualitative or quantitative assessment of the performance issues in the specified corridor to be addressed by the integrated corridor management system.

5. Availability and diversity of alternative routes or modes of travel in the specified corridor—enabling realistic options for travelers or freight providers.

6. Safety and weather—inclusion of safety issues on corridor; and safety and mobility impacts due to weather or environmental conditions considerations in the program or project.

7. Commercial vehicles—inclusion of commercial vehicle demand and freight movement considerations in the program or project.

8. Past Performance Related to ITS deployment—relevant examples of how the applicants have deployed, operated, and maintained ITS solutions that continue to provide safety, efficiency, mobility, and other benefits to corridor stakeholders and the general public.

#### **Evaluation Criteria for Optional Phase Two Funding**

In addition to the evaluation criteria for the initial funding, the following criteria may be used to evaluate optional phase two funding.

1. Performance indicators—How well did the phase one deliverable meet the project success factors and key performance indicators identified in the initial application.

2. Potential benefits—Potential of the system to demonstrate measureable

benefits including availability of measurable objectives for ICM within the corridor; use of appropriate ITS strategies for implementation, matched to goals and objectives for the Demonstration System; and well-defined and appropriate corridor-level performance measures.

3. Alignment of deployment project to goals and objectives in the LRSTP, STIP, MTP, TIP, or UPWP.

4. Quality of the proposed deployment—Clarity and depth of understanding documented in the ConOps; Quality of the SyRS; Documented understanding of the complexity of the proposed integration of all new and existing subsystems for an ICMS; Description and availability of data required to calculate performance measures; Clear identification of standards necessary to support an ICMS.

5. ICM Implementation Plan—Overall approach for the implementation of ICM including the quality of the implementation schedule; i.e., the realism of the project schedule, and the relative size of the risks associated with the system implementation and clear ability to mitigate the risk factors.

#### **Post-Submission Process**

Applicants may be contacted for additional information or clarification. The application should include a primary point of contact and provide complete contact information for this individual.

The Department may pursue partial funding of applications.

If selected for funding, a formal agreement will be prepared between the Department and the lead agency applicant. The agreement will include information in addition to what has already been provided in the applications, such as a refined and more detailed scope of work.

Issued on: October 21, 2013.

**Victor M. Mendez,**  
FHWA Administrator.

[FR Doc. 2013-26057 Filed 10-31-13; 8:45 am]

**BILLING CODE 4910-22-P**

#### **DEPARTMENT OF TRANSPORTATION**

##### **Federal Motor Carrier Safety Administration**

[FMCSA Docket No. FMCSA-2013-0183]

##### **Qualification of Drivers; Exemption Applications; Diabetes Mellitus**

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

**ACTION:** Notice of final disposition.

<sup>1</sup> 23 U.S.C. 513(a)(1).

**SUMMARY:** FMCSA announces its decision to exempt 23 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions will enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions are effective November 1, 2013. The exemptions expire on November 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Elaine M. Papp, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Room W64-224, Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

**Docket:** For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

##### **Background**

On August 19, 2013, FMCSA published a notice of receipt of Federal diabetes exemption applications from 23 individuals and requested comments from the public (78 FR 50482). The public comment period closed on September 18, 2013, and one comment was received.

FMCSA has evaluated the eligibility of the 23 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 the current regulation 49 CFR 391.41(b)(3).

##### **Diabetes Mellitus and Driving Experience of the Applicants**

The Agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 23 applicants have had ITDM over a range of 1 to 30 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the past 5 years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the August 19, 2013, **Federal Register** notice and they will not be repeated in this notice.

##### **Discussion of Comments**

FMCSA received one comment in this proceeding. The comment is considered and discussed below.

The Pennsylvania Department of Transportation is in favor of granting an

exemption to David G. Peters after reviewing his driving history.

##### **Basis for Exemption Determination**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

##### **Conditions and Requirements**

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

##### **Conclusion**

Based upon its evaluation of the 23 exemption applications, FMCSA exempts John K. Abels (IL), Edmund Arays (OH), Dean A. Bacon (IN), Philip E. Banks (OH), Anthony M. Brida (NJ), Ronald H. Cathey (TX), William H.

Conley (IN), Charles E. Dailey (AL), Kenneth D. Denny (WA), Kenneth D. Ferguson (WA), Adam M. Hogue (MS), Allen D. LaFave (ND), Greg P. Mason (NY), Thomas D. Miller (MT), Douglas A. Mulligan (KY), David G. Peters (PA), Robert J. Rispoli, Jr. (NY), Mike P. Senn (MN), James H. Suttles (AL), Steven L. Tallaksen (MO), Douglas M. Tiller, Sr. (VA), Gregory F. Wendt (NE), and Michael J. Wickstrom (MI) from the ITDM requirement in 49 CFR 391.41(b)(3), subject to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption will be valid for two years 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 1/exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: October 25, 2013.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2013-26087 Filed 10-31-13; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Limitation on Claims Against Proposed Public Transportation Projects

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces final environmental actions taken by the Federal Transit Administration (FTA) for a project in Honolulu, HI. The purpose of this notice is to announce publicly the environmental decisions by FTA on the subject project and to activate the limitation on any claims that may challenge these final environmental actions.

**DATES:** By this notice, FTA is advising the public of final agency actions subject to Section 139(l) of Title 23, United States Code (U.S.C.). A claim seeking judicial review of the FTA actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before March 31, 2014.

**FOR FURTHER INFORMATION CONTACT:** Nancy-Ellen Zusman, Assistant Chief Counsel, Office of Chief Counsel, (312) 353-2577 or Terence Plaskon, Environmental Protection Specialist, Office of Human and Natural Environment, (202) 366-0442. FTA is located at 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 9:00 a.m. to 5:30 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FTA has taken final agency actions by issuing certain approvals for the public transportation project listed below. The actions on the project, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA) and in other documents in the FTA administrative record for the project. Interested parties may contact either the project sponsor or the relevant FTA Regional Office for more information on the project. Contact information for FTA's Regional Offices may be found at <http://www.fta.dot.gov>.

This notice applies to all FTA decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken, including, but not limited to, NEPA [42 U.S.C. 4321-4375] and Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]. This notice does not alter or extend the limitation period for challenges of project decisions subject to previous notices for the Honolulu High-Capacity Transit Corridor Project published in the **Federal Register**. The project and actions that are the subject of this notice are:

*Project name and location:* Honolulu Rail Transit Project, City and County of Honolulu, O'ahu, HI. *Project sponsor:* Honolulu Authority for Rapid Transportation (HART). *Project description:* The Honolulu Rail Transit Project (Project) is a 20-mile grade-separated, fixed-guideway rail transit project that extends from Kapolei to Ala Moana Center, via the Honolulu waterfront. In June 2010, the FTA and City and County of Honolulu (City) prepared and distributed a Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] for the Project, which was then called the Honolulu High-Capacity Transit Corridor Project. The Final EIS/4(f) identified environmental impacts and mitigations for the Project, including the use of properties protected under Section 4(f) of the Department of Transportation Act. In January 2011, the

FTA issued a Record of Decision (ROD) for the Project. Subsequently, the FEIS and ROD were challenged in federal court. On November 1, 2012, the Court issued a Judgment and Partial Injunction Order (Judgment) of the United States District Court for the District of Hawai'i (Court) in *HonoluluTraffic.com et al. v. Federal Transit Administration et al.*, 2012 WL 5386595 (D. Haw. 2012). Pursuant to that decision, the FTA prepared additional analysis for the Project. The FTA prepared a draft version and final version Supplemental EIS/4(f). The Supplemental EIS/4(f) was limited in its scope. Thus, the FTA issued the Final Supplemental EIS/Section 4(f) concurrently with an Amended ROD per Public Law 112-141, 126 Stat. 405, Section 1319(b). This notice only applies to the discrete actions taken by the FTA at this time. Nothing in this notice affects the FTA's previous decisions, or notice thereof, for this project. *Final agency actions:* Section 4(f) determination and Amended Record of Decision, dated September 30, 2013. *Supporting documentation:* Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation, dated September 30, 2013.

**Lucy Garliauskas,**

*Associate Administrator for Planning and Environment.*

[FR Doc. 2013-25972 Filed 10-31-13; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2013-0103, Notice 1]

#### Notice of Receipt of Petition for Decision That Nonconforming 1992 Jeep Wrangler Multi-Purpose Vehicles Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of receipt of petition.

**SUMMARY:** This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that nonconforming 1992 Jeep Wrangler Multi-Purpose Passenger Vehicles that were not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified