

given for a meeting of Special Committee 227. The agenda will include the following:

#### February 11–15, 2013

- Welcome, Introductions, and Administrative Remarks
- Agenda Overview
- Review Minutes and Action Items
- Update/Approve Minutes
- Review Planned Work Program for the Week
- Plenary Review—Resolution of committee review issues and finalization of draft MASPS for FRAC
- Technical Requirements Breakout Session (to occur daily as appropriate)
  - Other Business
  - Next Meeting Discussion
  - Adjourn

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on January 25, 2013.

**Cara Hunter,**

*NAS Business Management Branch, ANG-A14, Federal Aviation Administration.*

[FR Doc. 2013-02159 Filed 1-31-13; 8:45 am]

**BILLING CODE 4910-13-P**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Highway Administration

###### [Summary Notice No. PE-2012-56]

##### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before February 21, 2013.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2012-1256 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

##### FOR FURTHER INFORMATION CONTACT:

Andrea Copeland, ARM-208, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; email [andrea.copeland@faa.gov](mailto:andrea.copeland@faa.gov); (202) 267-8081.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 24, 2013.

**Lirio Liu,**  
*Director, Office of Rulemaking.*

##### Petition for Exemption

*Docket No.:* FAA-2012-1256

*Petitioner:* Aerolineas Ejecutivas, S.A. de C.V. (ALE)

*Section of 14 CFR Affected:* 14 CFR 129.5(b)

*Description of Relief Sought:*  
Petitioner seeks an exemption to Part

129.5(b) to operate its Mexican-registered aircraft in the U. S. airspace as long as ALE's aircraft comply with the flight data recorder requirement of Part 135.

[FR Doc. 2013-02265 Filed 1-31-13; 8:45 am]

**BILLING CODE 4910-13-P**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Highway Administration

###### Multistate Corridor Operations and Management Program

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; Request for applications.

**SUMMARY:** This notice invites existing and potential multistate organizations, coalitions, or other arrangements or entities engaged in corridor transportation activities to apply for participation in the Multistate Corridor Operations and Management Program authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of this program is to promote regional cooperation, planning, and shared project implementation for programs and projects to improve multimodal transportation system management and operations. This notice seeks applications for available fiscal year (FY) 2012 funding (\$7 million) for this program, which will be provided to cover a maximum of 80 percent of proposed program/project costs. Multiple awards are possible, but not guaranteed.

**DATES:** Formal applications must be submitted no later than April 2, 2013 to be assured consideration. Applications should be submitted through <http://www.grants.gov>.

**FOR FURTHER INFORMATION CONTACT:** For questions about the program discussed herein, contact Mr. Robert Arnold, Director, FHWA Office of Transportation Management, (202) 366-1285, or via email at [Robert.Arnold@dot.gov](mailto:Robert.Arnold@dot.gov), or Ms. Kate Hartman, Program Manager, RITA Truck and Program Assessment, (202) 366-2742, or via email at [Kate.Hartman@dot.gov](mailto:Kate.Hartman@dot.gov). For legal questions, please contact Adam Sleeter, Attorney Advisor, FHWA Office of the Chief Counsel, (202) 366-8839, or via email at [adam.sleeter@dot.gov](mailto:adam.sleeter@dot.gov). Business hours for the FHWA are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

## Electronic Access

An electronic copy of this document may be downloaded from the Federal Register's home page at: <http://www.archives.gov> and the Government Printing Office's database at <http://www.access.gpo.gov/nara>.

## Background

Section 5211 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59; 119 Stat. 1144) created Section 511 of title 23, United States Code (23 U.S.C. 511) that authorizes the Secretary of Transportation to encourage and fund Multistate Corridor Operations and Management (MCOM) programs and projects. The purpose of these investments is to promote regional cooperation, planning, and shared project implementation for programs and projects to improve multimodal transportation system management and operations.

Since the MCOM program is funded by the DOT Intelligent Transportation Systems (ITS) Research program (Title V, Subtitle C of SAFETEA-LU), eligible activities include research, operational testing, evaluation, technology transfer, and limited pre-deployment support for innovative strategies and technologies intended to improve corridor safety and operational performance, enhance economic competitiveness, improve sustainability by reducing energy use and harmful greenhouse gas emissions, and enhance livability. Examples of the types of multimodal activities that could be supported through the MCOM program include improvements in corridor planning and analysis, performance monitoring and management, low emission zones, eco-lanes for alternative fuel vehicles, efficient and safe movement of freight, data sharing, traveler information, response to major traffic incidents/adverse weather/emergencies, and electronic fee and fare payments. The Department is also particularly interested in programs and projects that support, extend, or complement ongoing ITS program initiatives. More information about the ITS program is available at <http://www.its.dot.gov>.

## How To Apply

Formal proposals should include the following:

1. Description of the corridor—geography, States involved, metropolitan areas encompassed, and other relevant information which the proposer deems important.
2. Transportation assets—describe the transportation assets, modes, and

facilities within the corridor that the proposal will impact, including major highways (including truck routes), dedicated truck roadways, international border crossings (if applicable), rail lines, transit facilities, freight intermodal/transfer facilities, freight and passenger maritime facilities, waterways, airports, and existing ITS infrastructure.

3. Performance issues facing the corridor—types of transportation challenges facing the efficient and effective operation and management of transportation facilities and services in the corridor.

4. Membership of the existing or proposed organization, coalition, or other entity—current or proposed list of States and metropolitan areas to be involved including specific organizations such as transportation agencies, State safety enforcement agencies, metropolitan planning organizations, toll authorities, transit operators, port authorities, waterway and port operators, etc., and existing or proposed charter, governance, and/or procedural documentation. Proposers do not necessarily have to be an existing organization or coalition but should show evidence that a cooperative agreement, memorandum of understanding (MOU), or other organizational mechanism can be executed in a reasonable timeframe after selection.

5. Vision, goals, and objectives of the applicant for the corridor—The vision of the organization and goals, objectives, and activities to be pursued in addressing the identified issues and challenges facing the corridor.

6. Support for ITS program initiatives—ability to support or leverage ongoing DOT ITS initiatives. The DOT ITS initiatives are described on-line at <http://www.its.dot.gov>.

7. Funding request and breakdown—A complete list of activities to be funded by the request, including organizations and key staff involved, estimated costs, an identification of all funding sources that will supplement the requested funds and will be necessary to fully fund the request, and a timeline for completion of the activities to be supported. The maximum amount of funding requested from the MCOM program should not exceed \$7 million nor should it exceed 80 percent of the total cost of the activities proposed to be funded by the MCOM program.

8. Party or parties to the award—A description of the entity that will be entering into the agreement with FHWA, and a description of how that entity will process or manage the program funds.

9. Proposals should not exceed 25 pages in length. Additional information supporting the application, such as maps, 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 [insert date 60 days after date of publication].

## Evaluation Criteria

All proposals will be evaluated based on:

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

2. Multimodal focus—inclusion of various transportation modes in providing solutions to the corridor's performance issues.

3. Transferability—applicability of proposed practices, procedures, and use of technology to other transportation corridors.

4. Cost-effectiveness—benefits to be derived from activities proposed relative to estimated project costs; and ability and commitment to evaluate the effectiveness of activities proposed.

5. Organizational structure and commitments—depth, clarity, and potential effectiveness of the organization's structure; evidence of commitments by key partners to participate. Only State departments of transportation are eligible to apply. Non-State departments of transportation may partner with State entities to submit an application.

6. Support for ITS program initiatives—ability to support or leverage ongoing DOT ITS initiatives.

7. Funding leverage—beyond the required matching funds, the commitment and/or ability to use other funding sources to meet the challenges of the corridor.

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

## 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 membership of the multistate organization. The agreement will include a refined and more detailed scope of work.

Issued on: January 25, 2013.

**Victor M. Mendez,**  
Federal Highway Administrator.

[FR Doc. 2013-02157 Filed 1-31-13; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0154]

#### Qualification of Drivers; Application for Exemptions; National Association of the Deaf

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to grant requests from 40 individuals for exemptions from the Agency's physical qualifications standard concerning hearing for interstate drivers. The regulation and the associated advisory criteria published in the Code of Federal Regulations as the "Instructions for Performing and Recording Physical Examinations" have resulted in numerous drivers being prohibited from operating CMVs in interstate commerce based on the fact that they are unable to meet the hearing requirements. After notice and opportunity for public comment, the Agency concluded that granting exemptions for these CMV drivers will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions. FMCSA grants exemptions that will allow these 40 individuals to operate CMVs in interstate commerce for a 2-year period. The exemptions preempt State laws and regulations and may be renewed.

**DATES:** The exemptions are effective February 1, 2013. The exemptions expire on February 2, 2015.

#### FOR FURTHER INFORMATION CONTACT:

Elaine M. Papp, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64-224, Washington, DC 20590-0001.

Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### A. 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., e.t., 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 complete Privacy Act Statement in the *Federal Register* (75 FR 82132, December 29, 2010).

##### B. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the safety regulations for a 2-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 2-year period. On May 25, 2012, FMCSA published a notice requesting public comment on NAD's application for an exemption on behalf of 45 drivers. The current provisions of the FMCSRs concerning hearing state 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.

49 CFR 391.41(b)(11). This standard was adopted in 1970, with a revision in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

In support of its application for exemptions, the National Association of the Deaf (NAD), cited and relied on a study requested by the Agency's

Medical Review Board and presented to the Agency in 2008. The Evidence Report was prepared for the purpose of providing information regarding the current state of knowledge on hearing and CMV driver safety.<sup>1</sup> The NAD maintains that communication in trucking is no longer hampered by hearing loss because drivers increasingly rely on smartphones and other technology to communicate with dispatch. The NAD conducted over 100 hours of interviews with individuals who are deaf and hard of hearing and reports that deaf drivers face fewer distractions behind the wheel.

FMCSA grants 40 individuals an exemption from the regulatory requirement in § 391.41(b)(11) allowing individuals who do not meet the hearing requirements to operate CMVs in interstate commerce for a 2-year period. The Agency's decision on these exemption applications is based on the current medical literature and information and the "Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety," (the 2008 Evidence Report) presented to FMCSA on August 26, 2008. The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) No studies that examined the relationship between hearing loss and crash risk exclusively among CMV drivers were identified; and (2) evidence from studies of the private driver license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash. In addition, the Agency reviewed the applicant's driving record found in the CDLIS,<sup>2</sup> for CDL holders, and interstate and intrastate inspections recorded in MCMIS.<sup>3</sup> The Agency

<sup>1</sup> Price, N., Tiller, M., Reston, J., & Tregear, S., "Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety," presented to FMCSA on August 26, 2008. Retrieved April 27, 2012, from: <http://www.fmcsa.dot.gov/rules-regulations/TOPICS/mep/report/Hearing-Evidence-Report-Final-Executive-Summary-prot.pdf>. See the docket for this notice. The full text of the Evidence Report is available through a link at [http://ntl.bts.gov/lib/30000/30400/30459/Hearing\\_DOT-FMCSA\\_FINAL\\_8-29-08.pdf](http://ntl.bts.gov/lib/30000/30400/30459/Hearing_DOT-FMCSA_FINAL_8-29-08.pdf). The evidence report also reviewed vestibular disorders, which are not included in these exemption applications.

<sup>2</sup> Commercial Driver License Information System (CDLIS) is an information system that allows the exchange of commercial driver licensing information among all the States. CDLIS includes the databases of 51 licensing jurisdictions and the CDLIS Central Site, all connected by a telecommunications network.

<sup>3</sup> Motor Carrier Management Information System (MCMIS) is an information system that captures data from field offices through SAFETYNET, CAPRI, and other sources. It is a source for FMCSA

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