

volume of exemptions, and the need to rely on scientific support as a basis for granting the exemptions. FMCSA acknowledges the stakeholder's concerns and may consider the initial steps to revising the physical qualification standards through a formal rulemaking process.

#### D. Exemptions Granted

Following individualized assessments of the exemption applications, FMCSA grants exemptions from 49 CFR 391.41(b)(11) to 12 individuals. Under current FMCSA regulations, all of the 12 drivers receiving exemptions from 49 CFR 391.41(b)(11) would have been considered physically qualified to drive a CMV in interstate commerce except that they do not meet the hearing requirement. FMCSA has determined that the following 12 applicants should be granted an exemption:

*Thomas M. Carr*

Mr. Carr, 50, holds a Class B commercial driver's license (CDL) in Pennsylvania.

*Randy Ray Griffin*

Mr. Griffin, 50, holds an operator's license in California.

*William Hall*

Mr. Hall, 35, holds an operator's license in Alabama.

*Robert Chance Hayden*

Mr. Hayden, 29, holds an operator's license in Florida.

*Robert J. Knapp*

Mr. Knapp, 47, holds an operator's license in Wisconsin.

*Keith P. Miller*

Mr. Miller, 37, holds an operator's license in Pennsylvania.

*Ramoncito Sanchez*

Mr. Sanchez, 34, holds an operator's license in Texas.

*Bradly D. Sexton*

Mr. Sexton, 36, holds an operator's license in Oklahoma.

*Sandy L. Sloat*

Ms. Sloat, 34, holds an operator's license in Texas.

*Robert A. Toler*

Mr. Toler, 31, holds an operator's license in Missouri.

*Jeffry B. Webber*

Mr. Webber, 53, holds an operator's license in Oklahoma.

*Michael K. Wilkes*

Mr. Wilkes, 50, holds an operator's license in Massachusetts.

#### Basis For Exemption

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the hearing standard in 49 CFR 391.41(b)(11) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. With the exemption, applicants can drive in interstate commerce. Thus, the Agency's analysis focuses on whether an equal or greater level of safety is likely to be achieved by permitting each of these drivers to drive in interstate commerce as opposed to restricting him or her to driving in intrastate commerce. The driver must comply with the terms and conditions of the exemption. This includes reporting any crashes or accidents as defined in 49 CFR 390.5 and reporting all citations and convictions for disqualifying offenses under 49 CFR part 383 and 49 CFR 391.

#### Conclusion

The Agency is granting exemptions from the hearing standard, 49 CFR 391.41(b)(11), to 12 individuals based on an evaluation of each driver's safety experience. Safety analysis of information relating to these 12 applicants meets the burden of showing that granting the exemptions would achieve a level of safety that is equivalent to or greater than the level that would be achieved without the exemption. In accordance with 49 U.S.C. 31315, each exemption will be valid for 2 years from the effective date with annual recertification required 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 and 31315.

FMCSA exempts the following 12 drivers for a period of 2 years from the physical qualification standard concerning hearing: Thomas M. Carr (PA); Randy Ray Griffin (CA); William Hall (AL); Robert Chance Hayden (FL); Robert J. Knapp (WI); Keith P. Miller (PA); Ramoncito Sanchez (TX); Bradly D. Sexton (OK); Sandy L. Sloat (TX); Robert A. Toler (MS); Jeffry B. Webber (OK); and Michael K. Wilkes (MA).

Dated: September 28, 2015.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2015-25496 Filed 10-6-15; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2015-0255]

#### Agency Information Collection Activities; Extension of a Currently-Approved Information Collection Request: Transportation of Household Goods; Consumer Protection

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

**ACTION:** Notice and request for information.

**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 its review and approval. The FMCSA requests approval to extend an ICR titled, "Transportation of Household Goods; Consumer Protection." The information collected will be used to help regulate motor carriers transporting household goods (HHG) for individual shippers. FMCSA invites public comment on the ICR.

**DATES:** We must receive your comments on or before *December 7, 2015*.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System (FDMS) Docket Number FMCSA-2015-0255 using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Ground Floor, Room W12-140, 20590-0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

**Instructions:** All submissions must include the Agency name and docket number. For detailed instructions on submitting comments and additional information on the exemption process, see the Public Participation heading below. Note that all comments received

will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-794.pdf>.

**Public Participation:** The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the "help" section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

**FOR FURTHER INFORMATION CONTACT:** Mr. Kenneth Rodgers, Chief, Commercial Enforcement Division, Federal Motor Carrier Safety Administration, West Building, 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-0073; email [Kenneth.rodgers@dot.gov](mailto:Kenneth.rodgers@dot.gov). Office hours are from 9:00 a.m. to 5:00 p.m., Monday through Friday, except Federal Holidays.

#### SUPPLEMENTARY INFORMATION:

**Background:** The Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Pub. L. 106-159, 113 Stat. 1748, Dec. 9, 1999) authorized the Secretary of Transportation (Secretary) to regulate household goods carriers engaged in interstate operations for individual shippers. In earlier legislation, Congress abolished the former Interstate Commerce Commission and transferred the Commission's jurisdiction over household goods transportation to the U.S. Department of Transportation (DOT) (ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat. 803, Dec. 29

1995). Prior to FMCSA's establishment, the Secretary delegated this household goods jurisdiction to the Federal Highway Administration, FMCSA's predecessor organization within DOT.

The FMCSA has authority to regulate the overall commercial operations of the household goods industry under 49 U.S.C. 14104, "Household goods carrier operations." This ICR includes the information collection requirements contained in title 49 CFR part 375, "Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations." The information collected encompasses that which is generated, maintained, retained, disclosed, and provided to, or for, the agency under 49 CFR part 375.

Sections 4202 through 4216 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59, 119 Stat. 1144, Aug. 10, 2005) (SAFETEA-LU) amended various provisions of existing law regarding household goods transportation. It specifically addressed: Definitions (section 4202); payment of rates (section 4203); registration requirements for household goods motor carriers (section 4204); carrier operations (section 4205); enforcement of regulations (section 4206); liability of carriers under receipts and bills of lading (section 4207); arbitration requirements (section 4208); civil penalties for brokers and unauthorized transportation (section 4209); penalties for holding goods hostage (section 4210); consumer handbook (section 4211); release of broker information (section 4212); working group for Federal-State relations (section 4213); consumer complaint information (section 4214); review of liability of carriers (section 4215); and application of State laws (section 4216). The FMCSA regulations that set forth Federal requirements for movers that provide interstate transportation of household goods are found in 49 CFR part 375, "Transportation of Household Goods; Consumer Protection Regulation."

On July 16, 2012, FMCSA published a Direct Final Rule (DFR) titled, "Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations: Household Goods Motor Carrier Record Retention Requirements," (77 FR 41699). The rule amended the regulations governing the period during which HHG motor carriers must retain documentation of an individual shipper's waiver of receipt of printed copies of consumer protection materials. This change harmonized the retention period with other document retention requirements

applicable to HHG motor carriers. FMCSA also amended the regulations to clarify that a HHG motor carrier is not required to retain waiver documentation from any individual shippers for whom the carrier does not actually provide services.

**Title:** Transportation of Household Goods; Consumer Protection.

**OMB Control Number:** 2126-0025.

**Type of Request:** Extension of a currently-approved information collection.

**Respondents:** Household goods movers and consumers.

**Estimated Number of Respondents:** 8,565 respondents [6,065 household goods movers + 2,500 consumers = 8,565].

**Estimated Time per Response:** Varies from 5 minutes to display assigned U.S. DOT number in created advertisement to 12.5 minutes to distribute consumer publication, and 10 minutes to complete Form MSCA-2P, "Household Goods/Commercial Complaint Form."

**Expiration Date:** April 30, 2016.

**Frequency of Response:** Other (Once).

**Estimated Total Annual Burden:** 5,524,800 hours [Informational documents provided to prospective shippers at 43,800 hours + Written Cost estimates for prospective shippers at 4,620,000 hours + Service orders, bills of lading at 805,300 hours + In-transit service notifications at 22,600 hours + Complaint and inquiry records including establishing records system at 32,700 hours + Household Goods—Consumer Complaint Form MCSA-2P at 400 hours = 5,524,800].

**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 performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for the FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the information collected. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87 on September 29, 2015.

**G. Kelly Regal,**

*Associate Administrator for Office of Research and Information Technology.*

[FR Doc. 2015-25524 Filed 10-6-15; 8:45 am]

**BILLING CODE 4910-EX-P**