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B. Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. 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 FDMS), which can be reviewed at www.transportation.gov/privacy.

II. Background

FMCSA received applications from 24 individuals who requested an exemption from the vision standard in the FMCSRs.

FMCSA has evaluated the eligibility of these applicants and concluded that granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with § 391.41(b)(10).

III. Basis for Exemption Determination

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. FMCSA grants exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on medical reports about the applicants' vision, as well as their driving records and experience driving with the vision deficiency.

IV. Conclusion

The Agency has determined that these applicants do not satisfy the eligibility criteria or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with § 391.41(b)(10). Therefore, the 24 applicants in this notice have been denied exemptions

from the physical qualification standards in § 391.41(b)(10).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final action by the Agency. This notice summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following two applicants did not have sufficient driving experience over the past 3 years under normal highway operating conditions:

John T. Gerber (IN)

Kyle A. Varin (NJ)

The following 19 applicants had no experience operating a CMV:

Hussein M. Abdi (WI)

Jacob M. Bright (IN)

Julie A. Fippen (IN)

Donald T. Glenn (AL)

Lawrence E. Grant (NH)

Cynthia M. Jefferson (DE)

Vadim Kusraev (PA)

Jerry G. Morrison (NC)

Alexandra M. Padden (CA)

James P Parris (PA)

Todd W. Pastrick (MI)

Ezekiel Quiroz (FL)

Elizabeth M. Sanborn (NJ)

Kathleen A. Santos (ME)

Jeffrey N. Smith (MO)

Michelle M. Turner (CA)

Bebienfa B. Vedrine (VA)

Robert B. Wood (IN)

Sarah A. Yoder (WI)

The following applicant, Navjot Singh (CA), did not have 3 years of experience driving a CMV on public highways with their vision deficiency.

The following applicant, Terrence A. Grundysen (ND), did not have 3 years of recent experience driving a CMV on public highways with their vision deficiency.

The following applicant, Richard J. Stafford (VA), has not had stable vision for the preceding 3-year period.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2022-03271 Filed 2-15-22; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0154; FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2015-0326; FMCSA-2015-0329; FMCSA-2016-0003; FMCSA-2017-0058; FMCSA-2019-0111]

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 17 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, (202) 366-4001, fmcamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. 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. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number, FMCSA-2012-0154, FMCSA-2013-0122, FMCSA-2013-0123, FMCSA-2015-0326, FMCSA-2015-0329, FMCSA-2016-0003, FMCSA-2017-0058, or FMCSA-2019-0111 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 in Room W12-140 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 request. 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 FDMS), which can be reviewed at www.dot.gov/privacy.

II. Background

On January 10, 2022, FMCSA published a notice announcing its decision to renew exemptions for 17 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 (87 FR 1248). The public comment period ended on February 9, 2022, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety 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 3, 1971).

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the 17 renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the hearing requirement in § 391.41 (b)(11).

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of January and are discussed below:

As of January 6, 2022, 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 (87 FR 1248): Steven Andrews (FL)
John Brown (MN)
Jerry Doose (MN)
Donald Howton (AL)

The drivers were included in docket numbers FMCSA–2015–0326, FMCSA–2015–0329, or FMCSA–2017–0058. Their exemptions were applicable as of January 6, 2022 and will expire on January 6, 2024.

As of January 8, 2022, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following three individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (87 FR 1248):

Matthew Burgoyne (MN)
Joshua Gelona (OK)
Eduardo Pedregal (TX)

The drivers were included in docket number FMCSA–2016–0003. Their exemptions were applicable as of January 8, 2022 and will expire on January 8, 2024.

As of January 14, 2022, 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 (87 FR 1248):

Geoffrey Canoyer (MN)
Chase Cooke (VA)
Douglas Gray (OR)
Sue Gregory (UT)
Morris Townsend (NC)

The drivers were included in docket numbers FMCSA–2012–0154, FMCSA–2013–0122, FMCSA–2013–0123, or FMCSA–2017–0058. Their exemptions were applicable as of January 14, 2022 and will expire on January 14, 2024.

As of January 21, 2022, 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 (87 FR 1248):

Herman Fleck (PA)
Mark Merrow (MI)
Jodyann Nipper (IA)
Michael Steffen (IN)

Sherrie Willey (WA)

The drivers were included in docket number FMCSA–2019–0111. Their exemptions were applicable as of January 21, 2022 and will expire on January 21, 2024.

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(e) and 31315(b).

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2022–03351 Filed 2–15–22; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2013–0106; FMCSA–2015–0017; FMCSA–2015–0320; FMCSA–2018–0058; FMCSA–2019–0036; FMCSA–2019–0206; FMCSA–2019–0210]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew exemptions for eight individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

DATES: The exemptions are applicable on February 19, 2022. The exemptions expire on February 19, 2024. Comments must be received on or before March 18, 2022.

ADDRESSES: You may submit comments identified by the Federal Docket