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Larry W. Minor,

Associate Administrator for Policy.

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2009-0011; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2010-0050; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004; FMCSA-2014-0005]

### Qualification of Drivers; Exemption Applications; Vision

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

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

**SUMMARY:** FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 43 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**DATES:** Each group of renewed exemptions are effective from the dates stated in the discussions below. Comments must be received on or before June 8, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Numbers: Docket No. [Docket No. FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2009-0011; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2010-0050; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2012-0340; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004; FMCSA-2014-0005], using any of the following methods:

• *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the

on-line instructions for submitting comments.

• *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 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., Monday through Friday, except Federal Holidays.

• *Fax:* 1-202-493-2251.

*Instructions:* Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time 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. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of our 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, etc.). 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).

**FOR FURTHER INFORMATION CONTACT:** Christine A. Hydock, Chief, Medical Programs Division, 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 from 8:30 a.m. to 5 p.m. Monday through Friday, except Federal holidays.

### SUPPLEMENTARY INFORMATION:

#### Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from

the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-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 procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381.

### Exemption Decision

This notice addresses 43 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 43 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. Each individual is identified according to the renewal date.

The exemptions are extended subject to the following conditions: (1) That each individual has a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirements in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provides a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retains a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (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 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.

### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. The following group(s) of drivers will receive renewed exemptions effective in the month of June and are discussed below.

As of June 3, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the

following 34 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (64 FR 68195; 65 FR 20251; 65 FR 45817; 65 FR 77066; 67 FR 17102; 67 FR 38311; 68 FR 1654; 69 FR 17263; 69 FR 17267; 69 FR 26921; 69 FR 31447; 70 FR 7545; 71 FR 4194; 71 FR 13450; 71 FR 16410; 71 FR 27033; 73 FR 6242; 73 FR 9158; 73 FR 11989; 73 FR 16950; 73 FR 28186; 74 FR 60022; 74 FR 65842; 75 FR 4623; 75 FR 9477; 75 FR 9480; 75 FR 9482; 75 FR 9484; 75 FR 14656; 75 FR 22176; 75 FR 27623; 75 FR 28682; 77 FR 10604; 77 FR 10606; 77 FR 13689; 77 FR 15184; 77 FR 17107; 77 FR 17108; 77 FR 17109; 77 FR 27845; 77 FR 27849; 77 FR 27850; 77 FR 29447; 79 FR 1908; 79 FR 10606; 79 FR 10619; 79 FR 14328; 79 FR 14331; 79 FR 14333; 79 FR 14571; 79 FR 17642; 79 FR 18391; 79 FR 18392; 79 FR 21996; 79 FR 22003; 79 FR 27043; 79 FR 28588; 79 FR 29498);

Thomas R. Abbott (TN)  
 Dean R. Allen (OR)  
 Robert J. Ambrose (MA)  
 Rodney R. Anderson (PA)  
 Ernie E. Black (NC)  
 Gary O. Brady (WV)  
 Marland L. Brassfield (TX)  
 Larry D. Buchanan (NM)  
 Michael B. Canedy (MN)  
 Melvin D. Clark (GA)  
 Dean E. Dexter (SD)  
 Scott E. Elliot (NH)  
 Rojelio Garcia-Pena (MI)  
 Grant G. Gibson (MN)  
 Stephen H. Goldcamp (OH)  
 Wai F. King (IL)  
 Eric W. Kopmann (MO)  
 Dennis E. Krone (IL)  
 George E. Lewis (OH)  
 Travis J. Luce (MI)  
 Phillip D. Mathys (OH)  
 Thomas J. Mavraganis (IL)  
 Richard J. McKenzie, Jr. (MD)  
 Christopher J. Meerten (OR)  
 Jason T. Montoya (NM)  
 Michael Pace (TX)  
 Tommy L. Ray, Jr. (AL)  
 George S. Rayson (OH)  
 Joe A. Root (MN)  
 Carl D. Short (MO)  
 Lewis H. West, Jr. (MA)  
 Donald G. Wilcox (OR)  
 David E. Williford (NC)  
 Jimmy S. Zamora, Jr. (TX)

The drivers were included in one of the following dockets: Docket Nos. FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2009-0011; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2010-0050; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004. Their

exemptions are effective as of June 3, 2016 and will expire on June 3, 2018.

As of June 6, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 3 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 23799; 77 FR 33558; 79 FR 27365):

Rudolph Bisschop (MA)  
 Richard Doroba (IL)  
 Tommy Thomas (CA)

The drivers were included in one of the following dockets: Docket No. FMCSA-2012-0040. Their exemptions are effective as of June 6, 2016 and will expire on June 6, 2018.

As of June 17, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual, DelRay V. Ryckman (SD), has satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 27681; 79 FR 38649).

The driver was included in the following docket: Docket No. FMCSA-2014-0005. The exemption is effective as of June 17, 2016 and will expire on June 17, 2018.

As of June 27, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 5 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 27847; 77 FR 38386; 79 FR 29495):

Matthew G. Epps (FL)  
 Michael E. McAfee (KY)  
 Joe Ramirez (CA)  
 James E. Sikkink (IL)  
 John C. Smith (IL)

The drivers were included on the following docket: Docket No. FMCSA-2012-0104. Their exemptions are effective as of June 27, 2016 and will expire on June 27, 2018.

Each of the 42 applicants listed in the groups above has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements.

These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level

of safety equal to that existing without the exemption.

#### Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by June 8, 2016.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 42 individuals from the vision requirement in 49 CFR 391.41(b)(10). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

#### Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket numbers

FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2009-0011; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2010-0050; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004; FMCSA-2014-0005 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period. FMCSA may issue a final rule at any time after the close of the comment period.

**Viewing Comments and Documents**

To view comments, as well as any documents mentioned in this preamble, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2009-0011; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2010-0050; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-

0004; FMCSA-2014-0005 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to this notice.

Issued on: April 29, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2016-10797 Filed 5-6-16; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket No. FRA-2016-0002-N-13]

**Agency Request for Regular Processing of Collection of Information by the Office of Management and Budget**

**AGENCY:** Federal Railroad Administration (FRA), United States Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** Consistent with the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, this document provides notice that FRA is submitting the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) to collect information on railroads' implementation of positive train control (PTC) systems on a quarterly form. FRA requests regular processing and OMB authorization to collect the information on the quarterly form identified below 30 days after publication of this notice for a period of three years.

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR, with any public applicable supporting documentation, may be obtained by calling FRA's Office of Safety Information Collection Clearance Officer, Robert Brogan at (202) 493-6292, or FRA's Office of Administration Information Collection

Clearance Officer, Kimberly Toone at (202) 493-6132; these numbers are not toll-free; or by contacting Mr. Brogan via facsimile at (202) 493-6216 or Ms. Toone via facsimile at (202) 493-6497, or via email by contacting Mr. Brogan at [Robert.Brogan@dot.gov](mailto:Robert.Brogan@dot.gov), or by contacting Ms. Toone at [Kim.Toone@dot.gov](mailto:Kim.Toone@dot.gov). Comments or questions about any aspect of this ICR should be directed to OMB's Office of Information and Regulatory Affairs, Attn: FRA OMB Desk Officer.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under 49 U.S.C. 20157, as amended by the Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI Act), FRA must conduct compliance reviews, at least annually, to ensure each railroad is complying with its revised PTC implementation plan (PTCIP). The PTCEI Act requires railroads to provide information to FRA that FRA determines is necessary to adequately conduct such compliance reviews. See 49 U.S.C. 20157(c)(2).

To effectively monitor industry's implementation of PTC systems, FRA is proposing to require each subject railroad to submit quarterly reports on its implementation progress, in addition to the annual progress reports the PTCEI Act mandated, under FRA's statutory and regulatory investigative authorities. See 49 U.S.C. 20157(c)(2); see also 49 U.S.C. 20107, 20902; 49 CFR 236.1009(h). Specifically, FRA is proposing that, in addition to the annual report due each March 31 under 49 U.S.C. 20157(c)(1), railroads must provide quarterly progress reports covering the preceding three-month period and submit the forms to FRA on the dates in the following table until full PTC system implementation is completed:

	Coverage period	Due dates for quarterly reports
Q1 .....	January 1–March 31 .....	June 30, 2016, and each April 30 thereafter.
Q2 .....	April 1–June 30 .....	July 31.
Q3 .....	July 1–September 30 .....	October 31.
Q4 .....	October 1–December 31 .....	January 31.

FRA delayed the due date for submitting the first quarterly report to allow time for the normal 60 days of notice and public comment to FRA, and the additional 30 days of public comment to OMB while the submission undergoes OMB review as required under the PRA and its concomitant regulations. See 44 U.S.C. 3501-3520; 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a).

FRA is proposing that each railroad must submit its quarterly progress reports on Form FRA F 6180.165 using FRA's Secure Information Repository (SIR) at <https://sir.fra.dot.gov>. FRA is proposing to let the less detailed monthly reporting that it currently requires (approved under OMB No. 2130-0553) expire in June 2016 when railroads would be required to begin providing the quarterly progress reports.

**II. Public Participation**

On March 7, 2016, FRA published a notice in the **Federal Register** seeking public comment on the proposed Quarterly PTC Progress Report Form. 81 FR 11878, Mar. 7, 2016. By letter dated April 12, 2016, the Association of American Railroads (AAR) submitted comments on behalf of itself and its member railroads. By letter and email