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To avoid duplication, please use only one of these four methods. See the “Public Participation” portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001, (202) 366–4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). 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. Submitting Comments*

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–2023–0042), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 [www.regulations.gov/docket?D=FMCSA-2023-0042](http://www.regulations.gov/docket?D=FMCSA-2023-0042). Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click the “Comment” button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

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.

FMCSA will consider all comments and material received during the comment period.

#### *B. Viewing Comments*

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number (FMCSA–2023–0042) 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 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.

#### *C. Privacy Act*

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

### **II. Background**

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. The statutes also allow the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

The one individual listed in this notice has requested an exemption from § 391.41(b)(4). Accordingly, the Agency will evaluate the qualifications of the applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard found in § 391.41(b)(4) states that a person is physically qualified to drive a CMV if that person has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope,

dyspnea, collapse, or congestive cardiac failure.

In addition to the regulations, FMCSA has published advisory criteria<sup>1</sup> to assist medical examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. The advisory criteria states that ICDs are disqualifying due to risk of syncope.

### **III. Qualifications of Applicants**

#### *Nicholas Steffler*

Nicholas Steffler is a class B driver’s license holder in North Carolina. An October 10, 2022, letter from Nicholas Steffler’s cardiologist reports that their ICD was prophylactically implanted on June 18, 2018, because of a positive family history of premature sudden death. Nicholas Steffler’s cardiologist also reports no ICD shock history or syncopal episodes and that annual stress tests and other diagnostic imaging remain unchanged from prior evaluations.

### **IV. Request for Comments**

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2023–10608 Filed 5–17–23; 8:45 am]

**BILLING CODE 4910–EX–P**

## **DEPARTMENT OF TRANSPORTATION**

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

[Docket No. FMCSA–2012–0154; FMCSA–2013–0124; FMCSA–2014–0102; FMCSA–2014–0103; FMCSA–2014–0104; FMCSA–2014–0106; FMCSA–2014–0107; FMCSA–2015–0328; FMCSA–2016–0003; FMCSA–2018–0135; FMCSA–2018–0136; FMCSA–2018–0137; FMCSA–2020–0027; FMCSA–2020–0028]

### **Qualification of Drivers; Exemption Applications; Hearing**

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

**ACTION:** Notice of final disposition.

<sup>1</sup> These criteria may be found in 49 CFR part 391, Appendix A to Part 391—Medical Advisory Criteria, Section D. Cardiovascular: § 391.41(b)(4), paragraph 4, which is available on the internet at <https://www.gpo.gov/jdsys/pkg/CFR-2015-title49-vol5/pdf/CFR-2015-title49-vol5-part391-appA.pdf>.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 28 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, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). Office hours are 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](http://www.regulations.gov). Insert the docket number (FMCSA-2012-0154, FMCSA-2013-0124, FMCSA-2014-0102, FMCSA-2014-0103, FMCSA-2014-0104, FMCSA-2014-0106, FMCSA-2014-0107, FMCSA-2015-0328, FMCSA-2016-0003, FMCSA-2018-0135, FMCSA-2018-0136, FMCSA-2018-0137, FMCSA-2020-0027, or FMCSA-2020-0028) 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 requests. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice DOT/ALL 14 (Federal Docket Management

System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

**II. Background**

On March 1, 2023, FMCSA published a notice announcing its decision to renew exemptions for 28 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 (88 FR 13007). The public comment period ended on March 31, 2023, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would likely achieve a level of safety that is 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 8, 1971), respectively).

**III. Discussion of Comments**

FMCSA received no comments in this proceeding.

**IV. Conclusion**

Based upon its evaluation of the 28 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 March and are discussed below:

As of March 3, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 14 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 13007):

Kevin Beacham (MD)  
Mark Cole (MD)  
Joseph Conversa (IL)  
Chauncey Crawford (OH)  
Tyjuan Davis (VA)  
John Dumars (FL)  
Scott Friede (TX)  
Calvin Gousby (NV)  
Joshua Johnson (CO)  
Kimothy McLoed (GA)  
Dustin R. Miller, (MI)  
Taryn Peterson (IA)  
Nolen Soler (NE)  
Brandon Veronie (LA)

The drivers were included in docket numbers FMCSA-2012-0154, FMCSA-2014-0103, FMCSA-2014-0106, FMCSA-2015-0328, FMCSA-2016-0003, FMCSA-2018-0135, FMCSA-2018-0136, FMCSA-2020-0027, or FMCSA-2020-0028. Their exemptions were applicable as of March 3, 2023 and will expire on March 3, 2025.

As of March 10, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following two individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 13007): Susan D. Helgerson (WI) and David A. Helgerson (WI).

The drivers were included in docket number FMCSA-2013-0124. Their exemptions were applicable as of March 10, 2023 and will expire on March 10, 2025.

As of March 13, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following two individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 13007): John L. Huey (GA) and Scott M. Putnam (FL)

The drivers were included in docket number FMCSA-2014-0107. Their exemptions were applicable as of March 13, 2023 and will expire on March 13, 2025.

As of March 19, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Victor H. Morales (TX) has satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 13008).

This driver was included in docket number FMCSA-2014-0106. The exemption was applicable as of March 19, 2023 and will expire on March 19, 2025.

As of March 22, 2023, 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 (88 FR 13007):

William B. Britt (TN); Lawrence Hung K. Lam (CA); and Phillip P. Shook (MS)

The drivers were included in docket number FMCSA–2018–0137. Their exemptions were applicable as of March 22, 2023 and will expire on March 22, 2025.

As of March 29, 2023, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following six individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (88 FR 13008):

Jeremy Brandyberry (NE)  
Kenneth Harris (TX)  
Joseph Kelly (PA)  
Timothy Laporte (SC)  
Brandon Londo (TX)  
Jesse Shelander (TX)

The drivers were included in docket numbers FMCSA–2013–0124, FMCSA–2014–0102, FMCSA–2014–0103, FMCSA–2014–0104, or FMCSA–2014–0106. Their exemptions were applicable as of March 29, 2023 and will expire on March 29, 2025.

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, 49 U.S.C. chapter 313, or the FMCSRs.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2023–10634 Filed 5–17–23; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Fiscal Year 2023 Competitive Funding Opportunity: Passenger Ferry Grant Program and Ferry Service for Rural Communities Program

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

**ACTION:** Notice of funding opportunity (NOFO).

**SUMMARY:** The Federal Transit Administration (FTA) announces the

opportunity to apply for \$220.2 million in competitive grants under the Fiscal Year (FY) 2023 Passenger Ferry Grant Program (Passenger Ferry Program) and Ferry Service for Rural Communities Program (Rural Ferry Program). Of the amount being made available, \$50.1 million is for the Passenger Ferry Program and approximately \$170 million is for the Rural Ferry Program. FTA may award additional funding made available to the program prior to the announcement of project selections.

**DATES:** Complete proposals must be submitted electronically through the *GRANTS.GOV* “APPLY” function by 11:59 p.m. Eastern time July 17, 2023. Prospective applicants should initiate the process by promptly registering on the *GRANTS.GOV* website to ensure completion of the application process before the submission deadline. Instructions for applying can be found on FTA’s website at <https://www.transit.dot.gov/funding/grants/applying/applying-fta-funding> and in the “FIND” module of *GRANTS.GOV*. The funding opportunity ID for the Passenger Ferry Program is FTA–2023–007–TPM–PassFerry and the funding opportunity ID for the Rural Ferry Program is FTA–2023–008–TPM–Rural Ferry. Mail and fax submissions will not be accepted.

**FOR FURTHER INFORMATION CONTACT:**

*FTAFerryPrograms@dot.gov* or Vanessa Williams, FTA Office of Program Management, (202) 366–4818, or Sarah Clements, FTA Office of Program Management, (202) 366–3062.

**SUPPLEMENTARY INFORMATION:**

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**A. Program Description**

This Notice of Funding Opportunity (NOFO) announces the availability of FY 2023 funding for the Passenger Ferry Grant Program (Passenger Ferry Program) and Ferry Service for Rural Communities Program (Rural Ferry Program). Both programs can be found in Federal Assistance Listing: 20.532.

Federal public transportation law (49 U.S.C. 5307(h)) authorizes FTA to award grants for passenger ferries through a competitive process. The Passenger Ferry Program provides funding to designated recipients and direct recipients under FTA’s Urbanized Area

Formula Program, as well as public entities engaged in providing public transportation passenger ferry service in urban areas that are eligible to be direct recipients. Projects funded under the program will improve the condition and quality of existing passenger ferry services, support the establishment of new passenger ferry services, and repair and modernize ferry boats, terminals, and related facilities and equipment.

Section 71103 of the Infrastructure Investment and Jobs Act (the “Bipartisan Infrastructure Law” or “BIL”) (Pub. L. 117–58) authorizes FTA to award grants for the Rural Ferry Program through a competitive process, as described in this notice. The Rural Ferry Program provides funding for capital, operating, and planning expenses to States and territories for ferry service to rural areas. Projects funded under this program will support ferry transportation service that operated a regular schedule at any time during the five-year period from March 1, 2015, to March 1, 2020, and includes at least one route segment of at least 50 sailing (nautical) miles between two rural areas. The Consolidated Appropriations Act, 2023, (Pub. L. 117–328) provides an additional \$17,500,000 for ferry service meeting the above criteria, except it is only required to serve at least two rural areas with a single route segment over 20 miles between the two rural areas and does not attribute data to an urbanized area in the National Transit Database for ferry service.

FTA recognizes that passenger ferries provide critical and cost-effective transportation links throughout the United States but face a critical backlog of state of good repair and safety investments. These programs support FTA’s priorities and objectives through investments that (1) renew our transit systems, (2) reduce greenhouse gas emissions from public transportation, (3) advance racial equity by removing transportation related disparities to all populations within a project area and increasing equitable access to project benefits, (4) maintain and create good-paying jobs with a free and fair choice to join a union, and (5) connect communities by increasing access to affordable transportation options.

FTA seeks to fund projects under the Passenger Ferry and Rural Ferry Programs that:

- Reduce greenhouse gas emissions in the transportation sector, incorporate evidence-based climate resilience measures and features, reduce the lifecycle greenhouse gas emissions from the project materials, and avoid adverse environmental impacts to air or water