

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).

FMCSA also issues instructions for completing the medical examination report and includes advisory criteria on the report itself to provide guidance for medical examiners in applying the hearing standard. See 49 CFR 391.43(f). The current advisory criteria for the hearing standard include a reference to a report entitled “Hearing Disorders and Commercial Motor Vehicle Drivers” prepared for the Federal Highway Administration, FMCSA’s predecessor, in 1993.<sup>2</sup>

### FMCSA Requests Comments on the Exemption Applications

FMCSA requests comments from all interested parties on whether a driver who cannot meet the hearing standard should be permitted to operate a CMV in interstate commerce. Further, the Agency asks for comments on whether a driver who cannot meet the hearing standard should be limited to operating only certain types of vehicles in interstate commerce, for example, vehicles without air brakes. The statute and implementing regulations concerning exemptions require that the Agency request public comments on all applications for exemptions. The Agency is also required to make a determination that an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be *achieved absent such exemption before granting any such requests*.

### 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 [www.regulations.gov](http://www.regulations.gov) and in the search box insert the docket number “FMCSA–2014–0387” and click the search button.

<sup>2</sup> This report is available on the FMCSA Web site at [http://www.fmcsa.dot.gov/facts-research/research-technology/publications/medreport\\_archives.htm](http://www.fmcsa.dot.gov/facts-research/research-technology/publications/medreport_archives.htm).

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 and may change this proposed rule based on your comments. FMCSA may issue a final rule at any time after the close of the comment period.

### Viewing Comments and Documents

To view comments, go to [www.regulations.gov](http://www.regulations.gov) and in the search box insert the docket number “FMCSA–2014–0387” and click “Search.” Next, click “Open Docket Folder” and you will find all documents and comments related to the proposed rulemaking.

### Information on Individual Applicants

#### John B. Burley

Mr. Burley, 44, holds an operator’s license in Colorado.

#### Jennifer Lenore Campbell

Ms. Campbell, 39, holds a class A CDL in Texas.

#### Carlos Campos

Mr. Campos, 43, holds a class A CDL in California.

#### Richard A. Carter

Mr. Carter, 58, holds a class B CDL in Maryland.

#### Charles Christopher Curran

Mr. Curran, 41, holds an operator’s license in Florida.

#### Joy L. Dalen

Ms. Dalen, 41, holds an operator’s license in Nebraska.

#### James Wels Hanson

Mr. Hanson, 25, holds an operator’s license in Wyoming.

#### Clint I. Homan

Mr. Homan, 35, holds an operator’s license in Illinois.

#### Sean C. Jackson

Mr. Jackson, 42, holds an operator’s license in Arizona.

#### Keith Kaimuloa

Mr. Kaimuloa, 47, holds an operator’s license in Hawaii.

#### John David Kielczewski, Jr.

Mr. Kielczewski, 43, holds an operator’s license in Rhode Island.

#### Timothy Knipp II

Mr. Knipp, 32, holds an operator’s license in Pennsylvania.

#### Donnie Lamar McEntire, Jr.

Mr. McEntire, 42, holds an operator’s license in Georgia.

#### Tami S. Richardson-Nelson

Ms. Richardson-Nelson, 56, holds an operator’s license in Nebraska.

### Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b)(4), FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. The Agency will consider all comments received before the close of business October 21, 2015. Comments will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. The Agency will file comments received after the comment closing date in the public docket, and will consider them to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should monitor the public docket for new material.

Issued on: September 8, 2015.

#### Larry W. Minor,

*Associate Administrator for Policy.*

[FR Doc. 2015–23592 Filed 9–18–15; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA 2015–0007–N–23]

### Proposed Agency Information Collection Activities; Comment Request

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection

activities. Before submitting these information collection requirements for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

**DATES:** Comments must be received no later than November 20, 2015.

**ADDRESSES:** Submit written comments on any or all of the following proposed activities by mail to Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB Grant Awards and Cooperative Agreement." Alternatively, comments may be transmitted via facsimile to (202) 493-6170, or via email to Ms. Toone at [kim.toone@dot.gov](mailto:kim.toone@dot.gov). Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave. SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, sec. 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the accuracy of FRA's estimates of the burden of the information collection

activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. 3506(c)(2)(A)(I)-(iv); 5 CFR 1320.8(d)(1)(I)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) Reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. 3501.

Below is a brief summary of the information collection activities that FRA will submit for clearance by OMB as required under the PRA:

*Title:* Grant Awards and Cooperative Agreements.

*Abstract:* FRA solicits grant applications for viable projects including, but not limited to, preconstruction planning activities, safety improvements, congestion relief, improvement of grade crossings, rail line relocation, as well as projects that encourage development, expansion, and upgrades to passenger and freight rail infrastructure and services. Funded projects are those that meet FRA and government wide evaluation standards and align with the President's key strategic transportation goals to create safe and efficient transportation choices, build a foundation for economic competitiveness, promote energy efficiency and environmental quality, and support interconnected livable communities.

FRA administers award agreements for both construction and non-construction projects that will result in service benefits or other tangible improvements in rail corridors. These projects include completion of preliminary engineering, environmental

research and development, final design, and construction.

To ensure accountability of Federal award recipients through performance and results, including expenditures in support of agreed-upon activities and allowable costs outlined in a FRA Notice of Grant Award (NGA), FRA requires systematic and uniform collection and submission of information, as approved by the OMB. Included in this information collection are reports and documentation mandated by OMB for completion, as well as additional resources to compile evidence relevant to addressing FRA's important policy challenges, promoting cost-effectiveness in FRA programs, and providing effective oversight of programmatic and financial performance. This justification draws on innovative FRA program designs to use sophisticated practices in delivering Federal financial assistance and encourage continuous improvements in service delivery.

FRA issues and manages awards in compliance with Title 2 of the Code of Federal Regulations (CFR): Grants and Agreements. This justification includes one document package for collection over the entire lifecycle of the award process, in adherence to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (78 FR 78589, Dec. 26, 2013; 79 FR 75871, Dec. 19, 2014). All non-research awards are subject to the application, reporting, closeout, and other processes described in this justification.

Additionally, the collection detailed in this justification represents a combination of previous FRA collection requests, including: OMB Control Number 2130-0578, OMB Control Number 2130-0580, OMB Control Number 2130-0584, and OMB Control Number 0587. Combining these collections under a new collection enables FRA to consolidate documentation under one collection, which allows for efficiency and provides a uniform period until expiration of this justification request.

*Form Number(s):* FRA forms 30, 31, 32, 33, 34, 35, and 229. SF forms 270, 424, 424A, 424B, 424C, 424D, 425, and LLL.

*Affected Public:* State and local governments, government sponsored authorities and corporations, and railroads.

Reporting Burden:

Item	Total annual responses	Average time per response (hours)	Total annual burden hours
FRA Form 30 .....	383	.25	95.75
FRA Form 31 .....	1	212	212
FRA Form 32 .....	1	24	24
FRA Form 33 .....	8	79	632
FRA Form 34 .....	2	897	1,794
FRA Form 35 .....	34	383	13,022
FRA Form 229 .....	18	.25	4.5
Additional Buy America Documentation .....	1	19,944.50	19,944.50
SF Form 270 .....	1	716	716
SF Form 424 .....	1.1	383	421.30
SF Form 424A .....	3	192	576
SF Form 424B .....	.25	192	48
SF Form 424C .....	3	191	573
SF Form 424D .....	.25	191	47.75
SF 425 .....	1.5	897	1,345
SF Form LLL .....	.17	383	65.11

\* In minutes.

*Total Estimated Annual Burden:*  
39,521 hours.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

**Rebecca Pennington,**  
*Chief Financial Officer.*

[FR Doc. 2015–23620 Filed 9–18–15; 8:45 am]

**BILLING CODE 4910–06–P**

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA–2015–0095; Notice 1]

**Request for Public Comments on NHTSA Enforcement Guidance Bulletin 2015–01: Recommended Best Practices for Protective Orders and Settlement Agreements in Civil Litigation**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for public comments.

**SUMMARY:** NHTSA’s ability to identify and define safety-related motor vehicle defects relies in large part on manufacturers’ self-reporting. However, although federal regulations may require them to report certain information to NHTSA, manufacturers do not always do so, or do not do so in a timely manner. Additionally, the information a manufacturer is required to report varies greatly depending on the product and company size and purpose. Given these

constraints, safety-related information developed or discovered in private litigation is an important resource for NHTSA.

This proposed Enforcement Guidance Bulletin sets forth NHTSA’s current thinking on this topic, and guiding principles and best practices to be utilized in the context of private litigation. To the extent protective orders, settlement agreements, or other confidentiality provisions prohibit information obtained in private litigation from being transmitted to NHTSA, such limitations are contrary to Rule 26 of the Federal Rules of Civil Procedure, its state corollaries, and sound principles of public policy. Although such restrictions are generally prohibited by applicable rules and law, the Agency recommends that litigants include a specific provision in any protective order or settlement agreement that provides for disclosure of relevant motor vehicle safety information to NHTSA, regardless of any other restrictions on the disclosure or dissemination of such information.

This notice solicits comments from the public, from counsel, and from other interested parties concerning this proposed enforcement guidance, and best practices to be followed by litigants in private litigation regarding protective orders and settlement agreements that contain confidentiality provisions limiting disclosure of safety-related information.

**DATES:** All comments should be submitted early enough to ensure that Docket Management receives them not later than October 19, 2015.

**ADDRESSES:** You may submit comments to the docket number identified in the heading of this document by any of the following methods:

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

- **Mail:** Docket Management Facility, M–30, U.S. Department of Transportation, West Building Ground Floor, Rm. W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Hand Delivery or Courier:** U.S. Department of Transportation, West Building Ground Floor, Rm. W12–140, 1200 New Jersey Avenue SE., Washington, DC, 20590 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- **Fax:** (202) 493–2251.

Regardless of how you submit your comments, you should mention the docket number of this document.

You may call the Docket at 202–366–9324.

Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Kara Fischer, Office of the Chief Counsel, NCC–111, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: 202–366–8726).

**SUPPLEMENTARY INFORMATION:** In this notice, NHTSA has begun assembling for guidance and informative purposes an Enforcement Guidance Bulletin which sets forth guiding principles and best practices for private litigants utilizing protective orders and settlement agreements with confidentiality provisions. NHTSA is not establishing a binding set of rules on best practices, or even suggesting that a single set of best practices would apply in all situations. The Agency fully realizes that best practices may vary widely depending on circumstance, and