implementing the Federal-aid highway program in cooperation with the States and local government. Therefore, FHWA relies on its relationships with State DOTs to ensure roadside hardware satisfies crash test criteria. The FHWA has established strong guidelines and policies in order to encourage all State DOTs to use roadside safety hardware that has successfully met the applicable crash test criteria.

In an effort to facilitate the implementation of the MASH, FHWA intends to discontinue issuing eligibility letters for requests received after December 31, 2015, for modified NCHRP 350-tested devices that do not involve full scale crash testing to the MASH. Modifications to NCHRP 350-tested devices that have, in the past, been based on engineering analysis or finite element modeling will no longer receive FHWA eligibility letters. Effective January 1, 2016, all changes to NCHRP 350-tested devices will require testing under MASH in order to receive a Federal-aid eligibility letter from FHWA.


Gregory G. Nadeau,
Administrator, Federal Highway Administration.

[FR Doc. 2015–28753 Filed 11–12–15; 8:45 am]
BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2015–0326]

Qualification of Drivers; Application for Exemptions; Hearing

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

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

SUMMARY: FMCSA announces that 15 individuals have applied for a medical exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs). In accordance with the statutory requirements concerning applications for exemptions, FMCSA requests public comments on these requests. The statute and implementing regulations concerning exemptions require that exemptions must provide an equivalent or greater level of safety than if they were not granted. If the Agency determines the exemptions would satisfy the statutory requirements and decides to grant these requests after reviewing the public comments submitted in response to this notice, the exemptions would enable these 15 individuals to operate CMVs in interstate commerce.

DATES: Comments must be received on or before December 14, 2015.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2015–0326 using any of the following methods:

• Federal eRulemaking Portal: Go to 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., ET, Monday through Friday, except Federal Holidays.

• Fax: 1–202–493–2251.

Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to www.regulations.gov, including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to 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., ET, Monday through Friday, except Federal holidays. The 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: 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 records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

FOR FURTHER INFORMATION CONTACT: Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, 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


FMCSA has published in 49 CFR part 381, subpart C final rules implementing the statutory changes in its exemption procedures made by section 4007. 69 FR 51589 (August 20, 2004). Under the rules in part 381, subpart C, FMCSA must publish a notice of each exemption request in the Federal Register. The Agency must provide the public with an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted and any research reports, technical papers and other publications referenced in the application. The Agency must also provide an opportunity to submit public comment on the applications for exemption.

The Agency reviews the safety analysis and the public comments and determines whether granting the exemption would likely achieve a level of safety equivalent to or greater than the level that would be achieved without the exemption. The decision of the Agency must be published in the Federal Register. If the Agency denies the request, it must state the reason for doing so. If the decision is to grant the exemption, the notice must specify the person or class of persons receiving the exemption and the regulatory provision or provisions from which an exemption is granted. The notice must also specify the effective period of the exemption (up to 2 years) and explain the terms and conditions of the exemption. The exemption may be renewed.

The current provisions of the FMCSRs concerning hearing state 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

*This action adopted as final rules the interim final rules issued by FMCSA’s predecessor in 1998 (63 FR 67600 [Dec. 8, 2008]), and adopted by FMCSA in 2001 [66 FR 49867 [Oct. 1, 2001]].

### 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 and in the search box insert the docket number “FMCSA–2015–0326” 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

**Mebrahtu G. Abai**

Mr. Abai, 59, holds an operator’s license in California.

**Tonya Lee Bland**

Ms. Bland, 45, holds an operator’s license in Maryland.

**Robert Dale Burnett**

Mr. Burnett, 59, holds an operator’s license in California.

**Jackson Paul Cummins**

Mr. Cummins, 32, holds an operator’s license in California.

**Jerry Merland Doose**

Mr. Doose, 59, holds a class A CDL in Minnesota.

**Tiffany Ann Drumel**

Ms. Drumel, 51, holds an operator’s license in California.

**Raoof Hayes**

Mr. Hayes, 38, holds an operator’s license in Massachusetts.

**Donald G. Howton, Jr.**

Mr. Howton, 51, holds an operator’s license in Alabama.

**Michael A. Murrah**

Mr. Murrah, 31, holds an operator’s license in Georgia.
Nicholas A. Nugent
Mr. Nugent, 34, holds an operator's license in Louisiana.

Javier Posada
Mr. Posada, 27, holds an operator’s license in Florida.

D'Nielle V. Smith
Ms. Smith, 32, holds an operator's license in Ohio.

John C. Taylor
Mr. Taylor, 57, holds an operator’s license in Illinois.

Ramarr James Wadley
Mr. Wadley, 36, holds an operator’s license in Virginia.

Joseph Albert Woodle, Jr.
Mr. Woodle, 48, holds an operator’s license in Alabama.

Request for Comments
In accordance with 49 U.S.C. 31136(e) and 31135(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 December 14, 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: October 29, 2015.

Larry W. Minor,
Associate Administrator for Policy.

[FR Doc. 2015–28902 Filed 11–12–15; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; Mazda Motor Corporation

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

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the Mazda Motor Corporation’s (Mazda) petition for an exemption of the (confidential) vehicle line in accordance with 49 CFR part 543, Exemption from Vehicle Theft Prevention Standard. This petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of 49 CFR part 541, Federal Motor Vehicle Theft Prevention Standard (Theft Prevention Standard). Mazda also requested confidential treatment for specific information in its petition. For purposes of this document the confidential information has been redacted until released by the manufacturer.

DATES: The exemption granted by this notice is effective beginning with the 2017 model year (MY).


SUPPLEMENTARY INFORMATION: In a petition dated June 18, 2015, Mazda requested an exemption from the parts-marking requirements of the Theft Prevention Standard for the Mazda (confidential) vehicle line beginning with MY 2017. The petition requested an exemption from parts-marking pursuant to 49 CFR part 543, Exemption from Vehicle Theft Prevention Standard, based on the installation of an antitheft device as standard equipment for the entire vehicle line.

Under 49 CFR 543.5(a), a manufacturer may petition NHTSA to grant an exemption for one vehicle line per model year. In its petition, Mazda provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the (confidential) vehicle line. Mazda stated that its MY 2017 (confidential) vehicle line will be equipped with a passive, transponder based, electronic engine immobilizer antitheft device as standard equipment. Key components of its antitheft device will include a powertrain control module (PCM), immobilizer control module, security indicator light, coil antenna, transmitter with transponder key (transponder key), low frequency (LF) antenna, radio frequency (RF) antenna and low frequency unit (LFU). The device will not provide any visible or audible indication of unauthorized vehicle entry (i.e., flashing lights or horn alarm) as standard equipment however, Mazda stated that its device will incorporate a light-emitting diode (LED) indicator which will provide a visual confirmation on the protection status of the antitheft device.

Mazda’s submission is considered a complete petition as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6.

In addressing the specific content requirements of § 543.6, Mazda provided information on the reliability and durability of its proposed device. To ensure reliability and durability of the device, Mazda conducted tests based on its own specified standards. Mazda provided a detailed list of the tests conducted (i.e., electromagnetic radiation, electric conduction, and climatic, mechanical and chemical environments) and believes that the device is reliable and durable since it complied with its own specified requirements for each test. Additionally, Mazda stated that its device is extremely reliable and durable because it is computer-based and does not rely on any mechanical or moving parts. Mazda further stated that any attempt to slam-pull its vehicle’s ignition will have no effect on a thief’s ability to start the vehicle without the correct code being transmitted to the electronic control modules.

According to Mazda, there are two methods of initiating the antitheft device operation process. The first process is used when the transponder key can be detected. Specifically, the immobilizer control unit sends a signal to the transponder key using its LF antenna to request a transponder code. The transponder code is then sent through the RF receiver back to the immobilizer control unit to authenticate the code and determine its validity. The second process is used when the transponder key cannot be detected by the immobilizer control unit (i.e., discharged battery). For this process, communication between the transponder key and the immobilizer control unit begins when the transponder key is passed over the coil antenna located in the “Engine Start” pushbutton. The immobilizer control module then communicates with the transponder key to determine key validity. Mazda stated that if the code from the transponder key matches with the code from the immobilizer control module by either process, the immobilizer control module compares its code with the code from the powertrain electronic control module when the “Engine Start” pushbutton is pressed and the brake pedal is depressed simultaneously. Mazda stated...