operating a CMV under this exemption, the driver must be accompanied by a
holder of a U.S. CDL who is familiar with the routes traveled; (5) Daimler
must notify FMCSA in writing within 5 business days of any accident, as
defined in 49 CFR 390.5, involving this
driver; and (6) Daimler must notify
FMCSA in writing if this driver is
convicted of a disqualifying offense
under §383.51 or §391.15 of the
FMCSRs.

In accordance with 49 U.S.C. 31315
and 31316(e), the exemption will be
valid for 5 years unless revoked earlier
by the FMCSA. The exemption will be
revoked if: (1) Mr. Veber fails to comply
with the terms and conditions of the
exemption; (2) the exemption results in
a lower level of safety than was
maintained before it was granted; or (3)
continuation of the exemption would be
inconsistent with the goals and
objectives of 49 U.S.C. 31315 and 31316.

VIII. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR
381.600, during the period this
exemption is in effect, no State shall
enforce any law or regulation applicable
to interstate or intrastate commerce that
conflicts with or is inconsistent with
the terms and conditions of the
exemption; (2) the exemption results in
a lower level of safety than was
maintained before it was granted; or (3)
continuation of the exemption would be
inconsistent with the goals and
objectives of 49 U.S.C. 31315 and 31316.

Issued on: August 30, 2018.
Raymond P. Martinez,
Administrator.

[FR Doc. 2016–19636 Filed 9–7–18; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety
Administration
[Docket No. FMCSA–2012–0332; FMCSA–
2014–0385]

Qualification of Drivers; Exemption
Applications; Hearing

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

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

SUMMARY: FMCSA announces its
decision to renew exemptions for 2
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 stated in
the discussions below. Comments must
be received on or before October 10,
2018.

ADDRESS: You may submit comments
hearing the Federal Docket Management
System (FDMS) Docket No. FMCSA–
2012–0332; FMCSA–2014–0385 using
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;
U.S. Department of Transportation, 1200
New Jersey Avenue SE, West Building
Ground Floor, Room W12–140,
Washington, DC 20590–0001.

• Hand Delivery: West Building
Ground Floor, Room W12–140, 1200
New Jersey Avenue SE, Washington, DC,
between 9 a.m. and 5 p.m., e.t.,
Monday through Friday, except Federal Holidays.

• Fax: 1–202–493–2251.

Instructions: Each submission must
include the Agency name and the
docket number(s) for this notice. Note
that all comments received will be
posted without change to http://
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 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., e.t., 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 online.

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 http://www.regulations.gov,
as described in the system of records
notice (DOT/ALL–14 FDMS), which can
be reviewed at http://www.dot.gov/
privacy.

FOR FURTHER INFORMATION CONTACT: Ms.
Christine A. Hydock, Chief, Medical
Programs Division, 202–366–4001,
fmcsmedica@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., e.t.,
Monday through Friday, except Federal
holidays. If you have questions
regarding viewing or submitting
material to the docket, contact Docket
Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315,
FMCSA may grant an exemption for five
years if it finds “such exemption would
likely achieve a level of safety that is
consistent with or greater than the level
that would be achieved absent such
exemption.” The statute also allows the
Agency to renew exemptions at the end
of the five-year period. FMCSA grants
exemptions from the FMCSRs for a two-
year period to align with the maximum
duration of a driver’s medical
certification.

The physical qualification standard
for drivers regarding hearing found in
49 CFR 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

49 CFR 391.41(b)(11) 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).

The 2 individuals listed in this notice
have requested renewal of their
exemptions from the hearing standard
in 49 CFR 391.41(b)(11), in accordance
with FMCSA procedures. Accordingly,
FMCSA has evaluated these
applications for renewal on their merits
and decided to extend each exemption
for a renewable two-year period.

II. Request for Comments

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.

III. Basis for Renewing Exemptions

In accordance with 49 U.S.C. 31136(e) and 31315, each of the 2 applicants has satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 2 drivers in this notice remain in good standing with the Agency. In addition, for Commercial Driver’s License (CDL) holders, the Commercial Driver’s License Information System (CDLIS) and the Motor Carrier Management Information System (MCMIS) are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver’s Licensing Agency (SDLA). These factors provide an adequate basis for predicting each driver’s ability to continue to safely operate a CMV in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each of these drivers for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

As of 08/13/2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Keith Byrd (TN) has satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers. This driver was included in docket number FMCSA–2014–0385. The exemption is applicable as of 08/13/2018, and will expire on 08/13/2020. As of 08/23/2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Byron Smith (TX) has satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers. This driver was included in docket number FMCSA–2012–0332. The exemption is applicable as of 08/23/2018, and will expire on 08/23/2020.

IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must report any crashes or accidents as defined in 49 CFR 390.5; and (2) report all citations and convictions for disqualifying offenses under 49 CFR part 383 and 49 CFR 391 to FMCSA; and (3) each driver prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements. 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.

V. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VI. Conclusion

Based upon its evaluation of the 2 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the hearing requirement in 49 CFR 391.41 (b)(11). In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years unless revoked earlier by FMCSA.

Issued on: August 30, 2018.

Larry W. Minor, Associate Administrator for Policy.

[FR Doc. 2018–19563 Filed 9–7–18; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2018–0135]

Qualification of Drivers; Exemption Applications; Hearing

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

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

SUMMARY: FMCSA announces receipt of applications from 30 individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMV’s in interstate commerce.

DATES: Comments must be received on or before October 10, 2018.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2018–0135 using 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; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
• Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
• Fax: 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket number(s) for this notice. Note that all comments received will be posted without change to http://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 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., e.t., 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 online.

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 http://www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at http://www.dot.gov/privacy.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W04–224, Washington, DC 20590–0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION: