

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2012–0018]

**Agency Information Collection Activities; Revision of a Currently-Approved Information Collection Request: Designation of Agents, Motor Carriers, Brokers and Freight Forwarders****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. The FMCSA requests approval to revise an ICR entitled, “Designation of Agents, Motor Carriers, Brokers and Freight Forwarders (OMB Control Number 2126–0015),” which is used to provide registered motor carriers, property brokers, and freight forwarders a means of meeting the Agency’s process agent requirements.

On November 29, 2011, FMCSA published a **Federal Register** notice allowing for a 60-day comment period on the ICR. The Agency did not receive any comments on the notice.

**DATES:** Please send your comments by April 13, 2012. OMB must receive your comments by this date in order to act quickly on the ICR.

**ADDRESSES:** All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA–2012–0018. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov), or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tura Gatling, Customer Support Team Leader, Commercial Enforcement Division, Department of Transportation,

Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Telephone Number: (202) 385–2412; Email Address: [tura.gatling@dot.gov](mailto:tura.gatling@dot.gov). Office hours are from 8 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Title:** Designation of Agents, Motor Carriers, Brokers and Freight Forwarders.

**OMB Control Number:** 2126–0015.

**Type of Request:** Revision of a currently-approved information collection.

**Respondents:** Motor carriers, freight forwarders and brokers.

**Estimated Number of Respondents:** 35,000.

**Estimated Time per Response:** 10 minutes.

**Expiration Date:** May 31, 2012.

**Frequency of Response:** Form BOC–3 must be filed by all for-hire motor carriers, freight forwarders and brokers when the transportation entity first registers with the FMCSA. All brokers shall make a designation for each State in which it has an office or in which contracts are written. Subsequent filings are made only if the motor carrier, broker or freight forwarder changes their process agent designations.

**Estimated Total Annual Burden:** 5,833 hours [35,000 Form BOC–3 filings per year × 10 minutes/60 minutes to complete form = 5,833 hours].

**Background:** The Secretary of Transportation (Secretary) is authorized to register for-hire motor carriers of regulated commodities under the provisions of 49 U.S.C. 13902; freight forwarders under the provisions of 49 U.S.C. 13903; and property brokers under provisions of 49 U.S.C. 13904. These persons may conduct transportation services only if they are registered pursuant to 49 U.S.C. 13901. The Secretary has delegated authority pertaining to these registration requirements to the FMCSA pursuant to 49 CFR 1.73(a)(5).

Registered motor carriers (including private carriers), brokers and freight forwarders must designate an agent on whom service of notices in proceedings before the Secretary may be made (49 U.S.C. 13303). Registered motor carriers must also designate an agent for every State in which they operate and traverse in the United States during such operations, agents on whom process issued by a court may be served in actions brought against the registered transportation entity (49 U.S.C. 13304, 49 CFR 366.4). Every broker shall make a designation for each State in which its

offices are located or in which contracts are written (49 U.S.C. 13304, 49 CFR 366.4). Regulations governing the designation of process agents are found at 49 CFR part 366. While part 366 is silent regarding its applicability to freight forwarders, as noted above, they are also required by statute to designate process agents (see 49 U.S.C. 13303). These designations are filed with the FMCSA on Form BOC–3, “Designation of Agents for Service of Process.”

**Public Comments Invited:** You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FMCSA to perform its functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued on: March 5, 2012.

**Kelly Leone,**

*Associate Administrator for Research and Information Technology.*

[FR Doc. 2012–6060 Filed 3–13–12; 8:45 am]

**BILLING CODE 4910–EX–P**

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2011–0379]

**Qualification of Drivers; Exemption Applications; Vision****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of applications for exemptions; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from seventeen individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the Federal vision requirement.

**DATES:** Comments must be received on or before April 13, 2012.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2011–0379 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the non-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:* 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 numbers 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., 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:* 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 FDMS published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

**FOR FURTHER INFORMATION CONTACT:**

Elaine M. Papp, Chief, 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 grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-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." FMCSA can renew exemptions at the end of each 2-year period. The seventeen individuals listed in this notice have each requested such an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

**Qualifications of Applicants**

*David A. Brannon*

Mr. Brannon, age 51, has had a macular scar in his left eye since childhood. The best corrected visual acuity in his right eye is 20/15 and in his left eye, 20/60. Following an examination in 2011, his ophthalmologist noted, "I feel Mr. Brannon is qualified to operate a commercial motor vehicle, and he has sufficient vision to perform the task." Mr. Brannon reported that he has driven tractor-trailer combinations for 32 years, accumulating 4.2 million miles. He holds a Class A Commercial Driver's License (CDL) from Florida. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a Commercial Motor Vehicle (CMV).

*Robert L. Brauns*

Mr. Brauns, 50, has had complete loss of vision in his right eye due to a traumatic injury sustained in 1998. The best corrected visual acuity in his right eye is no light perception and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "I feel Robert L. Brauns has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Brauns reported that he has driven tractor-trailer combinations for 31 years, accumulating 2.5 million miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Bobby R. Brooks*

Mr. Brooks, 61, has had complete loss of vision in his right eye due to a traumatic injury sustained 5 years ago. The best corrected visual acuity in his right eye is no light perception and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "Yes, this person has sufficient vision to operate a commercial motor vehicle safely." Mr. Brooks reported that he has driven tractor-trailer combinations for 39 years, accumulating

5.4 million miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Melvin D. Clark*

Mr. Clark, 54, has macular scarring in his right eye due to a traumatic injury sustained at age 10. The best corrected visual acuity in right eye is 20/150 and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "In my medical opinion, Mr. Clark demonstrates sufficient vision to perform the driving tasks required to safely operate a commercial vehicle." Mr. Clark reported that he has driven straight trucks for 12 years, accumulating 120,000 miles and tractor-trailer combinations for 21 years, accumulating 700,000 miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Jackie K. Cooper*

Mr. Cooper, 50, has had amblyopia in his left eye since childhood. The best corrected visual acuity in right eye is 20/20 and in his left eye, 20/200. Following an examination in 2011, his ophthalmologist noted, "In my medical opinion this patient, who has been driving commercial vehicles within the state of Utah for an extended period of time and operating safely, has sufficient vision to perform these driving tasks outside the state of Utah as well." Mr. Cooper reported that he has driven straight trucks for 10 years, accumulating 50,000 miles and tractor-trailer combinations for 10 years, accumulating 50,000 miles. He holds a Class A CDL from Utah. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*William C. Dempsey, Jr.*

Mr. Dempsey, 53, has had amblyopia in his right eye since childhood. The best corrected visual acuity in his right eye is 20/200 and in his left eye, 20/15. Following an examination in 2011, his ophthalmologist noted, "Sufficient vision to operate a commercial vehicle." Mr. Dempsey reported that he has driven straight trucks for 8 years, accumulating 160,000 miles and tractor-trailer combinations for 33 years, accumulating 1.2 million miles. He holds a Class A CDL from Massachusetts. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Ryan C. Dugan*

Mr. Dugan, 31, has a prosthetic right eye due to an injury sustained 10 years ago. The best corrected visual acuity in his left eye is 20/20. Following an examination in 2011, his optometrist noted, "Because his left eye is completely normal and meets the requirements of horizontal field necessary to operate a commercial vehicle, it is my medical opinion that he has sufficient vision required to operate a commercial vehicle safely." Mr. Dugan reported that he has driven straight trucks for 11 years, accumulating 440,000 miles. He holds a Class D operator's license from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Donald J. Garrison*

Mr. Garrison, 67, has a corneal scar in his right eye due to a traumatic injury sustained at age 3. The best corrected visual acuity in right eye is count-finger vision and in his left eye, 20/25. Following an examination in 2011, his ophthalmologist noted, "I feel that Mr. Garrison has adequate vision to operate a motor vehicle and/or a commercial vehicle safely as his vision has been stable most of his life." Mr. Garrison reported that he has driven straight trucks for 4 years, accumulating 54,000 miles. He holds a Class D operator's license from Tennessee. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Glenn C. Grimm*

Mr. Grimm, 53, has complete loss of vision in his right eye due to a traumatic injury sustained 33 years ago. The best visual acuity in his left eye is 20/20. Following an examination in 2011, his ophthalmologist noted, "I see no medical ophthalmic contraindication to the patient continuing to perform as a commercial vehicle operator." Mr. Grimm reported that he has driven straight trucks for 30 years, accumulating 156,000 miles. He holds a Class B CDL from New Jersey. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; failure to obey a traffic signal.

*Lee P. Holt*

Mr. Holt, 45, has had complete loss of vision in his right eye due to a traumatic injury sustained at age 15. The visual acuity in his right eye is light perception and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "Mr. Holt's vision condition has not changed and he has sufficient vision

to perform at the same level as pervasive in driving a commercial vehicle." Mr. Holt reported that he has driven straight trucks for 1 year, accumulating 30,000 miles and tractor-trailer combinations for 6 years, accumulating 2.4 million miles. He holds a Class A CDL from Tennessee. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Lance C. Phares*

Mr. Phares, 49, has had complete loss in his left eye due to a traumatic injury sustained in 1982. The visual acuity in right eye is 20/20. Following an examination in 2011, his ophthalmologist noted, "In my medical opinion, I feel Lance has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Phares reported that he has driven straight trucks for 26 years, accumulating 780,000 miles. He holds a Class D operator's license from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Richard A. Pucker*

Mr. Pucker, 56, has loss of vision in his left eye due to a traumatic injury sustained in 1974. The best corrected visual acuity in right eye is 20/15 and in his left eye, 20/300. Following an examination in 2011, his optometrist noted, "In my opinion, the patient has sufficient vision in his right eye and sufficient peripheral vision in his left eye to perform the driving tasks required to operate a commercial vehicle." Mr. Pucker reported that he has driven straight trucks for 38 years, accumulating 1.9 million miles. He holds a Class A CDL from Wisconsin. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Mark A. Smith*

Mr. Smith, 47, has had anterior ischemic optic neuropathy in left right eye since 2002. The best corrected visual acuity in right eye is 20/16 and in his left eye, no light perception. Following an examination in 2011, his optometrist noted, "I feel that Mark A. Smith has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Smith reported that he has driven straight trucks for 9 years, accumulating 421,000 miles and tractor-trailer combinations for 6 years, accumulating 250,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows

no crashes and no convictions for moving violations in a CMV.

*Randy L. Stevens*

Mr. Stevens, 28, has a prosthetic left eye due to an injury sustained when he was 4 years old. The best corrected visual acuity in his right eye is 20/20. Following an examination in 2011, his ophthalmologist noted, "I believe that Mr. Stevens is doing very well from an ophthalmologic standpoint and he should have no difficulty in regards to his driving tasks and operating a commercial vehicle." Mr. Stevens reported that he has driven straight trucks for 24 years, accumulating 360,000 miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Marion Tutt, Jr.*

Mr. Tutt, 46, had amblyopia in his right eye since childhood. The best corrected visual acuity in right eye is 20/200 and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "In my opinion, this person has sufficient vision to operate a commercial vehicle safely." Mr. Tutt reported that he has driven tractor-trailer combinations for 19 years, accumulating 2.8 million miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Wade W. Ward*

Mr. Ward, 51, has had an enucleated right eye since 1998. The best corrected visual acuity in his left eye is 20/15. Following an examination in 2011, his ophthalmologist noted, "I, Dr. Dirk Dijstal, have as a medical opinion that Mr. Wade Ward has sufficient vision to perform driving tasks such as driving a commercial vehicle." Mr. Ward reported that he has driven straight trucks for 2 years, accumulating 22,000 miles and tractor-trailer combinations for 4 years, accumulating 380,000 miles. He holds a Class A CDL from Wyoming. His driving record for the last 3 years shows no crashes and one conviction for a moving violation in a CMV; failure to obey a traffic device.

*Jimmy S. Zamora*

Mr. Zamora, 54, has had retinal retinopathy in his right eye for the last four years. The best corrected visual acuity in right eye is 20/50 and in his left eye, 20/20. Following an examination in 2011, his optometrist noted, "In my medical opinion, Mr. Zamora has sufficient vision to perform

the driving tasks required to operate a commercial vehicle.” Mr. Zamora reported that he has driven straight trucks for 30 years, accumulating 300,000 miles and tractor-trailer combinations for 30 years, accumulating 3 million miles. He holds a Class A CDL from Texas. His driving record for the last 3 years shows two crashes; he was cited for one of the crashes, and no convictions for moving violations in a CMV.

#### Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, 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 April 13, 2012. 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: March 1, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2012-6085 Filed 3-13-12; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. RR 999 (Amendment No. 5)]

#### Released Rates of Motor Common Carriers of Household Goods

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of changes to rules protecting consumers during interstate household-goods moves.

**SUMMARY:** Notice is hereby given of recent Board decisions concerning interstate household-goods moves. In a decision served January 21, 2011 (January 2011 Decision), the Board implemented a Congressional directive to enhance consumer protection in the case of loss or damage that occurs during interstate household-goods moves.<sup>1</sup> The January 2011 Decision

<sup>1</sup> See Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), 4215, Public Law 109-59, 119 Stat. 1144, 1760 (2005). The Board published notice of

required movers to provide certain information concerning the two available cargo-liability options<sup>2</sup> on the written estimate form—the first form that a moving company must give to a customer—and tentatively raised the dollar value levels used in reimbursing a consumer under the replacement-value option for lost or damaged goods when the consumer had not declared in advance how much the goods were worth. In a decision served on January 12, 2012 (January 2012 Decision), the Board, after reviewing comments filed in response to the January 2011 Decision, modified the requirement in the January 2011 Decision that certain information be put on the estimate form, and it adopted the raised value levels. In particular, the estimate form will now require a shorter notice to be conspicuously placed to notify the consumer early on that it will need to select a liability option at a later time. The brief notice must also refer a potential customer to two sources of further information on the two liability levels and their meaning. Furthermore, the Board will require that movers include the lengthier Valuation Statement<sup>3</sup> on the bill of lading. In addition, the Board affirmed that the charges for full-value protection when the customer does not provide a declared value for a shipment will be the higher of \$6.00 per pound (which may be indexed annually) or \$6,000. The Board also clarified other aspects of the January 2011 Decision, including the application of these changes to household-goods freight forwarders. Finally, the Board established April 2, 2011, as the effective date for moving companies to comply with the changes outlined in the two decisions. These Board decisions are available on the Board's Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

By decision served on March 9, 2012, the Board granted in part the request of the American Moving and Storage Association for a postponement of the effective date of the decisions. The January 2011 and January 2012 Decisions will become effective on May 15, 2012.

This decision will not significantly affect either the human environment or the conservation of energy resources.

the January Decision on January 31, 2011 (76 FR 5,431).

<sup>2</sup> Under one of those options, the consumer would be reimbursed for loss in the amount of 60 cents per pound. Under the other, reimbursement would be based on the replacement value of the goods shipped.

<sup>3</sup> The Valuation Statement is a statement that a consumer hiring a moving company must sign either declaring a total value for the shipment or electing the alternative, per-pound basis on which recovery for any loss would be based.

Decided: March 8, 2012.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2012-6139 Filed 3-13-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0730]

### Proposed Information Collection; Comment Request; Deployment Risk and Resilience Inventory (DRRI)

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** The Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to prepare future military personnel for the challenges of being deployed overseas and how to better assist them after deployment.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before May 14, 2012.

**ADDRESSES:** Submit written comments on the collection of information through Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov); or to Cynthia Harvey-Pryor, Veterans Health Administration (193E1), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420; or email: [cynthia.harvey-pryor@va.gov](mailto:cynthia.harvey-pryor@va.gov). Please refer to “OMB Control No. 2900-0730” in any correspondence. During the comment period, comments may be viewed online through the FDMS.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Harvey-Pryor (202) 461-5870 or FAX (202) 273-9381.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (Pub. L. 104-13; 44 U.S.C. 3501-3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct