

present more opportunities for carriers to plan flights during less congested times. However, an earlier designation in summer rather than waiting until the next construction phase provides an opportunity for the FAA to facilitate modest positive schedule moves during peak demand season at LAX, discourage moves into peak periods that might increase congestion, and alert carriers through the IATA WSG process that there is a potential for congestion.

Schedule review under Level 2 alone will not resolve the congestion and delays resulting from demand that may exceed capacity. Rather, we expect that delays may be reduced as the FAA and carriers consider the potential impacts of new or retimed flights in peak periods. The success of Level 2 relies on voluntary cooperation by carriers to maintain a reasonable balance between capacity and demand. Carriers should recognize the operational constraints during construction and the potential for lengthy delays, carrier network impacts, flight cancellations, and consumer disruption if planned schedules significantly exceed capacity. The FAA does not expect to confirm, under the Level 2 process, new peak hour flights beyond those published as of the date of this notice.

Accordingly, effective June 28, 2015, the FAA designates LAX as a Level 2 airport daily between the hours of 0600 and 2259 local time (1300 and 0559 UTC) but carriers may submit schedule information for the full day, if preferred. Carriers should submit to the FAA schedule information for all planned operations no later than March 20, 2015. The FAA will reply to carrier schedule submissions within two weeks of the deadline. For future scheduling seasons, the FAA intends to follow the IATA WSG regular slot activity calendar. Runway capacity estimates for the Winter 2015 scheduling season are expected in the spring and will be reviewed during regular meetings with LAVA and stakeholders.

Carriers should submit schedule information in sufficient detail including, at a minimum, the carrier, flight number, scheduled time of arrival or departure, half-hour period, frequency, and effective dates. IATA standard schedule information format and data elements (Standard Schedules Information Manual, Chapter 6) may be submitted and would provide additional information that could be beneficial in assessing operational impacts.

LAX is designated by LAVA as Level 2 for flights at the Tom Bradley International Terminal (TBIT). This notice does not replace that process, which is done separately by LAVA

based on terminal constraints. Schedule submissions and discussions with LAVA will continue in addition to FAA's review for runway impacts as described in this notice. Carriers operating at TBIT may copy both LAVA and the FAA on schedule messages.

Finally, the FAA expects that the Level 2 designation will allow all interested parties an opportunity to address any imbalance between demand and capacity, and work cooperatively to reduce delays. The FAA supports the Level 2 process as a preferred and viable alternative to full slot coordination under Level 3 or other administrative actions to address congestion during the runway and RSA construction. Since LAX does not have a history of significant delays and capacity is generally sufficient to meet demand, the FAA anticipates continuing its Level 2 designation only for the planned construction period that is expected to end in 2018. However, the FAA will review the Level 2 designation, at a minimum, in advance of each scheduling season and consider further action as may be necessary if operational data indicates that congestion cannot be mitigated effectively under the Level 2 designation.

Issued in Washington, DC, on March 3, 2015.

Daniel E. Smiley,

Acting Vice President, System Operations Services.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2000-7918; FMCSA-2002-12844; FMCSA-2004-19477; FMCSA-2005-20027; FMCSA-2010-0385; FMCSA-2010-0413]

Qualification of Drivers; Exemption Applications; Vision

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

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

SUMMARY: FMCSA announces its decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 11 individuals. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these

exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

DATES: This decision is effective April 1, 2015. Comments must be received on or before April 6, 2015.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) numbers: Docket No. [Docket No. FMCSA-2000-7918; FMCSA-2002-12844; FMCSA-2004-19477; FMCSA-2005-20027; FMCSA-2010-0385; FMCSA-2010-0413], using any of the following methods:

- Federal eRulemaking Portal: Go to <http://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., Monday through Friday, except Federal Holidays.

- Fax: 1-202-493-2251.

Instructions: Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

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 Federal Docket Management System (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 of records

notice (DOT/ALL-14 FDMS), which can be reviewed at www.dot.gov/privacy.

FOR FURTHER INFORMATION CONTACT:

Charles A. Horan, III, Director, Carrier, Driver and Vehicle Safety Standards, 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:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-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 procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381.

II. Exemption Decision

This notice addresses 11 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. FMCSA has evaluated these 11 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Michael L. Ballantyne (MO)
David F. Breuer (WI)
Joseph A. Dean (AR)
Kenneth L. Handy (IA)
Daniel L. Jacobs (AZ)
Jimmy C. Killian (NC)
Jose M. Limon-Alvarado (WA)
Joe L. Meredith, Jr. (VA)
John W. Montgomery (MA)
Robert A. Moss (MO)
Artis Suitt (NC)

The exemptions are extended subject to the following conditions: (1) That each individual has a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirements in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provides a copy of the ophthalmologist’s or optometrist’s report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver’s qualification file and retains a

copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. 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.

III. Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 11 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (65 FR 66286; 66 FR 13825; 67 FR 68719; 68 FR 2629; 68 FR 13360; 69 FR 64806; 70 FR 2701; 70 FR 2705; 70 FR 12265; 70 FR 16887; 72 FR 1056; 72 FR 11425; 72 FR 11426; 73 FR 76440; 74 FR 8302; 74 FR 8842; 75 FR 77942; 75 FR 80887; 76 FR 1493; 76 FR 5425; 76 FR 12215; 76 FR 12216; 76 FR 12408; 78 FR 10250; 78 FR 12822; 78 FR 14410). Each of these 11 applicants has requested renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements.

These factors provide an adequate basis for predicting each driver’s ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

IV. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2000-7918; FMCSA-2002-12844; FMCSA-2004-19477;

FMCSA-2005-20027; FMCSA-2010-0385; FMCSA-2010-0413), 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 the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and put the docket number, “FMCSA-2000-7918; FMCSA-2002-12844; FMCSA-2004-19477; FMCSA-2005-20027; FMCSA-2010-0385; FMCSA-2010-0413” in the “Keyword” box, and click “Search.” When the new screen appears, click on “Comment Now!” button and type your comment into the text box in 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. 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. FMCSA will consider all comments and material received during the comment period and may change this notice based on your comments.

Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov> and in the search box insert the docket number, “FMCSA-2000-7918; FMCSA-2002-12844; FMCSA-2004-19477; FMCSA-2005-20027; FMCSA-2010-0385; FMCSA-2010-0413” in the “Keyword” box and click “Search.” Next, click “Open Docket Folder” button choose the document listed to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Issued on: March 2, 2015.

Larry W. Minor,

Associate Administrator for Policy.

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