

the applicable CDL testing requirements.

VI. 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.

VII. Conclusion

Based upon its evaluation of the 10 exemption applications, FMCSA exempts the following drivers from the hearing standard; in § 391.41(b)(11), subject to the requirements cited above:

Elder Berroa (PA)
 Joshua Drane (CA)
 Jeremy Graslie (AZ)
 Geoffrey Head (OH)
 Gary Hendrickson (IN)
 Timothy Lewey (TX)
 Gary MacDonnell (CO)
 Ronald Mazzola (MA)
 Kenneth Olivo (PA)
 Tony Walls (DC)

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (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 prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136, 49 U.S.C. chapter 313, or the FMCSRs.

Larry W. Minor,

Associate Administrator for Policy.

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BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2023-0051]

Hours of Service of Drivers: John Olier; Application for Exemption

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

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

SUMMARY: FMCSA announces that John Olier requests an exemption from the 11-, 14-, and 70-hour hours of service (HOS) regulations along with all “mandatory break” periods which would include the 10-hour and 30-minute break requirements. The applicant requests a permanent

exemption for himself and believes that his safe driving record and experience demonstrate an equivalent level of safety. FMCSA requests public comment on the applicant’s request for exemption.

DATES: Comments must be received on or before April 3, 2023.

ADDRESSES: You may submit comments identified by Federal Docket Management System Number (FDMS) FMCSA-2023-0051 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the Public Participation and Request for Comments section below for further information.
- *Mail:* Docket Operations, 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, between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493-2251.

Each submission must include the Agency name and the docket number (FMCSA-2023-0051) for this notice. Note that DOT posts all comments received without change to 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 www.regulations.gov at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE, Washington, DC, 20590-0001 between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption 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 <https://www.transportation.gov/privacy>, the comments are searchable by the name of the submitter.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlle Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; 202-366-4225 or pearlle.robinson@dot.gov. If you have

questions on viewing or submitting material to the docket, contact Dockets Operations, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. 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-2023-0051), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. 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 www.regulations.gov and put the docket number “FMCSA-2023-0051” in the “Keyword” box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click the “Comment” button, and type your comment into the text box on 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from certain Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely achieve a level

of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant's Request

John Olier requests a permanent exemption from 49 CFR 395.3(a)(1)—the requirement for 10 consecutive hours off duty; section 395.3(a)(2)—the 14 hour “driving window;” section 395.3(a)(3)—the 11-hour driving time limit; section 395.3(a)(3)(ii)—the 30-minute break requirement; and section 395.3(b)(2)—the 70-hours-in-8-day limit.

A copy of Mr. Olier's application for exemption is included in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on John Olier's application for an exemption from provisions in the Federal HOS regulations in 49 CFR part 395. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2022-0170]

Agency Information Collection Activities; Renewal of an Approved Information Collection: Training Certification for Drivers of Longer Combination Vehicles

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (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 its review and approval and invites public comment. FMCSA requests approval to renew an ICR titled, “Training Certification for Drivers of Longer Combination Vehicles” OMB Control No. 2126-0026. This ICR relates to Agency requirements for drivers to be certified to operate longer combination vehicles (LCVs), and associated recordkeeping requirements that motor carriers must satisfy before permitting their drivers to operate LCVs. Motor carriers, upon inquiry by authorized Federal, State, or local officials, must produce an LCV Driver-Training Certificate for each of their LCV drivers.

DATES: Comments on this notice must be received on or before April 3, 2023.

ADDRESSES: Written comments and recommendations for the proposed information collection (IC) should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this IC by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlle Robinson, FMCSA Driver and Carrier Operations Division, DOT, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE, Washington, DC 20590, (202) 366-4225, pearlie.robinson@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Training Certification for Drivers of Longer Combination Vehicles (LCVs).

OMB Control Number: 2126-0026.

Type of Request: Renewal of an information collection request.

Respondents: LCV training providers who train new LCV drivers; drivers who complete LCV training each year;

current LCV drivers who submit their LCV Driver-Training Certificate to prospective employers; and employers (motor carriers) receiving and maintaining copies of the LCV Driver-Training Certificates of their drivers.

Estimated Number of Respondents: 52,082, consisting of 240 LCV training providers, 240 newly-certified LCV drivers seeking employment, 25,681 currently certified LCV drivers seeking employment, and 25,921 motor carriers employing LCV drivers.

Estimated Time per Response: 10 minutes for training providers to prepare LCV Driver-Training Certificates for drivers who successfully complete the LCV training; 5 minutes for newly-certified drivers, as well as 5 minutes for currently-certified drivers, to provide LCV Training Certification documents to motor carriers; and 5 minutes for motor carriers to retain the LCV training certifications.

Expiration Date: June 30, 2023.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 4,360 hours. The total number of drivers who will be subjected to these requirements each year is 25,921, which consists of 240 newly-certified LCV drivers seeking employment and 25,681 currently-certified LCV drivers obtaining new employment. Also, there are 240 LCV training providers who will be required to prepare the training certificates for newly-certified drivers. Additionally, there are 25,921 (240 + 25,681) motor carriers who will hire the drivers. The total annual information collection burden is approximately 4,360 hours = 40 hours for preparation of LCV Driver-Training Certificates [240 training providers prepare certificates for drivers successfully completing training × 10 minutes/60 minutes/hour] + 20 hours for newly-certified LCV drivers seeking employment to provide certification documents to motor carriers [240 drivers × 5 minutes/60 minutes/hour] + 2,140 hours for currently-certified LCV drivers seeking employment to provide certification documents to motor carriers [25,681 drivers × 5 minutes/60 minutes/hour] + 2,160 hours for the 25,921 motor carriers receiving and filing certificates from the hiring of 240 newly-certified LCV drivers and the hiring of 25,681 currently-certified LCV drivers [25,921 × 5 minutes/60 minutes/hour].

Background

An LCV is any combination of a truck-tractor and two or more semi-trailers or trailers that operates on the National System of Interstate and Defense Highways (according to 23 CFR 470.107) and has a gross vehicle weight greater