

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(e) and 31315(b).

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2024-02473 Filed 2-6-24; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2024-0007]

#### Qualification of Drivers; Exemption Applications; Hearing

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

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

**SUMMARY:** FMCSA announces receipt of applications from 11 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 CMVs in interstate commerce.

**DATES:** Comments must be received on or before March 8, 2024.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System Docket No. FMCSA-2024-0007 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov), insert the docket number (FMCSA-2024-0007) in the keyword box and click "Search." Next, choose the only notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal Holidays.

- *Fax:* (202) 493-2251.

To avoid duplication, please use only one of these four methods. See the "Public Participation" portion of the

**SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### I. Public Participation

###### A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA-2024-0007), 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 that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2024-0007>. Next, sort the results by "Posted (Newer-Older)," choose the only 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. FMCSA will consider all comments and material received during the comment period.

###### B. Viewing Comments

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number (FMCSA-2024-0007) in the keyword box and click "Search." Next, choose the only notice listed, and click "Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT 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.

##### C. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption requests. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

##### II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-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 statutes also allow the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The 11 individuals listed in this notice have requested an exemption from the hearing requirement in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard for drivers regarding hearing found in § 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 ASA Standard) Z24.5-1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971), respectively).

On February 1, 2013, FMCSA announced in a Notice of Final Disposition titled, "Qualification of

Drivers; Application for Exemptions; National Association of the Deaf," (78 FR 7479), its decision to grant requests from 40 individuals for exemptions from the Agency's physical qualification standard concerning hearing for interstate CMV drivers. Since that time the Agency has published additional notices granting requests from hard of hearing and deaf individuals for exemptions from the Agency's physical qualification standard concerning hearing for interstate CMV drivers.

### III. Qualifications of Applicants

#### *Baldemar Barba*

Baldemar Barba, 26, holds a class A commercial driver's license (CDL) in Texas.

#### *Michael Blizard*

Michael Blizard, 57, holds a class E driver's license in Florida.

#### *Nathan Brune*

Nathan Brune, 45, holds a class D driver's license in Idaho.

#### *Byron Nelson*

Byron Nelson, 50, holds a class C driver's license in Oregon.

#### *Cedric Carr*

Cedric Carr, 40, holds a class C driver's license in North Carolina.

#### *David Fults*

David Fults, 49, holds a class D driver's license in Illinois.

#### *Deshon Gray*

Deshon Gray, 51, holds a class C driver's license in Texas.

#### *Kekoa Kahele*

Kekoa Kahele, 45, holds a class C driver's license in Nevada.

#### *Robert Lara Lara*

Robert Lara Lara, 31, holds a class 10 driver's license in Rhode Island.

#### *Patrick Rubio*

Patrick Rubio, 42, holds a class C driver's license in California.

#### *James Sanford*

James Sanford, 36, holds a class 1 driver's license in South Dakota.

### IV. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of

business on the closing date indicated under the **DATES** section of the notice.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2024-02475 Filed 2-6-24; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2023-0066, Notice No. 2]

#### Petition for Waiver of Compliance and Notice of Public Hearing

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Announcement of public hearing and extension of comment period.

**SUMMARY:** On January 16, 2024, FRA published a public notice announcing that on August 10, 2023, Georgia Central Railway, L.P. and Heart of Georgia Railroad, Inc. (Petitioners) submitted a request to FRA for approval of a test program, and the temporary suspension of certain FRA safety regulations in connection with that program (Program). In this notice, FRA is announcing a public hearing to allow interested persons the opportunity to provide comments on the petition. FRA is also announcing a 14-day extension of the comment period to allow time for interested parties to submit comments on the petition or in response to views or information provided at the public hearing.

#### **DATES:**

(1) A public hearing will be held on March 12, 2024, from 1 p.m. (ET) to 5 p.m. (ET) in Vidalia, GA, and through one or more internet links.

(2) Comments: FRA must receive comments on the petition, or in response to views or information provided at the public hearing, by April 1, 2024. FRA will consider comments received after that date to the extent practicable.

#### **ADDRESSES:**

**Public Hearing:** The public hearing will allow for participation in-person or virtually. For those participants that prefer to appear in person, the public hearing will be held at the Vidalia Community Center, 107 Old Airport Road, Vidalia, GA 30474. For those participants wishing to make a statement at the public hearing, either in-person or virtually, please contact FRA as described under the Public Participation Procedures heading in the **SUPPLEMENTARY INFORMATION** section of

this document. Any person who wants to participate or observe the public hearing virtually can visit <https://railroads.dot.gov/hog-gc-hearing> for the web address and hyperlink.

**Comments:** Comments related to Docket No. FRA-2023-0066 may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number (FRA-2023-0066). All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

**Docket:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

#### **FOR FURTHER INFORMATION CONTACT:**

Matthew Brewer, Staff Director—Engineering and Technology Division, Federal Railroad Administration, telephone: 509-994-1978, email: [matthew.brewer@dot.gov](mailto:matthew.brewer@dot.gov); or Veronica Chittim, Attorney Advisor, Federal Railroad Administration, telephone: 202-480-3410, email: [veronica.chittim@dot.gov](mailto:veronica.chittim@dot.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this hearing is to receive comments in response to a petition for approval of a test program and the temporary suspension of certain FRA safety regulations in connection with that Program, including certain statutory requirements that would require FRA to exercise its authority under 49 U.S.C. 20306 to exempt the rail equipment involved from the requirements of 49 U.S.C. 20302. Petitioners should be present at the hearing and prepared to present evidence that any requirements of chapter 203, title 49, U.S.C., for which exemption is sought "preclude the development or implementation of more efficient railroad transportation."

Interested parties are invited to present statements and to offer information and views at the hearing. The hearing will be an informal, non-adversarial proceeding conducted by a representative FRA designates under FRA's Rules of Practice (49 CFR 211.25). Therefore, there will be no cross-examination of persons presenting statements or offering information. An FRA representative will make an