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### 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

### Anderson Aberdeen

Anderson Aberdeen, 42, holds a class R driver's license in Colorado.

### Ismael Aguirre

Ismael Aguirre, 32, holds a class C driver's license in California.

### Ulices Coria

Ulices Coria, 45, holds a class D driver's license in Utah.

### Manuel Llano Hevia

Manuel Llano Hevia, 42, holds a class C driver's license in Nevada.

### Stan Lockett

Stan Lockett, 39, holds a class CM driver's license in Texas.

### Joe Martens

Joe Martens, 66, holds a class D driver's license in Illinois.

### Dejan Ortiz

Dejan Ortiz, 20, holds a class C driver's license in Texas.

### Elyssa Simmons

Elyssa Simmons, 24, holds a class D driver's license in Virginia.

### Tamel Smith

Tamel Smith, 27, holds a class DM driver's license in New York.

### Anton Syntax

Anton Syntax, 76, holds a class C driver's license in Pennsylvania.

### Jonathan Wilke

Jonathan Wilke, 21, holds a class A driver's license in Iowa.

## 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. 2024–12725 Filed 6–10–24; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0266]

### Commercial Driver's License: Oregon Department of Transportation; Application for Exemption

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

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

**SUMMARY:** FMCSA announces that the Oregon Department of Transportation (Oregon) has applied for a limited exemption from the commercial driver's license (CDL) rules concerning acceptable proof of citizenship or lawful permanent residency for citizens of Freely Associated States (FAS) who now reside in Oregon and wish to obtain a CDL. The FAS are the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. If the exemption is granted, Oregon would be allowed to issue standard commercial learner permits (CLPs) and CDLs to these individuals, rather than issuing non-domiciled CLPs and CDLs. FMCSA requests public comment on the applicant's request for exemption.

**DATES:** Comments must be received on or before July 11, 2024.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System (FDMS) Number FMCSA–2023–0266 by any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). See the Public Participation and Request for Comments section below for further information.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, 1200 New Jersey Avenue SE, Washington, DC, 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–2023–0266) for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** If you do not have access to the internet, you may view the docket by visiting Docket Operations 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., 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, 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 FDMS, which can be reviewed at <https://www.transportation.gov/privacy>. The comments are posted without edit and are searchable by the name of the submitter.

**FOR FURTHER INFORMATION CONTACT:** Ms. Pearlle Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4225; [pearlie.robinson@dot.gov](mailto:pearlie.robinson@dot.gov). If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (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–2023–0266), indicate the specific section of this document to which the comment applies, and provide a reason for your 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](http://www.regulations.gov) and put the docket number “FMCSA–2023–0266” in the “Keyword” box, and click “Search.” When the new screen appears, click on the “Comment” 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.

#### Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at [brian.g.dahlin@dot.gov](mailto:brian.g.dahlin@dot.gov). At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). 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 the applicant’s safety analyses.

The Agency must 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(a)). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision(s) from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reasons for the denial (49 CFR 381.315(c)(2)).

### III. Background

Under 49 CFR 383.71(b), a State Driver Licensing Agency (SDLA) may issue a CDL or CLP only to an applicant who presents proof of United States citizenship or lawful permanent residency. If the applicant cannot present this proof, then the SDLA may issue the applicant a non-domiciled CDL or CPL instead, under 49 CFR 383.71(f). Thus, under 49 CFR 383.71, an individual who is a citizen of a FAS, who does not have status of lawful permanent residence, is not eligible for a CDL or CLP and may be issued only non-domiciled credentials.

The United States’ relationships with the FAS are governed by agreements known as Compacts of Free Association (COFA). Under these agreements, citizens of the FAS may enter the United States as nonimmigrants, and, without obtaining a visa, they may remain in and work in the country indefinitely.<sup>1</sup>

Under the REAL ID Act of 2005<sup>2</sup> and its accompanying regulation 6 CFR part 37 promulgated by the Department of Homeland Security (DHS),<sup>3</sup> REAL ID compliant States are permitted to issue REAL ID compliant driver’s licenses and identification cards to certain individuals with nonimmigrant status. However, under 6 CFR 37.21(b)(1), if the individual has no end date to their authorized stay in the country, then the license or ID may be issued and valid for a maximum of one year. Because citizens of the FAS may remain in the country indefinitely, initially under this law, these individuals could be issued

<sup>1</sup> See H. Rept. 115–945.

<sup>2</sup> Public Law 109–13, Div. B.

<sup>3</sup> See 73 FR 5272 (January 29, 2008).

REAL ID driver's licenses and ID cards lasting only one year.<sup>4</sup>

Subsequently, Congress enacted a modifying statute entitled the REAL ID Act Modification for Freely Associated States Act,<sup>5</sup> and DHS issued a corresponding amendment to its regulation. These changes permitted compliant States to issue full-term REAL ID licenses and ID cards to citizens of the FAS. When issuing this regulatory amendment, DHS also modified the identification documents that citizens of the FAS may present when applying for a REAL ID driver's license or ID card from a compliant State.<sup>6</sup> Under its authority in 6 CFR 37.11(c)(1)(x), DHS stated that complying States may accept "a valid unexpired passport issued by the Republic of the Marshall Islands, the Republic of Palau, or the Federated States of Micronesia with an approved Form I-94 . . . documenting the applicant's most recent admission to the United States under the Compact of Free Association between the United States and the nation that issued the passport." DHS further stated its allowance of these documents was "consistent with the intent of Congress."<sup>7</sup>

#### *Applicant's Request*

Oregon seeks an exemption from the CDL "List of Acceptable Proofs of Citizenship or Lawful Permanent Residency" requirements in table 1 to 49 CFR 383.71 for citizens of the FAS. Oregon cited in its application the REAL ID Act Modification for Freely Associated States Act and the amended DHS regulations ensuring that citizens of the FAS residing in the United States are eligible for full-term REAL ID licenses and identification cards. According to Oregon, "citizens of the Freely Associated States are able to meet the domicile requirement described in [49 CFR] 383.71(b)(10)" and noted that "the [COFAs] provide for citizens of the Freely Associated States to reside and work indefinitely within the United States."

Oregon requests that FMCSA grant the proposed exemption and authorize it to issue CDLs and CLPs to citizens of the FAS in accordance with State procedures in 49 CFR 383.73(a) and (b). Ordinarily, a person who is not a United States citizen must present a valid, unexpired Permanent Resident Card. For a person who is a citizen of a FAS, Oregon would instead accept a valid, unexpired passport issued by a FAS and

an Arrival/Departure Record, meaning an I-94 or I-94A form, to prove that the individual has entered the United States lawfully. A copy of the Oregon's application for exemption is available for review 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 Oregon's application for an exemption from the requirement in table 1 to 49 CFR 383.71 for citizens of the FAS. 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 also 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.*

[FR Doc. 2024-12766 Filed 6-10-24; 8:45 am]

**BILLING CODE 4910-EX-P**

#### **DEPARTMENT OF TRANSPORTATION**

##### **Federal Motor Carrier Safety Administration**

**[Docket No. FMCSA-2013-0106; FMCSA-2013-0442; FMCSA-2015-0115; FMCSA-2015-0119; FMCSA-2015-0321; FMCSA-2017-0181; FMCSA-2017-0254; FMCSA-2019-0030; FMCSA-2019-0036; FMCSA-2019-0206; FMCSA-2020-0045; FMCSA-2020-0046; FMCSA-2021-0026; FMCSA-2022-0042]**

##### **Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders**

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 22 individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have "no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any

loss of ability to control a CMV." The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication 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 provided below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). Office hours are from 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. Viewing Comments*

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number (FMCSA-2013-0106, FMCSA-2013-0442, FMCSA-2015-0115, FMCSA-2015-0119, FMCSA-2015-0321, FMCSA-2017-0181, FMCSA-2017-0254, FMCSA-2019-0030, FMCSA-2019-0036, FMCSA-2019-0206, FMCSA-2020-0045, FMCSA-2020-0046, FMCSA-2021-0026, or FMCSA-2022-0042) in the keyword box and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first 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.

###### *B. Privacy Act*

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<sup>4</sup> See 84 FR 46423 (September 4, 2019).

<sup>5</sup> Public Law 115-323.

<sup>6</sup> See 84 FR 46556 (September 4, 2019).

<sup>7</sup> Id.