

*Respondents:* 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:* 59,684 consisting of 2,360 newly-certified LCV drivers plus 28,662 currently-certified LCV drivers plus 28,662 motor carriers employing LCV drivers.

*Estimated Time per Response:* 10 minutes for preparation of LCV Driver-Training Certificates for drivers who successfully complete the LCV training, and 10 minutes for activities associated with the LCV Driver-Training Certificate during the hiring process.

*Expiration Date:* May 31, 2017.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden:* 5,565 hours. The total number of drivers who will be subjected to these requirements each year is 31,022, consisting of 2,360 newly-certified LCV drivers, and 28,662 currently-certified LCV drivers obtaining new employment. The total annual information collection burden is approximately 5,565 hours, consisting of 394 hours for preparation of LCV Driver-Training Certificates [2,360 drivers successfully completing LCV driver training  $\times$  10 minutes  $\div$  60 minutes/hour] and 5,171 hours for requirements related to the hiring of LCV drivers [31,022 LCV drivers obtaining new employment  $\times$  10 minutes  $\div$  60 minutes/hour].

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for FMCSA's performance; (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. The Agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued under the authority of 49 CFR 1.87 on: October 7, 2016.

**G. Kelly Regal,**

*Associate Administrator, Office of Research and Information Technology.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket Nos. FMCSA-2008-0362 and FMCSA-2006-26367]

#### Motor Carrier Safety Advisory Committee (MCSAC) and Medical Review Board (MRB) Meetings: Public Meetings

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

**ACTION:** Announcement of advisory committee public meetings.

**SUMMARY:** FMCSA announces a joint meeting of its Motor Carrier Safety Advisory Committee (MCSAC) and Medical Review Board (MRB) on Monday, October 24, 2016. Together, the MCSAC and MRB will receive an update on the Driver Health and Wellness Initiative, a non-regulatory public-private partnership of stakeholders to improve drivers' health, and a preview of its Web page. The MRB will report on its revised recommendations on obstructive sleep apnea (OSA) based on its evaluation of the comments from the joint Advance Notice of Proposed Rulemaking (ANPRM) that the Agency issued with the Federal Railroad Administration. Additionally, the MCSAC will discuss how the implementation of these recommendations may impact current and future populations of drivers. On October 25, the MCSAC will meet separately to complete its review of the Agency's regulatory guidance and the MRB will meet to discuss how to incorporate recently issued warnings from the Food and Drug Administration (FDA) on narcotics and benzodiazepines. The meetings are open to the public for their entirety.

**DATES:** The joint meeting will be held on Monday, October 24, 2016, from 9:15 a.m. to 5 p.m., Eastern Time (E.T.). On Tuesday, October 25, the MCSAC and MRB will meet separately. Copies of all task statements and an agenda for the entire meeting will be made available in advance of the meeting at <http://mr.b.fmcsa.dot.gov> and <http://mcsac.fmcsa.dot.gov>.

**ADDRESSES:** The meetings will take place at the National Association of Homebuilders (NAHB), 1201 Fifteenth Street NW., Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon L. Watson, Senior Policy Advisor, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey

Avenue SE., Washington, DC 20590, (202) 366-5221, [mcsac@dot.gov](mailto:mcsac@dot.gov).

*Services for Individuals with Disabilities:* For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Eran Segev at (617) 494-3174, [eran.segev@dot.gov](mailto:eran.segev@dot.gov), by Wednesday, October 19.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### MCSAC

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59, 119 Stat. 1144, August 10, 2005) required the Secretary of Transportation to establish the MCSAC. The Moving Ahead for Progress in the 21st Century Act (MAP-21, Pub. L. 112-141) reauthorized the MCSAC through September 30, 2013, at which time its statutory authority expired, necessitating the establishment of MCSAC as a discretionary committee under FACA. Secretary Foxx established that effective September 30, 2013, through September 30, 2015. MCSAC provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and regulations, and operates in accordance with the Federal Advisory Committee Act (FACA, 5 U.S.C. App 2).

The MCSAC began considering Task 16-1, Review of Regulatory Guidance, at its June 2016 meeting to provide recommendations to the Agency concerning implementation of section 5203 of the FAST Act to: (1) Prioritize regulatory guidance that should be incorporated into the safety regulations to promote clear, consistent, and enforceable rules; (2) identify regulatory guidance that appears to be inconsistent with the intent of the safety regulations or makes enforcement of key safety requirements difficult; and (3) identify guidance that should remain in place.

Additionally, the MCSAC and MRB began considering Joint Task 15-3, on Driver Health and Wellness, at its joint meeting in September 2015. The task is to provide recommendations to the Agency on the structure, content, and methods for determining the effectiveness of a public-private partnership to promote commercial motor vehicle (CMV) driver wellness. To reach that goal, the MCSAC and MRB chairmen appointed a joint subcommittee that included members of both advisory committees and stakeholders.

**MRB**

Section 4116 of SAFETEA-LU requires the Secretary of Transportation, with the advice of the MRB and the chief medical examiner, to establish, review, and revise "medical standards for operators of commercial motor vehicles that will ensure that the physical condition of operators of commercial motor vehicles is adequate to enable them to operate the vehicles safely." The MRB operates in accordance with FACA under the terms of its charter, filed November 25, 2013.

At its meeting in August 2016, the MRB began consideration of Task 16-1, which is to provide recommendations to the Agency on the disposition of comments from medical professionals and associations to the Agency's and the Federal Railroad Administration's (FRA) Advance Notice of Proposed Rulemaking (ANPRM) on safety-sensitive rail and commercial motor vehicle (CMV) drivers with moderate to severe Obstructive Sleep Apnea (OSA).

**II. Meeting Participation**

Oral comments from the public will be heard throughout the meeting, at the discretion of the MCSAC and MRB chairmen. Members of the public may submit written comments on the topics to be considered during the meeting by Wednesday, October 19, to Federal Docket Management System (FDMC) Docket Number FMCSA-2008-0362 for the MRB and FMCSA-2006-26367 for the MCSAC using any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax*: 202-493-2251.
- *Mail*: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590.
- *Hand Delivery*: U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12-140, Washington, DC, between 9 a.m. and 5 p.m., E.T. Monday through Friday, except Federal holidays.

Issued on: October 7, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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

[Docket No. FMCSA-2013-0443]

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

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

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

**SUMMARY:** FMCSA announces its decision to renew exemptions of five 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:** The exemptions were effective on May 19, 2016. The exemptions will expire on May 19, 2018. Comments must be received on or before November 14, 2016.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@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., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2013-0443 using any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov>. Follow the online 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 number(s) 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 online.

*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 <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

**I. Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for two years 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 statute also allows the Agency to renew exemptions at the end of the two-year period.

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person:

Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria to assist Medical Examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—