

disqualified drivers from being issued a CDL and to prevent unsafe drivers from spreading their convictions among several licenses in several States and remaining behind the wheel of a CMV. Failure to collect this information would render the regulations unenforceable.

Information submitted by the States will be used by the FMCSA to determine if individual States are in "substantial compliance" with section 12009(a) of the CMVSA (sec. 12011(a)). The FMCSA reviews information submitted by the States and conducts such reviews, audits, and investigations of each State once every three years or as it deems necessary to make compliance determinations for all States and the District of Columbia. If this information were not available, the FMCSA would have no means of independently verifying State compliance.

This request for renewed approval includes one additional information collection item: "Driver completion of knowledge and skills tests [49 CFR 383.71(a)(2)(ii) and (b)(2)]."

Public Comments: On May 22, 2014, FMCSA published a notice in the **Federal Register** to announce this proposed ICR and request comment from the public on it for 60 days (79 FR 29480). One comment was received in response to this notice and has been placed in the public docket. The commenter is anonymous. The full comment and responsive consideration is as follows:

The anonymous commenter stated: "The ICR indicates that there are 2.96 million drivers of interstate CMVs. On what basis? BLS puts the number of drivers of heavy trucks at about 1.6 m, not all of whom are in interstate commerce. Even if one adds the self-employed (BLS puts that at less than 150,000) and bus drivers, one would be hard pressed to reach 3 million interstate drivers. Turnover in long-haul truckload is high, but not almost a half million per year as estimated. Does the Agency have any basis for these numbers? The number of drivers holding a CDL is irrelevant, as the ICR admits. A driver is not subject to the rule unless he or she is driving a CMV in interstate commerce. A CDL holder is not required to notify anyone of convictions if he or she is not driving a CMV so using 13 million as the baseline is just silly as it is for the next item (providing information to the new employer).

The burden is vastly overstated."

The FMCSA in response disagrees with the anonymous commenter. The BLS underestimates the number of

drivers who are operating trucks and require a CDL. The BLS only counts persons who declare their profession as a truck driver. There are many other persons who work for utility companies and other employers who consider themselves professional electricians, plumbers, construction workers, etc. who operate commercial motor vehicles that require them to hold a CDL. In addition, drivers of motorcoaches, transit buses and school buses are required to have a CDL if the vehicle is designed to transport 16 or more passengers, including the driver.

In regard to using a little over 13 million as the number of active CDL and commercial learners permit (CLP) holders, this is supported by the number of driver records that are on the Commercial Driver's License Information System minus an estimate of the number of driver records of persons permanently disqualified, voluntarily surrendered their CDL or are recorded deceased, but must remain in the data base because they contain driver convictions that must be retained on the record for a set period of time. These 13 million active CDL and CLP holders represent both interstate and intrastate drivers, whether they are currently employed or not employed. There are certain requires to hold a CDL or CLP whether or not the person is currently employed as a driver. This includes the reporting of all moving violations in any motor vehicle to either their employer or if not currently employed to their State of licensure. Also, there is a high turnover of employed drivers, either seeking new employment or coming in and out of the trucking industry.

Definitions: Under 49 CFR 383.5:

Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle—

- (1) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or
- (2) Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or
- (3) Is designed to transport 16 or more passengers, including the driver; or
- (4) Is of any size and is used in the transportation of hazardous materials as defined in this section.

Hazardous materials means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 CFR part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR part 73.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (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: July 28, 2014.

G. Kelly Regal,

Associate Administrator for Office of Research and Information Technology and Chief Information Officer.

[FR Doc. 2014-18170 Filed 7-31-14; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FR A-2014-0059]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

In accordance with part 235 of Title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by a document dated February 24, 2014, Norfolk Southern Corporation (NS) and the Indiana and Ohio Railway (IORY) have jointly petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of a signal system. FRA assigned the petition Docket Number FRA-2014-0059.

Applicants:

Norfolk Southern Corporation, Mr. Brian L. Sykes Chief Engineer—C&S Engineering 1200 Peachtree Street NE., Atlanta, GA 30309.

Indiana and Ohio Railway Mr. Charles McBride Senior Vice President Ohio Valley Region 2856 Cypress Way Cincinnati, OH 45212.

NS and IORY seek approval of the proposed discontinuance of a traffic control system (TCS) in Cincinnati, OH, on the IORY Oasis Subdivision, IORY

Midland Subdivision, NS New Castle District, NS Cincinnati District, and the following tracks connecting these lines:

- NS Cincinnati District from Red Bank, Milepost (MP) CV 111.9, to Clare, MP CV 110.7; NS Connecting Track from Red Bank, MP CV 111.9, to Valley, MP CF 7.5; IORY Oasis Subdivision from Valley, MP CF 7.5, to Mill, MP CF 16.4; NS New Castle District from Mill, MP CF 16.4 to Vaughn, MP CF 17.2; NS Connecting Track from Mill, MP CF 16.4, to Control Point (CP) 248, MP CJ 248.4; IORY Connecting Track, from Oakley, MP CF 10.1, to East Norwood, MP 10.9; IORY Connecting Track, from Ridge, MP CF 10.6, to Penn, MP C 10.3; IORY Midland Sub, from East Norwood, MP 10.9, to NA Tower, MP 7.5.

The reason for the proposed changes is a TCS is no longer desirable to handle current train operations. The movement of through freight trains has been mostly eliminated from these lines for several years and, today, consists of a few local shifter movements per day.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by September 15, 2014 will be considered

by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#/privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on July 17, 2014.

Ron Hynes,

Director, Office of Safety Assurance and Compliance.

[FR Doc. 2014-18213 Filed 7-31-14; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2014-0048]

Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a letter dated May 14, 2014, Union Pacific Railroad (UP), petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 232, Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment, End-of-Train Devices; 49 CFR part 229, Railroad Locomotive Safety Standards; and 49 CFR part 215, Railroad Freight Car Safety Standards; for locomotives and freight cars received in interchange at El Paso, TX, from the Ferrocarriles Nacionales de Mexico (FXE). FRA assigned the petition Docket Number FRA-2014-0048.

Specifically, UP seeks relief from 49 CFR sections 232.205—*Class I brake test-initial terminal inspection*, 229.21—*Daily inspection*, and Part 215—*Freight Car Standards*, to permit movement from the FXE interchange point at International Yard on the Lordsburg Subdivision to UP's Dallas Street Yard for westbound traffic, a distance of 2.8 miles; and to the UP Alfalfa Yard for eastbound traffic, a distance of 7 miles without complying with the requirements of the above noted regulations. UP currently receives three trains traveling north from Mexico (two

auto trains and one manifest train with intermodal cars) and delivers three trains south to Mexico (two manifest trains and one auto train) on a daily basis through the El Paso, TX, River International Yard. Recently, there have been reports of gunfire heard across the border. These reported gunshots are within close proximity to UP employees and contractors. Moreover, many Federal employees, including U.S. Customs and Border Protection agents, U.S. Department of Agriculture Inspecting agents, and FRA inspectors work in the area as well. UP stated that the requested waiver will have no adverse effect on the safety of operations and will greatly reduce risks associated with these operations. UP further stated that FRA granted agreements allowing trains to be moved several miles without Class 1 air brake tests at other cross-border gateways with similar risks.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by September 2, 2014 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.