

exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by October 25, 2006.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published Notices of final disposition announcing its decision to exempt these 17 individuals from the vision requirement in 49 CFR 391.41(b)(10). That final decision to grant the exemption to each of these individuals was based on the merits of each case and only after careful consideration of the comments received to its Notices of applications. Those Notices of applications stated in detail the qualifications, experience, and medical condition of each applicant for an exemption from the vision requirements. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all of these drivers, are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

Issued on: September 13, 2006.

**Rose A. McMurray,**

*Associate Administrator, Policy and Program Development.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2005-24231]

#### Hours of Service of Drivers: Withdrawal of Application for Exemption; FedEx Ground Package System, Inc.

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

**ACTION:** Notice of application for exemption; withdrawal.

**SUMMARY:** The FMCSA announces that it is withdrawing its notice of an application for exemption upon the request of the applicant, FedEx Ground Package System, Inc. (FedEx).

**DATES:** The notice of application with request for comments published on July 31, 2006 is withdrawn, effective immediately.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, Driver and Carrier Operations Division, Office of Bus and Truck Standards and Operations, MC-PSD, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: 202-366-4009. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:** On July 31, 2006, FMCSA published a notice requesting public comment on FedEx's application for an exemption from certain hours-of-service requirements for truck drivers (71 FR 43277). FedEx sought a limited exemption from the definition of "on duty" under FMCSA's hours-of-service regulations governing drivers who operate commercial motor vehicles. FedEx subsequently withdrew its exemption application. The FedEx letter requesting withdrawal of this matter has been placed in the docket identified in the caption of this notice.

Issued on: September 15, 2006.

**John H. Hill,**

*Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24065]

#### Compliance with Interstate Motor Carrier Noise Emission Standards: Exhaust Systems

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

**ACTION:** Notice; request for comments.

**SUMMARY:** FMCSA requests public comment on the merits of a petition for rulemaking filed by the Truck Manufacturers Association. This trade association, whose members include all of the major North American manufacturers of medium and heavy-duty trucks, has petitioned FMCSA to amend the Federal Motor Carrier Safety Regulations to eliminate turbochargers from the list of equipment considered to be noise dissipative devices. The Truck

Manufacturers Association contends that virtually all trucks are now equipped with turbochargers. Hence, these trucks cannot be cited for failure to meet the visual exhaust system inspection requirements of FMCSA's safety regulations if they have no muffler.

**DATES:** Comments must be received on or before October 25, 2006.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket No. FMCSA-2006-24065] by any of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *Hand Delivery:* Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the Agency name and docket number for this notice. Note that all comments received will be posted without change (including any personal information provided) to <http://dms.dot.gov>. See the Privacy Act heading for further information.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the Plaza Level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management System (DMS) is available 24 hours each day, 365 days each year. If you want to be notified 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:* Anyone may search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, or other entity). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11,