

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 Agency's decision regarding these exemption applications is based on medical reports about the applicants' vision, as well as their driving records and experience driving with the vision deficiency. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the August 16, 2021, **Federal Register** notice (86 FR 45800) and will not be repeated here.

FMCSA recognizes that some drivers do not meet the vision requirement but have adapted their driving to accommodate their limitation and demonstrated their ability to drive safely. The six exemption applicants listed in this notice are in this category. They are unable to meet the vision requirement in one eye for various reasons, including amblyopia, complete loss of vision, and optic atrophy. In all cases, their eye conditions did not develop recently. All of the applicants were either born with their vision impairments or have had them since childhood. Although each applicant has one eye that does not meet the vision requirement in § 391.41(b)(10), each has at least 20/40 corrected vision in the other eye, and, in a doctor's opinion, has sufficient vision to perform all the tasks necessary to operate a CMV.

Doctors' opinions are supported by the applicants' possession of a valid license to operate a CMV. By meeting State licensing requirements, the applicants demonstrated their ability to operate a CMV with their limited vision in intrastate commerce, even though their vision disqualified them from driving in interstate commerce. We believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions.

The applicants in this notice have driven CMVs with their limited vision in careers ranging from 3 to 53 years. In

the past 3 years, no drivers were involved in crashes, and one driver was convicted of a moving violation in a CMV. All the applicants achieved a record of safety while driving with their vision impairment that demonstrates the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

Consequently, FMCSA finds that in each case exempting these applicants from the vision requirement in § 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption.

#### V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) Each driver must be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in § 391.41(b)(10) and (b) by a certified medical examiner (ME) who attests that the individual is otherwise physically qualified under § 391.41; (2) each driver must provide a copy of the ophthalmologist's or optometrist's report to the ME at the time of the annual medical examination; and (3) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

#### VII. Conclusion

Based upon its evaluation of the six exemption applications, FMCSA exempts the following drivers from the vision requirement, § 391.41(b)(10), subject to the requirements cited above: Christopher W. Cochran (MO) David L. Marsh (WA) Jason A. Melo (NH) Jeffrey S. Rockhill (KS) Leonard J. VanVelkinburgh (CA) Ananias E. Yoder (IA)

In accordance with 49 U.S.C. 31136(e) and 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions 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.

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### DEPARTMENT OF TRANSPORTATION

#### Federal Railroad Administration

[Docket No. FRA-2021-0100]

#### Draft General Conformity Determination for the California High-Speed Rail System San Jose to Merced Section

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

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

**SUMMARY:** FRA is issuing this notice to advise the public that a draft General Conformity Determination for the San Jose to Merced Section of the California High-Speed Rail (HSR) System is available for public and agency review and comment.

**DATES:** Comments must be received on or before December 27, 2021.

**ADDRESSES:** Comments related to Docket No. FRA-2021-0100 may be submitted by going to <http://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number (FRA-2021-0100). All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the *Privacy Act Statement* 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 the draft General Conformity Determination, background documents, or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

**FOR FURTHER INFORMATION CONTACT:**

Andréa Martin, Senior Environmental Protection Specialist, Office of Railroad Policy and Development (RPD), telephone: (202) 493-6201, email: [Andrea.Martin@dot.gov](mailto:Andrea.Martin@dot.gov); or Marlys Osterhues, Chief, Environment and Project Engineering, RPD, telephone: (202) 493-0413, email: [Marlys.Osterhues@dot.gov](mailto:Marlys.Osterhues@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Privacy Act Statement:* FRA will post comments it receives, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, inclusion of names is completely optional. Whether commenters identify themselves or not, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

*Background:* The California High-Speed Rail Authority (CHSRA) is advancing the environmental review of the San Jose to Merced Section (Project) of the California HSR System pursuant to 23 U.S.C. 327, under which it has assumed FRA's environmental review responsibilities. However, under Section 327, FRA remains responsible for making General Conformity Determinations under the Clean Air Act. This draft General Conformity Determination documents FRA's evaluation of the Project, consistent with the relevant section of the Clean Air Act and its implementing regulations.

FRA conducted the analysis of the Project's potential emissions consistent with all regulatory criteria and procedures and following the Authority's coordination with the U.S. Environmental Protection Agency, Bay Area Air Quality Management District (BAAQMD), San Joaquin Valley Air Pollution Control District (SJVAPCD), Monterey Bay Air Resources District (MBARD) and the California Air Resources Board. The draft General Conformity Determination concludes that the Project, as designed, conforms to the approved SIP, based on a commitment from the CHSRA that construction-phase NO<sub>x</sub> emissions will be offset consistent with the applicable federal regulations in the SFBAAB and SJVAB.

**Next Steps**

The draft General Conformity Determination for the Project is being issued for public review and comment for 30-days at Docket No. FRA-2021-0100. Comments related to Docket No. FRA-2021-0100 may be submitted by going to <http://www.regulations.gov> and following the online instructions for submitting comments. Although CHSRA is assisting FRA by disseminating notice of the availability of the draft General Conformity Determination through its usual outreach methods, CHSRA is not accepting comments on behalf of FRA. FRA cannot ensure consideration of any comment that is not submitted via <http://www.regulations.gov>. FRA will consider all relevant comments it receives before issuing a final General Conformity Determination.

Issued in Washington, DC.

**Jamie P. Rennert,**

*Director, Office of Infrastructure Investment.*

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**DEPARTMENT OF THE TREASURY****Internal Revenue Service****Proposed Collection; Comment Request for Form 944, Form 944(SP), Form 944-X, and Form 944-X (SP)**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 944, Employer's Annual Employment Tax Return, Form 944(SP), Declaracion Federal Anual de Impuestos del Patrono o Empleador, Form 944-X, Adjusted Employer's Annual Federal Tax Return or Claim for Refund, and 944-X (SP), Ajuste a la Declaración Federal ANUAL del Patrono o Reclamación de Reembolso.

**DATES:** Written comments should be received on or before January 25, 2022 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224. You must reference the information

collection's title, form number, reporting or record-keeping requirement number, and OMB number in your comment.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or copies of the form and instructions should be directed to Jon Callahan, (737) 800-7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at [jon.r.callahan@irs.gov](mailto:jon.r.callahan@irs.gov).

**SUPPLEMENTARY INFORMATION:** The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

*Title:* Employer's Annual Employment Tax Return.

*OMB Number:* 1545-2007.

*Form Number:* Forms 944, 944(SP), 944-X, and 944-X(SP).

*Abstract:* The information on Form 944 will be collected to ensure the smallest nonagricultural and non-household employers are paying the correct amount of social security tax, Medicare tax, and withheld federal income tax. Information on line 13 will be used to determine if employers made any required deposits of these taxes. Form 944 (SP) is the Spanish version of the Form 944. Form 944-X and Form 944-X(SP) are used to correct errors made on Form 944.

*Current Actions:* There are changes to the existing collection: Lines were added to Form 944-X and Form 944-X (SP) to match the changes made in the last revision of Form 944 and Form 944 (SP). The new lines are for reporting corrections of the credits allowed by provisions of the American Rescue Plan Act of 2021, Public Law 117-2, claimed on Form 944 and Form 944 (SP).

*Type of Review:* Revision of a currently approved collection.

*Affected Public:* Individual or households, Businesses and other for-profit organizations, Not-for-profit institutions, and State, Local, and tribal Governments.

*Estimated Number of Respondents:* 135,884.

*Estimated Time per Respondent:* 23 hours 36 minutes.

*Estimated Total Annual Burden Hours:* 3,207,532.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection