

regulation's requirement for two years of driving experience with a Class A CDL in August 2022.

WACTC states that it conducts monthly classes in which students achieve 160 hours of practical training, with four students per class. The ratio of instructor to students (1 to 4) "provides a more individualized training approach as well as the ability to address individual student needs and/or concerns as they may arise." According to WACTC, the impact of this exemption being denied would be devastating not only to its CDL program, but to the Adult Education Department as a whole. WACTC asserts that its CDL program is the most popular and successful program offered and helps stabilize other struggling programs through a steady stream of revenue.

A copy of the WACTC application for exemption is included in the docket for this notice.

#### IV. Equivalent Level of Safety

WACTC believes that Mr. Ley makes up for his failure to have two years of required driving experience with his experience with the FMCSA regulations and his current and previous qualifications. Prior to FMCSA's implementation of the ELDT regulations, Mr. Ley successfully trained four WACTC classes and achieved a 100% student completion rate. As an employee of the Commonwealth of Pennsylvania DOT (PennDOT), Mr. Ley audited and verified third-party testing sites, routes, and CDL examiners to assure compliance with PennDOT regulations. He also assisted in the training and bi-annual reviews of experienced and new CDL examiners and has extensive knowledge operating Class B vehicles with school bus and passenger endorsements. In addition, Mr. Ley has obtained a School Bus Instructor Certification, Certified Inspection Mechanic (class 7), certification as a licensed private Class C instructor, and has had a Class A CDL for a year and a half without restrictions. Furthermore, WACTC indicates that the exemption, if granted, would only be necessary until August 2022, when Mr. Ley will have had his Class A CDL for the required two years.

#### V. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on WACTC's application for an exemption from the requirement in 49 CFR 380.713 to use instructors who meet the definitions of "Theory instructor" and "Behind-the-wheel (BTW) instructor" in 49 CFR 380.605. 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. 2022-12873 Filed 6-14-22; 8:45 am]

BILLING CODE 4910-EX-P

#### DEPARTMENT OF TRANSPORTATION

##### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0180]

##### Commercial Driver's License (CDL) Testing; Application for Exemption: State of Minnesota

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

**ACTION:** Notice of final disposition: Denial of reconsideration of request for exemption.

**SUMMARY:** FMCSA announces its decision to deny the State of Minnesota's request for reconsideration of the Agency's 2017 denial of an application for exemption from the regulations governing the commercial driver's license (CDL) skills testing procedures and practices. Specifically, the Agency denies Minnesota's request to perform the CDL skills test in the order specified in the CDL regulations. The Agency denies Minnesota's requested relief from the requirement to use the American Association of Motor Vehicle Administrators' (AAMVA) 2005 Test Model Score Sheet and from the requirement that skills tests be conducted in three parts.

**DATES:** This decision is effective June 15, 2022.

**Docket:** For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit 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., 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Pearl Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; 202-366-4225 or [MCPSPD@dot.gov](mailto:MCPSPD@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### I. Public Participation

###### Viewing Comments and Documents

To view comments, go to [www.regulations.gov](http://www.regulations.gov), insert the docket number "FMCSA-2016-0180" in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, click "Browse Comments."

To view documents mentioned in this notice as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov), insert the docket number "FMCSA-2016-0180" in the keyword box, click "Search," and chose the document to view.

If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140 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.

##### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain portions of the 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 any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the 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 compliance with the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49

CFR 381.315(b)) with the reason for the grant or denial, and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must also specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

### III. Current Regulatory Requirements

The Commercial Motor Vehicle Safety Act of 1986 (CMVSA) [49 U.S.C. chapter 313, implemented by 49 CFR part 383] was designed to improve highway safety by ensuring that truck and bus drivers are qualified to drive a commercial motor vehicle (CMV). States issue CDLs to CMV operators, but the Federal government sets minimum requirements for the issuance of a CDL. Subpart H of part 383 sets forth the principal requirements governing State testing of applicants for a CDL.

### IV. Background

On August 1, 2016, FMCSA published Minnesota's application for exemption from certain testing requirements in 49 CFR part 383 and requested public comment (81 FR 50592). Under § 383.133(c)(6) the CDL skills tests must be conducted in the following order: pre-trip inspection, vehicle control skills, and on-road skills. Minnesota asked that it be allowed to combine the second and third parts (vehicle control skills and on-road skills) and thus reduce the skills tests to two parts. The State also asked to be exempted from using the AAMVA 2005 Test Model Score Sheet. Finally, the State asked to be exempted from the requirement that applicants must pass the pre-trip inspection portion of the exam before proceeding to the balance of the test.

The Agency received 12 comments. Many opposed the request for relief from using the AAMVA Score Sheet during testing. Most also opposed allowing the State to shorten the testing to two parts and allowing applicants for a Minnesota CDL who fail the initial portion of the test to proceed to the on-road testing. Generally, those opposed felt that granting the exemptions would compromise the standardization of testing among the various States ensured by the existing regulations. On May 9, 2017, FMCSA denied Minnesota's application for exemption for the following reasons:

- FMCSA opposed allowing a State to amend the AAMVA Test Model Score Sheet, which has been validated for use by all States in testing prospective CDL holders. When a CDL driver moves to a

new State and seeks to transfer his or her CDL to that State, universal use of the Score Sheet assures the new State that the driver met a baseline standard for safety when his or her CDL was first issued.

- FMCSA opposed combining the various elements of the skills tests. Under the proposed exemption, an individual could pass Minnesota's combined test even though he or she has exceeded the maximum point deduction allowed when the two portions of the skills tests (basic controls or on-road) are given separately.

- FMCSA opposed allowing CDL applicants to operate CMVs at highway speeds when they have not demonstrated the proper handling of the vehicle at lower speeds during the basic controls test.

### V. Applicant's Request

In 2018, Minnesota requested reconsideration of FMCSA's denial of the exemption application. The State asked to be allowed to use its own scoresheet to score applicant drivers during the skills tests. Minnesota also requested to be allowed to combine vehicle control skills and on-road skills segments and thus have only two parts to its skills tests. Minnesota believes that FMCSA's denial letter does not accurately describe how its scoring is applied. Finally, Minnesota asked to be exempted from the requirement that applicants pass the pre-trip inspection portion of the exam before proceeding to the balance of the test. The State argued that the order in which the elements of the CDL skills tests are conducted does not result in unsafe conditions or the operation of a CMV at highway speeds. FMCSA's May 9, 2017, denial letter and the State's request for reconsideration are in the docket listed at the beginning of this notice.

### VI. Equivalent Level of Safety

To ensure an equivalent level of safety, Minnesota asserts that its score sheet evaluates the same driving skills and contains the same inspection elements as the AAMVA score sheet. Regarding administering the skills tests out of order, Minnesota explained that exam stations are in residential and downtown areas across the State where traffic speeds are low. Once the vehicle inspection is completed, drivers travel at low speeds per traffic signs to the location where backing exercises are conducted. The basic controls segment consists of backing maneuvers with potential pull ups and is performed at very low speed. Consequently, drivers do not proceed to highway speeds prior

to completing the basic control skills test.

### VII. Public Comments

On November 30, 2020, FMCSA published a notice seeking public comment on the request for reconsideration (85 FR 76657). The Agency received five comments. The Minnesota School Bus Operators Association supported the exemption request, writing:

If Minnesota Driver and Vehicle Services believes that the accommodations outlined in Doc FMCSA–2016–0180 will allow them to deliver CDL skills testing more efficiently and will allow for more CDL tests scheduled, we fully support those efforts. Additionally, in reviewing the request, we see no evidence that it would compromise the test or the safety of those applicant drivers. These requests appear to be minor in nature and will allow the testing sites more flexibility to conduct tests.

The remaining four respondents opposed the exemption: The Brotherhood of Locomotive Engineers and Trainmen (BLET); Commercial Vehicle Training Association (CVTA); Interstate Truck Driving School of MN, LLC (ITDS); and Mr. Michael Millard. The BLET wrote:

Our concern with this exemption is the Minnesota equivalent to the road test for CDL applicants does not require drivers to be tested on crossing railroad tracks, therefore new CDL drivers are not required to display proper skills and awareness to safely cross railroad tracks with commercial vehicles. Many of the new drivers going through CDL training are immigrants from other countries and may not have experience crossing railroad tracks in this country.

The CVTA said, "Granting the exemption would be problematic as it would be a formal approval of Minnesota's practice, and permit activities out of uniformity and congruence with the national system of CDL testing. Minnesota has offered no data as required by 49 CFR 381.310 to substantiate the claim that a two-part test is safer."

The ITDS stated:

The contradiction created by the Minnesota testing methods undermines the successfulness of proper training to comply with regulations. I respectfully request that the FMCSA deny the waiver request from the State of Minnesota. I suggest the state be required to implement the AAMVA testing model within 12 months to give the state adequate time to comply. This requirement would make it easier for the State of Minnesota to make any changes that might be required by proposed AAMVA modifications in 2022.

Mr. Millard commented:

The trucking industry has had an increase in CMV crashes, and I suspect the largest

contributor is poorly trained drivers who are issued CDLs. I oppose Minnesota's request and struggle to understand why the state hasn't adopted the standardized testing to make it work. I believe it's haphazard to approve a plan without a written summary outlining the supposed better way. If Minnesota's way is better, then perhaps the FMCSR should be revised to follow suit. I see a slippery slope in non-standardized testing expanding by allowing Minnesota to deviate from standardized practices.

#### VIII. FMCSA Response to Comments and Decision

FMCSA carefully reviewed Minnesota's petition for reconsideration and the public comments. The Agency has concluded that Minnesota provided no additional information that would affect FMCSA's 2017 denial of the request for relief from use of the AAMVA testing model and no additional information to persuade the Agency to allow the State to conduct a two-part skills test. Therefore, the Agency denies the application for exemption from the CDL regulations and reaffirms its previous denial.

FMCSA believes that conducting the elements of the CDL skills test in order (i.e., pre-trip, vehicle control skills test, on-road skills test) is the best practice for the safety and efficiency of the tester.

**Robin Hutcheson,**

*Deputy Administrator.*

[FR Doc. 2022-12875 Filed 6-14-22; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

[Docket No.: OFAC-2022-0003]

#### Agency Information Collection Activities; Proposed Collection; Comment Request for Iranian Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts

**AGENCY:** Office of Foreign Assets Control, Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on proposed or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the Department of the Treasury's Office of Foreign Assets Control (OFAC) is soliciting comments

concerning OFAC's Iranian Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts.

**DATES:** Written comments must be submitted on or before August 15, 2022 to be assured of consideration.

**ADDRESSES:** You may submit comments by either of the following methods:

*Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions on the website for submitting comments.

*Email:* [OFACReport@treasury.gov](mailto:OFACReport@treasury.gov) with Attn: Request for Comments (Iranian Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts).

*Instructions:* All submissions received must include the agency name and refer to Docket Number OFAC-2022-0003 and the OMB control number 1505-0243. Comments received will be made available to the public via <https://www.regulations.gov> or upon request, without change and including any personal information provided.

#### FOR FURTHER INFORMATION CONTACT:

OFAC: Assistant Director for Licensing, 202-622-2480; Assistant Director for Regulatory Affairs, 202-622-4855; or Assistant Director for Sanctions Compliance & Evaluation, 202-622-2490.

#### SUPPLEMENTARY INFORMATION:

*Title:* Iranian Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts.

*OMB Number:* 1505-0243.

*Type of Review:* Extension without change of a currently approved collection.

*Description:* Section 561.504(b) of the Iranian Financial Sanctions Regulations, 31 CFR part 561 (IFSR), specifies that a U.S. financial institution that maintained a correspondent account or payable-through account for a foreign financial institution whose name is added to the List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (the "CAPTA List") on OFAC's website ([www.treasury.gov/ofac](http://www.treasury.gov/ofac)) as subject to a prohibition on the maintaining of such accounts, must file a report with OFAC that provides complete information on the closing of each such account, and on all transactions processed or executed through the account pursuant to § 561.504, including the account outside of the United States to which funds remaining in the account were

transferred. This report must be filed with OFAC within 30 days of closure of the account. This collection of information assists in verifying that U.S. financial institutions are complying with prohibitions on maintaining correspondent accounts or payable-through accounts for foreign financial institutions listed on the CAPTA List pursuant to the IFSR. The reports will be reviewed by OFAC and may be used for compliance and enforcement purposes by the agency.

*Affected Public:* The likely respondents affected by this collection of information are U.S. financial institutions maintaining correspondent accounts or payable-through accounts.

*Estimated Number of Respondents:* OFAC assesses that the estimate for the number of unique reporting respondents is approximately 1.

*Frequency of Response:* The estimated annual frequency of responses is approximately 1 response per respondent.

*Estimated Total Number of Annual Responses:* The estimated total number of responses per year is approximately 1.

*Estimated Time per Response:* OFAC assesses that there is an average time estimate of 2 hours per response.

*Estimated Total Annual Burden*

*Hours:* The estimated total annual reporting burden is approximately 2 hours.

#### Request for Comments

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

(Authority: 44 U.S.C. 3501 *et seq.*)

**Andrea M. Gacki,**

*Director, Office of Foreign Assets Control.*

[FR Doc. 2022-12862 Filed 6-14-22; 8:45 am]

BILLING CODE 4810-AL-P