

Mr. Smith reported that he has driven straight trucks for eight years, accumulating 328,000 miles. He holds an operator's license from Pennsylvania. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Zebrial C. Stahmer

Mr. Stahmer, 33, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2018, his optometrist stated, "In my medical opinion, Mr. Stahmer has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Stahmer reported that he has driven straight trucks for ten years, accumulating 1.04 million miles, and tractor-trailer combinations for six years, accumulating 168,480 miles. He holds a Class A CDL from Montana. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Leon W. Tanksley, III

Mr. Tanksley, 40, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/150, and in his left eye, 20/20. Following an examination in 2017, his ophthalmologist stated, "His visual field with both eyes open is normal along with a 120-degree horizontal axis and in my medical opinion, the vision out of his good eye is sufficient to operate a commercial vehicle." Mr. Tanksley reported that he has driven tractor-trailer combinations for eight years, accumulating 760,000 miles. He holds a Class A CDL from Georgia. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Timothy E. Thomas

Mr. Thomas, 44, has a prosthetic right eye due to a traumatic incident in 2002. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2018, his optometrist stated, "Patient has sufficient vision in his left eye to operate a commercial vehicle." Mr. Thomas reported that he has driven tractor-trailer combinations for 20 years, accumulating 1.1 million miles. He holds a Class A CDL from North Carolina. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

III. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments and material received before the close of business on the closing date indicated in the dates section of the notice.

IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2018-0011 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and materials received during the comment period. FMCSA may issue a final determination at any time after the close of the comment period.

V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2018-0011 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to this notice.

Issued on: May 17, 2018.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-5578; FMCSA-2001-10578; FMCSA-2002-12844; FMCSA-2003-14223; FMCSA-2003-16564; FMCSA-2005-21711; FMCSA-2005-22194; FMCSA-2005-22727; FMCSA-2005-23099; FMCSA-2006-24783; FMCSA-2007-0017; FMCSA-2007-0071; FMCSA-2007-27897; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2011-0325; FMCSA-2011-0365; FMCSA-2011-0366; FMCSA-2013-0168; FMCSA-2013-0169; FMCSA-2013-0170; FMCSA-2013-0174; FMCSA-2015-0053; FMCSA-2015-0055; FMCSA-2015-0056; FMCSA-2015-0070; FMCSA-2015-0072; FMCSA-2015-0344; FMCSA-2015-0345; FMCSA-2015-0347; FMCSA-2015-0348]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 85 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, fmcsamedical@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.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/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., e.t., Monday through Friday, except Federal holidays.

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>.

II. Background

On February 15, 2018, FMCSA published a notice announcing its decision to renew exemptions for 85 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (83 FR 6919). The public comment period ended on March 19, 2018, and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the 85 renewal exemption applications and comments received, FMCSA confirms its decision to exempt the following driver from the vision requirement in 49 CFR 391.41 (b)(10):

In accordance with 49 U.S.C. 31136(e) and 31315, the following groups of drivers received renewed exemptions in the month of March and are discussed below:

As of March 2, 2018, and in accordance with 49 U.S.C. 31136(e) and

31315, the following 49 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (64 FR 27027; 64 FR 51568; 66 FR 48504; 66 FR 53826; 66 FR 66966; 68 FR 10301; 68 FR 19596; 68 FR 54775; 68 FR 69434; 70 FR 25878; 70 FR 48797; 70 FR 48798; 70 FR 48799; 70 FR 48800; 70 FR 53412; 70 FR 57353; 70 FR 71884; 70 FR 72689; 70 FR 74102; 71 FR 4632; 71 FR 32183; 71 FR 41310; 72 FR 32705; 72 FR 46261; 72 FR 54972; 72 FR 62896; 72 FR 67340; 73 FR 1395; 73 FR 5259; 73 FR 6246; 73 FR 60398; 74 FR 26464; 74 FR 43222; 74 FR 53581; 74 FR 60021; 74 FR 60022; 74 FR 65842; 74 FR 65845; 75 FR 1450; 75 FR 1451; 75 FR 4623; 75 FR 9482; 76 FR 34135; 76 FR 37169; 76 FR 50318; 76 FR 53710; 76 FR 64171; 76 FR 75942; 76 FR 75943; 76 FR 78728; 77 FR 539; 77 FR 543; 77 FR 545; 77 FR 3554; 77 FR 10604; 77 FR 10608; 78 FR 63302; 78 FR 64274; 78 FR 67452; 78 FR 67454; 78 FR 68137; 78 FR 76704; 78 FR 76705; 78 FR 76707; 78 FR 77778; 78 FR 77780; 78 FR 77782; 78 FR 78475; 78 FR 78477; 79 FR 3919; 79 FR 4531; 79 FR 4803; 79 FR 6993; 79 FR 10619; 80 FR 40122; 80 FR 44188; 80 FR 59230; 80 FR 62161; 80 FR 62163; 80 FR 67476; 80 FR 67481; 80 FR 70060; 80 FR 76345; 80 FR 79414; 80 FR 80443; 81 FR 1284; 81 FR 1474; 81 FR 15401; 81 FR 15404; 81 FR 16265; 81 FR 20433; 81 FR 44680; 81 FR 48493; 81 FR 60117):

John P. Bails (IA)
Garry A. Baker (OH)
Howard D. Barton (IN)
Craig J. Belles (NY)
Steven A. Blinco (MT)
Cris D. Bush (TN)
Johnnie E. Byler (PA)
Stewart K. Clayton (TX)
David N. Cleveland (ME)
James J. Coffield (NM)
Richard A. Congdon, Jr. (OR)
Albion C. Doe, Sr. (NH)
Bruce J. Dowd (CT)
David E. Evans (NC)
Mark A. Farnsley (IN)
Jason L. Hoovan (UT)
Amos W. Husley (AL)
Darryl H. Johnson (WV)
Freddie H. Johnson (ID)
David B. Jones (FL)
Alfred Keehn (AZ)
Volga Kirkwood (MO)
Michael S. Maki (MN)
Kevin D. Mendoza (WA)
Ralph S. Miller (WV)
John M. Moore (PA)
Kenneth R. Murphy (WA)
Millard F. Neace, II (WV)
William E. Norris (NC)
Daniel F. Perez (CA)
Dean B. Ponte (MA)
Jack E. Potts, Jr. (PA)

Richard E. Purvenas, Jr. (DE)
Robert C. Reid (KY)
Steven S. Reinsvold (WI)
Glenn T. Riley (OH)
Migeul A. Sanchez (NM)
Donald L. Schoendienst (MO)
Tigran Semerjyan (CA)
James A. Shepard (NY)
Robert L. Simpson (NC)
John R. Snyder (WA)
Timothy R. Steckman (IL)
Warren Supulski (NC)
Dustin W. Tharp (IA)
Kirk A. Thelen (MI)
Robert E. Whitney (IL)
Reginald Wuethrich (IL)
Chadwick L. Wyatt (NC)

The drivers were included in docket numbers FMCSA-1999-5578; FMCSA-2001-10578; FMCSA-2003-14223; FMCSA-2005-21711; FMCSA-2005-22194; FMCSA-2005-22727; FMCSA-2006-24783; FMCSA-2007-0017; FMCSA-2007-27897; FMCSA-2009-0291; FMCSA-2009-0303; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2011-0325; FMCSA-2013-0168; FMCSA-2013-0169; FMCSA-2013-0170; FMCSA-2015-0053; FMCSA-2015-0055; FMCSA-2015-0056; FMCSA-2015-0070; FMCSA-2015-0072; FMCSA-2015-0344; FMCSA-2015-0345; FMCSA-2015-0347. Their exemptions are applicable as of March 2, 2018, and will expire on March 2, 2020.

As of March 5, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following six individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (68 FR 74699; 69 FR 10503; 70 FR 57353; 70 FR 72689; 71 FR 6829; 73 FR 8392; 75 FR 8184; 77 FR 7233; 79 FR 10602; 81 FR 20433):

Barton C. Caldara (WI)
Allan Darley (UT)
Richard Hailey, Jr. (DC)
Robert V. Hodges (IL)
Edward D. Pickle (GA)
James T. Wortham, Jr. (GA)

The drivers were included in docket numbers FMCSA-2003-16564; FMCSA-2005-22194. Their exemptions are applicable as of March 5, 2018, and will expire on March 5, 2020.

As of March 7, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (77 FR 3552; 77 FR 13691; 79 FR 12565; 81 FR 20433): Samuel V. Holder (IL); Jake F. Richter (KS); Robert J. Townsley (VA).

The drivers were included in docket number FMCSA-2011-0365. Their

exemptions are applicable as of March 7, 2018, and will expire on March 7, 2020.

As of March 10, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (81 FR 6573; 81 FR 28136):

Thomas M. Bowman (OH)
Robert W. Fawcett (PA)
Harry J. Glynn (LA)
Cody N. McDonnell (OR)
Dennis C. Rokes (IA)
Brian W. Roughton (MO)
Steven A. Van Raalte (IL)
Marvin L. Wernimont (IA)
Brian J. Yole (TX)

The drivers were included in docket number FMCSA–2015–0348. Their exemptions are applicable as of March 10, 2018, and will expire on March 10, 2020.

As of March 13, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (79 FR 1908; 79 FR 14333; 81 FR 20433):

Norvan D. Brown (IA)
Jackie K. Curlin (KY)
Justin W. Demarchi (OH)
Jimmey C. Harris (TX)
David G. Henry (TX)
Rogelio C. Hernandez (CA)
Harold D. Pressley (TX)
Jason C. Sadler (KY)
Michael O. Thomas (NC)

The drivers were included in docket number FMCSA–2013–0174. Their exemptions are applicable as of March 13, 2018, and will expire on March 13, 2020.

As of March 15, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (67 FR 68719; 68 FR 2629; 70 FR 7545; 71 FR 4194; 71 FR 13450; 72 FR 40362; 73 FR 9158; 74 FR 64124; 75 FR 9484; 77 FR 10606; 79 FR 14328; 81 FR 20433): Gene Bartlett, Jr. (VT); Wayne H. Holt (UT); William B. Wilson (KY).

The drivers were included in docket numbers FMCSA–2002–12844; FMCSA–2005–23099. Their exemptions are applicable as of March 15, 2018, and will expire on March 15, 2020.

As of March 23, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Glenn R. Theis (MN) has

satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (77 FR 5874; 77 FR 17117; 79 FR 13085; 81 FR 20433).

The driver was included in docket number FMCSA–2011–0366. The exemption is applicable as of March 23, 2018, and will expire on March 23, 2020.

As of March 31, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following five individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (73 FR 6242; 73 FR 16950; 75 FR 9477; 77 FR 13689; 79 FR 14331; 81 FR 20433):

Gary W. Ellis (NC)
K. L. Guse (OH)
Steven W. Halsey (MO)
Thomas M. Leadbitter (PA)
Jonathan P. Lovel (IL)

The drivers were included in docket number FMCSA–2007–0071. Their exemptions are applicable as of March 31, 2018, and will expire on March 31, 2020.

In accordance with 49 U.S.C. 31315, each exemption will be valid for two 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 and 31315.

Issued on: May 17, 2018.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0027]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 14 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial

motor vehicle (CMV) in interstate commerce. They are unable to meet the vision requirement in one eye for various reasons. The exemptions enable these individuals to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: The exemptions were applicable on February 16, 2018. The exemptions expire on February 16, 2020.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, 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.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

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Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/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., E.T., Monday through Friday, except Federal holidays.

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>.

II. Background

On January 16, 2018, FMCSA published a notice announcing receipt of applications from 14 individuals requesting an exemption from vision requirement in 49 CFR 391.41(b)(10) and requested comments from the public (83 FR 2292). The public comment period ended on February 15, 2018, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).