DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration


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 128 individuals from the vision requirement in 49 CFR 391.11(b)(10) to operate a CMV in interstate commerce and requested comments from the public (81 FR 96165). The public comment period ended on January 30, 2017, 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 391.11(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.11(b)(10) states that a person is physically qualified to drive a CMV if:

Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity secara correctly corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at 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 preceding.

VI. Conclusion

As of January 3, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 29 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (64 FR 40404; 64 FR 54948; 64 FR 66962; 65 FR 159; 65 FR 20243; 65 FR 33406; 65 FR 45817; 65 FR 57230; 65 FR 77066; 66 FR 66969; 66 FR 10475; 67 FR 57266; 67 FR 71610; 68 FR 26206; 69 FR 31447; 69 FR 52741; 69 FR 53493; 69 FR 62741; 69 FR 62742; 69 FR 64810; 71 FR 19604; 71 FR 26602; 71 FR 27033; 71 FR 62147; 71 FR 66217; 72 FR 185; and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 552(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 December 29, 2016, FMCSA published a notice announcing its decision to renew exemptions for 128 individuals from the vision requirement in 49 CFR 391.11(b)(10) to operate a CMV in interstate commerce without meeting the vision requirement in one eye. The physical qualification standard for drivers regarding vision found in 49 CFR 391.11(b)(10) states that a person is physically qualified to drive a CMV if:

Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity correctly corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at 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 preceding.

VI. Conclusion

As of January 3, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 29 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (64 FR 40404; 64 FR 54948; 64 FR 66962; 65 FR 159; 65 FR 20243; 65 FR 33406; 65 FR 45817; 65 FR 57230; 65 FR 77066; 66 FR 66969; 66 FR 10475; 67 FR 57266; 67 FR 71610; 68 FR 26206; 69 FR 31447; 69 FR 52741; 69 FR 53493; 69 FR 62741; 69 FR 62742; 69 FR 64810; 71 FR 19604; 71 FR 26602; 71 FR 27033; 71 FR 62147; 71 FR 66217; 72 FR 185; and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 552(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 December 29, 2016, FMCSA published a notice announcing its decision to renew exemptions for 128 individuals from the vision requirement in 49 CFR 391.11(b)(10) to operate a CMV in interstate commerce without meeting the vision requirement in one eye. The physical qualification standard for drivers regarding vision found in 49 CFR 391.11(b)(10) states that a person is physically qualified to drive a CMV if:

Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity correctly corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at 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.

As of January 13, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 5 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (65 FR 45817; 65 FR 77066; 67 FR 46016; 67 FR 57267; 67 FR 71610; 69 FR 71098; 71 FR 32183; 71 FR 41310; 71 FR 63379; 72 FR 1050; 72 FR 1054; 73 FR 75806; 73 FR 74921; 75 FR 79079; 77 FR 76166; 79 FR 73687):

- David S. Brumfield (KY)
- Arthur A. Sahipjian (IN)
- David W. Skillman (WA)
- William H. Smith (AL)
- Edward C. Williams (AL)


As of January 14, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 10 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (69 FR 64808; 70 FR 2705; 72 FR 1056; 73 FR 76439; 75 FR 65057; 75 FR 79081; 75 FR 79084; 77 FR 75496; 79 FR 74169):

- Charles L. Alsager, Jr. (IA)
- Ross E. Burroughs (NJ)
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: February 27, 2017.

Larry W. Minor,
Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0214]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of applications for exemptions; request for comments.

SUMMARY: FMCSA announces receipt of applications from 14 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. They are unable to meet the vision requirement in one eye for various reasons. The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the prescribed vision requirement in one eye. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce.

DATES: Comments must be received on or before April 5, 2017. All comments will be investigated by FMCSA. The exemptions will be issued the day after comments close.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2016–0214 using any of the following methods:

• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the on-line instructions for submitting comments.

• Mail: Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

• Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.

• Fax: 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to http://www.regulations.gov, including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to http://www.regulations.gov at any time 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. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

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 the regulations.gov website, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at http://www.dot.gov/privacy.

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 W64–113, Washington, DC 20590–0001. Office hours are 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. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-year period if it finds “such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be...