Based upon its evaluation of the 11 exemption applications, FMCSA exempts the following drivers from the epilepsy/seizure standard, 49 CFR 391.41(b)(8), subject to the requirements cited above:

Kevin Beamon (NY)
Marvin Lavendar (CO)
Michael Charles Grant (SC)
Todd W. Hines (OH)
John A. Kangas (MI)
Duane Scott Mahin (KS)
Cornelius L. Page (MD)
Curtis Joseph Palubicki (MN)
Daniel A. Pierstorff (WI)
William M. Powederly (CA)

In accordance with 49 U.S.C. 31135(b)(1), each exemption is valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The individual 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.

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 October 14, 2016, FMCSA published a notice announcing its decision to renew exemptions for two individuals from the Epilepsy and Seizure Disorders requirement in 49 CFR 391.41(b)(8), subject to the requirements cited above.

As of July 8, 2016, Michael Duprey (CT), has satisfied the renewal conditions for obtaining an exemption from the Epilepsy and Seizure Disorders prohibition in 49 CFR 391.41(b)(8), subject to the requirements cited above.

As of July 8, 2016, Ronald Blout (GA), has satisfied the renewal conditions for obtaining an exemption from the Epilepsy and Seizure Disorders prohibition in 49 CFR 391.41(b)(8), from driving CMVs in interstate commerce (81 FR 71171). This driver was included in FMCSA–2013–0442. This exemption was effective on July 8, 2016, and will expire on July 8, 2018.

As of July 14, 2016, Michael Duprey (CT), has satisfied the renewal conditions for obtaining an exemption from the Epilepsy and Seizure Disorders prohibition in 49 CFR 391.41(b)(8), from driving CMVs in interstate commerce (81 FR 71171). This driver was included in FMCSA–2013–0445. This exemption was effective on July 14, 2016, and will expire on July 14, 2018.

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.

FOR FURTHER INFORMATION CONTACT:

DATES:

SUMMARY:

ACTION:

AGENCY:

Qualification of Drivers; Exemption

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 December 16, 2016, FMCSA published a notice announcing its decision to renew exemptions for 131 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 (81 FR 91239). The public comment period ended on January 17, 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 391.41(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 separated correctly to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in each eye 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 May 7, 2016, and in accordance with 49 U.S.C. 31135(e) and 31315, the following 11 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (69 FR 64806; 70 FR 2705; 71 FR 6826; 71 FR 19602; 72 FR 1054; 73 FR 11989; 74 FR 26464; 74 FR 60022; 75 FR 4623; 75 FR 13653; 76 FR 49528; 76 FR 61143; 76 FR 70212; 77 FR 543; 77 FR 5874; 77 FR 17107; 77 FR 17117; 78 FR 76707; 78 FR 77782; 79 FR 1908; 79 FR 10611; 79 FR 13085; 79 FR 14331; 79 FR 14571; 79 FR 18391; 79 FR 22003; 79 FR 29586; 79 FR 29498):

- Stephan P. Adamczyk (ME)
- Otto J. Ammer, Jr. (PA)
- Alphonso A. Barco (SC)
- Teddy S. Bioni (PA)
- Darrell Canupp (MI)
- John A. Carroll, Jr. (AL)
- James A. Champion (WA)
- Larry Chinn (WI)
- Michael Gargano (FL)
- Ronald L. Walker (FL)
- Charles G. Warshun, Jr. (NY)


As of May 11, 2016, and in accordance with 49 U.S.C. 31134(e) and 31315, the following 10 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 15184; 77 FR 15184; 79 FR 27850; 79 FR 21996):

- Robert L. Braun (IA)
- Bobby R. Brooks (GA)
- Clifford W. Doran, Jr. (NC)
- Ryan C. Dugan (NY)
- Glenn C. Grimm (NJ)
- Charles J. Kennedy (OH)
- Richard A. Pucker (WI)
- John M. Riley (AL)
- Jeffery A. Sheets (AR)
- Randy L. Stevens (GA)


As of May 11, 2016, 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 (77 FR 15184; 77 FR 27850; 79 FR 21996):