

Jackson (NC), Kimm D. Jacobson (MN), Daryl D. Jibben (MN), Jimmy G. Lee, Jr. (NC), Daniel S. May (IA), Gerald D. McElya (TX), Donald B. Ramaley (PA), Floyd M. Tyler (PA).

The drivers were included in docket No. FMCSA–2011–0103. Their exemptions are effective as of June 24, 2017, and will expire on June 24, 2019.

As of June 28, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following seven individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (76 FR 21792; 76 FR 37882):

Terry J. Johnson (MN), Todd L. McAuley (NC), Stephen A. Miles (OH), Edgar M. Ridlon, Jr. (VT), Andrew M. Schutt (IL), John W. Wortman (WI), Kemlyn K. Yowell (OH).

The drivers were included in docket No. FMCSA–2011–0093. Their exemptions are effective as of June 28, 2017, and will expire on June 28, 2019.

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: July 7, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017–15029 Filed 7–17–17; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1998–4334; FMCSA–2000–7006; FMCSA–2000–7363; FMCSA–2000–7918; FMCSA–2000–8398; FMCSA–2001–9258; FMCSA–2002–12844; FMCSA–2003–14504; FMCSA–2004–17984; FMCSA–2004–19477; FMCSA–2005–20027; FMCSA–2005–20560; FMCSA–2006–26066; FMCSA–2007–27333; FMCSA–2007–27515; FMCSA–2008–0106; FMCSA–2008–0398; FMCSA–2009–0054; FMCSA–2009–0086; FMCSA–2011–0010; FMCSA–2011–0092; FMCSA–2012–0337; FMCSA–2013–0022; FMCSA–2013–0024; FMCSA–2013–0025; FMCSA–2013–0026; FMCSA–2014–0299; FMCSA–2014–0300; FMCSA–2014–0302; FMCSA–2014–0303; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0048]

### 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 120 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 was effective 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, [fmcamedical@dot.gov](mailto: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

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 May 15, 2017, FMCSA published a notice announcing its decision to renew exemptions for 120 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 (82 FR 22379). The public comment period ended on June 14, 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 driver 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 preceding.

#### VI. Conclusion

As of June 4, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 38 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (65 FR 66286; 65 FR 78256; 66 FR 13825; 66 FR 16311; 67 FR 68719; 68 FR 2629; 68 FR 13360; 68 FR 19598; 68 FR 33570; 69 FR 33997; 69 FR 61292; 69 FR 64806; 69 FR 71100; 70 FR 2705; 70 FR 12265; 70 FR 16887; 70 FR 25878; 71 FR 63379; 72 FR 184; 72 FR 1050; 72 FR 1051; 72 FR 1053; 72 FR 5489; 72 FR

11425; 72 FR 11426; 72 FR 28093; 73 FR 78423; 74 FR 6207; 74 FR 7097; 74 FR 8302; 74 FR 8842; 74 FR 11988; 74 FR 15584; 74 FR 15586; 74 FR 20253; 74 FR 21427; 75 FR 79083; 76 FR 8809; 76 FR 9856; 76 FR 11215; 76 FR 11216; 76 FR 15361; 76 FR 20076; 76 FR 21796; 76 FR 29026; 77 FR 70534; 77 FR 74734; 78 FR 9772; 78 FR 12815; 78 FR 12822; 78 FR 14410; 78 FR 16761; 78 FR 16762; 78 FR 16912; 78 FR 22596; 78 FR 22602; 78 FR 29431; 78 FR 30954; 79 FR 73397; 80 FR 2473; 80 FR 3305; 80 FR 3308; 80 FR 9304; 80 FR 12248; 80 FR 12254; 80 FR 12547; 80 FR 14223; 80 FR 14240; 80 FR 15859; 80 FR 15863; 80 FR 16502; 80 FR 18693; 80 FR 20559; 80 FR 22773; 80 FR 25766; 80 FR 29152; 80 FR 33011; 80 FR 33324; 80 FR 45573);

Charles D. Ashworth (KY)  
Jimmie L. Blue (MT)  
Ronald G. Bradley (IN)  
Terry L. Daneau (NH)  
Tracy A. Doty (TN)  
Glenn E. Dowell (IN)  
Jerald O. Edwards (ID)  
Kenneth E. Flack, Jr. (AL)  
Maylin E. Frickey (OR)  
Ramon L. Green (LA)  
Richard G. Gruber (SC)  
Matthew J. Hahn (PA)  
Gerald L. Harper (MO)  
Dennis K. Harris (GA)  
Leon E. Jackson (GA)  
Francisco J. Jimenez (TX)  
William D. Johnson (OK)  
Jimmy C. Killian (NC)  
Peter M. Kirby (NJ)  
Robert T. Lantry (MA)  
Phillip L. Mangan (OH)  
Clarence M. Miles (OK)  
Steven M. Montalbo (CA)  
Richard N. Moyer, Jr. (PA)  
Craig C. Perrotta (MA)  
Virgil A. Potts (CO)  
Donald G. Reed (FL)  
Vincent Rubino (NJ)  
Randy G. Spilman (OH)  
Joseph Stenberg (MT)  
Terrance W. Temple (OH)  
Thomas S. Thompson (NE)  
Jeffrey W. Tucker (IN)  
Russell E. Ward (NH)  
Robert A. Wegner (MN)  
Wayne A. Whitehead (NY)  
Thomas W. Workman (IL)  
Kevin D. Zaloudek (VT)

The drivers were included in one of the following docket Nos.: FMCSA–2000–7918; FMCSA–2000–8398; FMCSA–2002–12844; FMCSA–2003–14504; FMCSA–2004–17984; FMCSA–2004–19477; FMCSA–2006–26066; FMCSA–2008–0398; FMCSA–2009–0054; FMCSA–2011–0010; FMCSA–2012–0337; FMCSA–2013–0022; FMCSA–2013–0024; FMCSA–2014–0299; FMCSA–2014–0300; FMCSA–

2014–0302; FMCSA–2014–0303; FMCSA–2014–0304; FMCSA–2014–0305. Their exemptions are effective as of June 4, 2017, and will expire on June 4, 2019.

As of June 6, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 27 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (78 FR 20376; 78 FR 34141; 80 FR 26139; 80 FR 29149; 80 FR 48409):

Glenn Blanton (OH)  
Matthew J. Buersken (MN)  
Stephen M. Cook (PA)  
Roderick Croft (FL)  
Lawrence M. Davis (VT)  
Bobby C. Floyd (TN)  
Jayme L. Gilbert (NY)  
Jesse M. Greene (TN)  
Wesley D. Hogue (AR)  
Robert W. Kleve (IA)  
Anthony Lang (NH)  
Jason C. Laub (OH)  
Edward J. Lavin (CT)  
Wayne D. Litwiller, Sr. (IL)  
Collin C. Longacre (PA)  
Luther A. McKinney (VA)  
Steven J. McLain (TN)  
Raymond W. Meier (WA)  
Enes Milanovic (MI)  
Michael L. Penrod (IA)  
David P. Ramos (CA)  
Donie L. Rhoads (MT)  
Steven Schaumberg (NJ)  
Dale G. Stringer (TX)  
James B. Taflinger, Sr. (VA)  
Michael J. Tauriac, Jr. (LA)  
Ronald W. Thompson (WI)

The drivers were included in one of the following docket Nos: FMCSA–2013–0025; FMCSA–2015–0048. Their exemptions are effective as of June 6, 2017, and will expire on June 6, 2019.

As of June 12, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following eight individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (74 FR 19267; 74 FR 28094; 76 FR 32016; 76 FR 32703; 80 FR 25768):

Michael D. Abel (NE)  
Paul M. Christina (PA)  
Edward J. Grant (IL)  
Johnny K. Hiatt (NC)  
Jeffrey M. Mueller (MO)  
George M. Nelson (OH)  
Christopher A. Weidner (CT)  
Paul A. Wolfe (OH)

The drivers were included in one of the following docket Nos: FMCSA–2008–0106; FMCSA–2009–0086. Their exemptions are effective as of June 12, 2017, and will expire on June 12, 2019.

As of June 13, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals

have satisfied the conditions for obtaining a renewed exemption from the vision requirements (70 FR 17504; 70 FR 30997; 72 FR 21313; 72 FR 27624; 72 FR 32703; 74 FR 23472; 76 FR 32017; 78 FR 32708; 80 FR 29154):

Roosevelt Bell, Jr. (NC)  
David K. Boswell (TN)  
Bernabe V. Cerda (TX)  
Michael S. Crawford (IL)  
Rex A. Dyer (VT)  
Patrick J. Goebel (IA)  
Thomas A. Gotto (IA)  
Kenneth C. Reeves (OR)  
Thomas E. Summers, Sr. (OH)  
Daniel E. Watkins (FL)  
Tommy N. Whitworth (TX)

The drivers were included in one of the following docket Nos: FMCSA–2005–20560; FMCSA–2007–27515. Their exemptions are effective as of June 13, 2017, and will expire on June 13, 2019.

As of June 20, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following eight individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (72 FR 21313; 72 FR 32703; 74 FR 11988; 74 FR 19267; 74 FR 21427; 74 FR 23472; 74 FR 28094; 76 FR 21796; 76 FR 32016; 76 FR 32017; 78 FR 12815; 78 FR 16912; 78 FR 22596; 78 FR 22598; 78 FR 22602; 78 FR 29431; 78 FR 32703; 78 FR 32708; 78 FR 37274; 80 FR 31635):

Fred Boggs (WV)  
Russell A. Bolduc (CT)  
James M. Del Sasso (IL)  
Darryl W. Hardy (AL)  
Larry M. Hawkins (AZ)  
Terry L. Lipscomb (AL)  
Joseph E. Pfaff (IL)  
Dustin N. Sullivan (MD)

The drivers were included in one of the following docket Nos: FMCSA–2007–27515; FMCSA–2009–0054; FMCSA–2009–0086; FMCSA–2013–0022; FMCSA–2013–0024; FMCSA–2013–0026. Their exemptions are effective as of June 20, 2017, and will expire on June 20, 2019.

As of June 26, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 14 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (63 FR 66226; 64 FR 16517; 65 FR 20245; 65 FR 45817; 65 FR 57230; 65 FR 77066; 66 FR 17743; 66 FR 17994; 66 FR 33990; 67 FR 57266; 68 FR 35772; 70 FR 2701; 70 FR 16887; 70 FR 17504; 70 FR 30997; 70 FR 33937; 72 FR 12666; 72 FR 25831; 72 FR 32705; 74 FR 15586; 74 FR 26464; 76 FR 21796; 76 FR 34135; 78 FR 34140; 80 FR 33009):  
Johnny A. Beutler (SD)

Brett L. Condon (MD)  
 Christopher A. Deadman (MI)  
 Daryl A. Jester (DE)  
 James P. Jones (ME)  
 Clyde H. Kitzan (ND)  
 Larry J. Lang (MI)  
 William A. Moore, Jr. (NV)  
 Richard S. Rehbein (MN)  
 David E. Sanders (NC)  
 David B. Speller (MN)  
 Lynn D. Veach (IA)  
 Harry S. Warren (FL)  
 Michael C. Wines (MD)

The drivers were included in one of the following docket Nos: FMCSA–1998–4334; FMCSA–2000–7006; FMCSA–2000–7363; FMCSA–2001–9258; FMCSA–2005–20027; FMCSA–2005–20560; FMCSA–2007–27333. Their exemptions are effective as of June 26, 2017, and will expire on June 26, 2019.

As of June 28, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (76 FR 25766; 76 FR 37885; 78 FR 37270; 80 FR 31640):

Jan M. Bernath (OH)  
 Joseph L. Butler (IN)  
 Shawn Carroll (OK)  
 Walter C. Dean, Sr. (AL)  
 Mark T. Gileau (CT)  
 Peter D. Gouge (IA)  
 Alan D. Harberts (IA)  
 Wendell S. Sehen (OH)  
 Gary E. Valentine (OH)  
 Kevin W. Van Arsdol (CO)  
 Charles Van Dyke (WI)

The drivers were included in docket No. FMCSA–2011–0092. Their exemptions are effective as of June 28, 2017, and will expire on June 28, 2019.

As of June 30, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (65 FR 78256; 66 FR 16311; 68 FR 13360; 70 FR 2701; 70 FR 16887; 70 FR 17504; 70 FR 30997; 70 FR 37891; 72 FR 27624; 72 FR 34062; 74 FR 26471; 76 FR 34133; 78 FR 57677; 80 FR 31962):

Edmund J. Barron (PA)  
 Roger K. Cox (NJ)  
 Thomas E. Howard (IN)

The drivers were included in one of the following docket Nos: FMCSA–2000–8398; FMCSA–2005–20027; FMCSA–2005–20560. Their exemptions are effective as of June 30, 2017, and will expire on June 30, 2019.

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: July 7, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017–15021 Filed 7–17–17; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0244]

#### Hours of Service of Drivers: Transco, Inc.; Application for Exemption

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

**ACTION:** Notice of final determination; denial of application for exemption.

**SUMMARY:** FMCSA announces its decision to deny the application of Transco, Inc. (Transco) (USDOT # 1062707) for an exemption from the 30-minute rest break provision of the Agency's hours-of-service (HOS) regulations for commercial motor vehicle (CMV) drivers. Transco asked that its drivers be permitted to comply with the 30-minute rest break requirement while performing "on-duty, not-driving" tasks. Due to the nature of its operations, Transco believes that compliance with the 30-minute rest break provision negatively impacts the overall safety and general health of its CMV drivers. FMCSA has analyzed the exemption application and public comments, and has determined that the applicant would not achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

**DATES:** FMCSA denied the application for exemption by letter dated February 27, 2017, after notice and opportunity for public comment.

**FOR FURTHER INFORMATION CONTACT:** For information concerning this notice, contact Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 614–942–6477. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). If you have questions on viewing or submitting material to the docket,

contact Docket Services, telephone (202) 366–9826.

#### SUPPLEMENTARY INFORMATION:

##### Background

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain 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.

FMCSA reviews safety analyses and 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 the current regulation (49 CFR 381.305). The decision of the Agency and the reasons for denying an application must be published in the **Federal Register** (49 CFR 381.315(b)).

On December 27, 2011 (76 FR 81133), FMCSA published a final rule amending its hours-of-service (HOS) regulations for drivers of property-carrying CMVs. The rule included a provision requiring many CMV drivers to take a rest break during the work day. Drivers may drive a CMV only if 8 hours or less have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes. FMCSA did not specify when drivers must take the 30-minute break, but the rule requires that they wait no longer than 8 hours after the last off-duty or sleeper-berth period of that length or longer to take the break if they want to continue driving (49 CFR 395.3(a)(3)(ii)).

#### III. Request for Exemption

Transco seeks an exemption from the 30-minute rest break provision. Transco, operating through McLane Company, Inc., employs over 4,000 drivers who deliver freight from distribution centers to grocery stores and restaurants throughout the United States. Transco drivers make an average of nine stops per day during which they offload freight to customers. Transco contends that because its operations differ greatly from long-haul operations it should not be subject to the rest break requirement. It contends that the frequent stops serve the purpose of the 30-minute rest break because they break the monotony and stress of driving for Transco's drivers. Transco argues that physically-active offloading is in fact better for the health of its drivers than 30 minutes free of