

FMCSA–2003–16241. Their exemptions are applicable as of December 31, 2017, and will expire on December 31, 2019.

IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must undergo an annual physical examination (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirements in 49 CFR 391.41(b)(10), and (b) by a certified Medical Examiner, as defined by 49 CFR 390.5, who attests that the driver is otherwise physically qualified under 49 CFR 391.41; (2) each driver must provide a copy of the ophthalmologist's or optometrist's report to the Medical Examiner at the time of the annual medical examination; and (3) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file or keep a copy of his/her driver's qualification if he/her is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was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 before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315.

V. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VI. Conclusion

Based upon its evaluation of the 109 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above. In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years unless revoked earlier by FMCSA.

Issued on: January 5, 2018.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2018–00600 Filed 1–12–18; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1999–5578; FMCSA–1999–6480; FMCSA–2000–7165; FMCSA–2001–9561; FMCSA–2003–15892; FMCSA–2005–21254; FMCSA–2005–21711; FMCSA–2006–25246; FMCSA–2006–26066; FMCSA–2007–25246; FMCSA–2007–26663; FMCSA–2007–27897; FMCSA–2009–0121; FMCSA–2009–0154; FMCSA–2011–0024; FMCSA–2011–0092; FMCSA–2011–0140; FMCSA–2011–0142; FMCSA–2011–0189; FMCSA–2013–0026; FMCSA–2013–0027; FMCSA–2013–0029; FMCSA–2013–0030; FMCSA–2013–0165; FMCSA–2014–0300; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2015–0053; FMCSA–2015–0055]

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 86 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., ET, 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., ET, 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 11, 2017, FMCSA published a notice announcing its decision to renew exemptions for 86 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 47312). The public comment period ended on November 13, 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

Based upon its evaluation of the 86 renewal exemption applications and comments received, FMCSA confirms its' decision to exempt the following drivers 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 October and are discussed below:

As of October 3, 2017, and in accordance with 49 U.S.C. 31136(e) and

31315, the following 54 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (65 FR 33406; 65 FR 57234; 66 FR 30502; 66 FR 41654; 68 FR 13360; 68 FR 44837; 70 FR 12265; 70 FR 41811; 71 FR 63379; 72 FR 180; 72 FR 1051; 72 FR 8417; 72 FR 9397; 72 FR 27624; 72 FR 36099; 72 FR 39879; 72 FR 40362; 72 FR 52419; 73 FR 78423; 74 FR 19270; 74 FR 26461; 74 FR 26466; 74 FR 34395; 74 FR 34630; 74 FR 37295; 74 FR 41971; 74 FR 48343; 74 FR 6211; 75 FR 79083; 76 FR 17481; 76 FR 25762; 76 FR 25766; 76 FR 28125; 76 FR 37169; 76 FR 37885; 76 FR 44652; 76 FR 44653; 76 FR 49528; 76 FR 50318; 76 FR 53708; 76 FR 54530; 76 FR 61143; 77 FR 74734; 78 FR 4531; 78 FR 22598; 78 FR 24300; 78 FR 24798; 78 FR 34143; 78 FR 37270; 78 FR 37274; 78 FR 41975; 78 FR 46407; 78 FR 52602; 78 FR 56986; 78 FR 56993; 78 FR 77782; 78 FR 78477; 79 FR 4531; 79 FR 53708; 79 FR 73686; 80 FR 2473; 80 FR 12248; 80 FR 14223; 80 FR 18693; 80 FR 22773; 80 FR 29152; 80 FR 31635; 80 FR 31636; 80 FR 33011; 80 FR 35699; 80 FR 36395; 80 FR 37718; 80 FR 40122; 80 FR 41547; 80 FR 44188; 80 FR 45573; 80 FR 48402; 80 FR 48404; 80 FR 48411; 80 FR 48413; 80 FR 49302; 80 FR 50917; 80 FR 59225; 80 FR 62161; 80 FR 62163):

Deneris G. Allen (LA)
 Michael J. Altobelli (CT)
 Joel D. Barchard (MA)
 Rocky B. Bentz (WI)
 Keith A. Bliss (NY)
 Ronald Bostick (SC)
 Steven J. Brauer (NJ)
 Jean-Pierre G. Brefort (CT)
 Michael W. Britt (MD)
 Shaun E. Burnett (MO)
 Kevin W. Cannon (TX)
 Juan R. Cano (TX)
 Charles C. Chapman (NC)
 Thomas W. Crouch (IN)
 Verlin L. Driskell (NE)
 Robin C. Duckett (SC)
 Phillip Ergovich (MO)
 Dan J. Feik (IL)
 Saul E. Fierro (AZ)
 Steven A. Garrity (MA)
 Mark E. Gessner (FL)
 David B. Ginther (PA)
 Dominic F. Giordano (CT)
 Enrique F. Gonzalez (NC)
 Donald A. Hall (NC)
 Willard D. Hall (CA)
 Dennis H. Heller (KS)
 Steven C. Holland (OK)
 Ronald E. Howard (PA)
 Michael A. Kelly (TX)
 Abdullah T. Khalil (VA)
 Jorge Lopez (OH)
 Alex P. Makhanov (WA)
 Michael L. Martin (OH)

Phillip P. Mazza (WI)
 Lawrence McGowan (OH)
 John T. McWilliams (IA)
 Dionicio Mendoza (TX)
 Garth R. Mero (VT)
 Charles A. Morgan (NC)
 Willam V. Nickel (OR)
 Russell W. Nutter (OH)
 Nathan Pettis (FL)
 Mark A. Pirl (NC)
 Timmy J. Pottebaum (IA)
 Jason W. Rupp (PA)
 Ricky J. Sanderson (UT)
 Kirby R. Sands (IA)
 Manjinder Singh (WA)
 Steven W. Stull (IL)
 Richard G. Vaughn (NC)
 Victor H. Vera (TX)
 Bruce W. Williams (IL)

The drivers were included in docket numbers FMCSA-2000-7165; FMCSA-2001-9561; FMCSA-2006-25246; FMCSA-2006-26066; FMCSA-2007-25246; FMCSA-2007-2663; FMCSA-2007-27897; FMCSA-2009-0121; FMCSA-2009-0154; FMCSA-2011-0024; FMCSA-2011-0092; FMCSA-2011-0140; FMCSA-2011-0142; FMCSA-2013-0026; FMCSA-2013-0027; FMCSA-2013-0029; FMCSA-2013-0030; FMCSA-2014-0300; FMCSA-2014-0302; FMCSA-2014-0304; FMCSA-2014-0305; FMCSA-2015-0049; FMCSA-2015-0052; FMCSA-2015-0053; FMCSA-2015-0055. Their exemptions are applicable as of October 3, 2017, and will expire on October 3, 2019.

As of October 23, 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 vision requirements (78 FR 47818; 78 FR 63307; 80 FR 59225):

Larry E. Blakely (GA)
 Britt A. Green (ND)
 Arlene S. Kent (NH)
 Willie L. Murphy (IN)
 Joseph J. Pudlik (IL)
 Jeffrey R. Swett (SC)
 Brian C. Tate (VA)

The drivers were included in docket number FMCSA-2013-0165. Their exemptions are applicable as of October 23, 2017, and will expire on October 23, 2019.

As of October 24, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 14 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirements (64 FR 27027; 64 FR 51568; 66 FR 30502; 66 FR 41654; 66 FR 48504; 68 FR 44837; 68 FR 54775; 70 FR 30999; 70 FR 41811; 70 FR 46567; 70 FR 48797; 70 FR 53412; 70 FR 61493; 72 FR 39879; 72 FR 40359; 72 FR 52421; 72 FR

54971; 72 FR 62896; 74 FR 34074; 74 FR 41971; 74 FR 43221; 74 FR 49069; 76 FR 55467; 76 FR 62143; 78 FR 77782; 80 FR 59225):

Calvin D. Atwood (NM)
 Andrew B. Clayton (TN)
 William P. Doolittle (MO)
 Richard L. Gagnebin (KS)
 Jonathan M. Gentry (TN)
 Benny D. Hatton, Jr. (NY)
 Robert W. Healey, Jr. (NJ)
 Nathaniel H. Herbert, Jr. (PA)
 Thomas W. Markham (MN)
 Kevin L. Moody (OH)
 Charles W. Mullenix (GA)
 Garry L. Rogers (CO)
 Gary M. Wolff (IL)
 John C. Young (VA)

The drivers were included in docket numbers FMCSA-1999-5578; FMCSA-2001-9561; FMCSA-2005-21254; FMCSA-2005-21711; FMCSA-2007-27897. Their exemptions are applicable as of October 24, 2017, and will expire on October 24, 2019.

As of October 30, 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 vision requirements (64 FR 68195; 65 FR 20251; 67 FR 17102; 68 FR 52811; 68 FR 61860; 70 FR 61165; 71 FR 63379; 72 FR 1050; 74 FR 49069; 74 FR 53581; 76 FR 64171; 78 FR 68137; 80 FR 59225):

James D. Davis (OH)
 Dewayne E. Harms (IL)
 David F. LeClerc (MN)
 Jesse L. Townsend (LA)
 Humberto A. Valles (TX)
 James A. Welch (NH)
 Michael E. Yount (ID)

The drivers were included in docket numbers FMCSA-1999-6480; FMCSA-2003-15892; FMCSA-2006-26066. Their exemptions are applicable as of October 30, 2017, and will expire on October 30, 2019.

As of October 31, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following four individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirements (76 FR 55465; 76 FR 67246; 78 FR 77782; 80 FR 59225):

Darrell G. Anthony (TX)
 Harold L. Pearsall (PA)
 Phillip M. Pridgen, Sr. (MD)
 Gerald D. Stidham (CO)

The drivers were included in docket number FMCSA-2011-0189. Their exemptions are applicable as of October 31, 2017, and will expire on October 31, 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: January 5, 2018.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2018-00586 Filed 1-12-18; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2017-0026]

Qualification of Drivers; Exemption Applications; Vision

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

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

SUMMARY: FMCSA announces receipt of applications from 18 individuals for an exemption from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions will enable these individuals to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Comments must be received on or before February 15, 2018.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2017-0026 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online 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 number(s) 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 online.

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>.

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 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 FMCSRs for a five-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 achieved absent such exemption.” The statute also allows the Agency to renew exemptions at the end of the five-year period. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum duration of a driver’s medical certification.

The 18 individuals listed in this notice have requested an exemption from the vision requirement in 49 CFR

391.41(b)(10). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

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 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 standard red, green, and amber.

In July 1992, the Agency first published the criteria for the Vision Waiver Program, which listed the conditions and reporting standards that CMV drivers approved for participation would need to meet (Qualification of Drivers; Vision Waivers, 57 FR 31458, July 16, 1992). The current Vision Exemption Program was established in 1998, following the enactment of amendments to the statutes governing exemptions made by § 4007 of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, 112 Stat. 107, 401 (June 9, 1998). Vision exemptions are considered under the procedures established in 49 CFR part 381 subpart C, on a case-by-case basis upon application by CMV drivers who do not meet the vision standards of 49 CFR 391.41(b)(10).

To qualify for an exemption from the vision requirement, FMCSA requires a person to present verifiable evidence that he/she has driven a commercial vehicle safely with the vision deficiency for the past three years. Recent driving performance is especially important in evaluating future safety, according to several research studies designed to correlate past and future driving performance. Results of these studies support the principle that the best predictor of future performance by a driver is his/her past record of crashes and traffic violations. Copies of the studies may be found at Docket Number FMCSA-1998-3637.

FMCSA believes it can properly apply the principle to monocular drivers, because data from the Federal Highway Administration’s (FHWA) former waiver study program clearly demonstrated the driving performance of experienced monocular drivers in the program is better than that of all CMV drivers collectively (See 61 FR 13338, 13345,