

operate a commercial vehicle.” Mr. Moore reported that he has driven straight trucks for 10 years, accumulating 200,000 miles, tractor-trailer combinations for 10 years, accumulating 300,000 miles, and buses for five years, accumulating 50,000 miles. He holds a Class AMV CDL from Alabama. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Thomas N. Pizzurro, Jr.

Mr. Pizzurro, 28, has a macular hole in his left eye due to a traumatic incident in 2004. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2019, his ophthalmologist stated, “In my medical opinion he has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Pizzurro reported that he has driven straight trucks for 10 years, accumulating 250,000 miles. He holds a Class B CDL from New York. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Glen A. Potts

Mr. Potts, 65, has a macular scar in his right eye due to a traumatic incident in 1989. The visual acuity in his right eye is counting fingers, and in his left eye, 20/25. Following an examination in 2019, his optometrist stated, “The patient has an old macular scar and a central scotoma present in the right eye. In my professional opinion I see no reason why Glen Potts would be unable to operate a commercial vehicle.” Mr. Potts reported that he has driven straight trucks for 30 years, accumulating 1.35 million miles, and tractor-trailer combinations for 30 years, accumulating 1.35 million miles. He holds a Class AM CDL from Pennsylvania. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Guillermo Rocha, Jr.

Mr. Rocha, 32, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/150. Following an examination in 2019, his optometrist stated, “Mr. Rocha has been operating a commercial vehicle for many years without any incidences [sic] to my knowledge and has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Rocha reported that he has driven straight trucks for five years, accumulating 60,000 miles. He holds an

operator’s license from California. His driving record for the last three years shows one crash, which he was not cited for, and no convictions for moving violations in a CMV.

Lawrence A. Sivori

Mr. Sivori, 63, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/50. Following an examination in 2019, his ophthalmologist stated, “His ocular examination shows nothing that would preclude him from operating a commercial vehicle.” Mr. Sivori reported that he has driven straight trucks for 42 years, accumulating 420,000 miles, and tractor-trailer combinations for ten years, accumulating 100,000 miles. He holds a Class DA CDL from Kentucky. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

Sharon H. Waggoner

Ms. Waggoner, 43, has had amblyopia in her left eye since birth. The visual acuity in her right eye is 20/20, and in her left eye, 20/400. Following an examination in 2019, her optometrist stated, “I certify in my medical opinion that Sharon Waggoner has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Ms. Waggoner reported that she has driven tractor-trailer combinations for 19 years, accumulating 1.9 million miles. She holds a Class A CDL from Missouri. Her driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

IV. 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.

Issued on: July 5, 2019.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24278; FMCSA-2006-25854; FMCSA-2008-0355; FMCSA-2010-0203; FMCSA-2012-0050; FMCSA-2014-0379; FMCSA-2015-0323]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for eight individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

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. Public Participation

A. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to <http://www.regulations.gov>. Insert the docket number, FMCSA-2006-24278; FMCSA-2006-25854; FMCSA-2008-0355; FMCSA-2010-0203; FMCSA-2012-0050; FMCSA-2014-0379 or FMCSA-2015-0323 in the keyword box, and click “Search.” Next, click the “Open Docket Folder” button and choose the document to review. If you do not have access to the internet, you

may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

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

II. Background

On March 28, 2019, FMCSA published a notice announcing its decision to renew exemptions for eight individuals from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce and requested comments from the public (84 FR 11854). The public comment period ended on April 29, 2019, 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)(8).

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria to assist Medical Examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy: § 391.41(b)(8), paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based on its evaluation of the eight renewal exemption applications,

FMCSA announces its decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8).

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

As of January 1, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers: Jordan M. Hyster (OH).

This driver was included in docket number FMCSA-2015-0323 (84 FR 11854). The exemption is applicable as of January 1, 2019, and will expire on January 1, 2021.

As of January 7, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers: Edgar Snapp (IN).

This driver was included in docket number FMCSA-2014-0379 (84 FR 11854). The exemption is applicable as of January 7, 2019, and will expire on January 7, 2021.

As of January 15, 2019, 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 epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers (84 FR 11854):

Daniel Forth (NY)
Steven L. Hunsaker (ID)
Brian J. Porter (PA)
Wayne C. Sorenson (MN)
Michael W. Thomas (KS)
Paul Warren (ME)

The drivers were included in docket numbers FMCSA-2006-24278; FMCSA-2006-25854; FMCSA-2008-0355; FMCSA-2010-0203; FMCSA-2012-0050. Their exemptions are applicable as of January 15, 2019, and will expire on January 15, 2021.

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 5, 2019.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2019-14979 Filed 7-12-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0031]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

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

SUMMARY: FMCSA announces receipt of applications from ten individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a commercial motor vehicle (CMV) to drive in interstate commerce. If granted, the exemptions would enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

DATES: Comments must be received on or before August 14, 2019.

ADDRESSES: You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA-2019-0031 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., ET, Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

To avoid duplication, please use only one of these four methods. See the "Public Participation" portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.