

## V. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must remain seizure-free and maintain a stable treatment during the two-year exemption period; (2) each driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified Medical Examiner, as defined by 49 CFR 390.5; and (4) 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 file if he/she 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 The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was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.

## VI. 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.

## VII. Conclusion

Based on its evaluation of the four exemption applications, FMCSA renews the exemptions of the aforementioned 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, each exemption will be valid for two years unless revoked earlier by FMCSA.

Issued on: July 26, 2019.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2019-16648 Filed 8-2-19; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2001-9258; FMCSA-2001-9561; FMCSA-2002-11714; FMCSA-2002-13411; FMCSA-2003-14504; FMCSA-2003-15268; FMCSA-2005-20560; FMCSA-2005-21254; FMCSA-2006-26653; FMCSA-2007-2663; FMCSA-2007-27333; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2008-0106; FMCSA-2009-0054; FMCSA-2009-0121; FMCSA-2010-0354; FMCSA-2011-0010; FMCSA-2011-0024; FMCSA-2011-0102; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2013-0022; FMCSA-2013-0025; FMCSA-2013-0027; FMCSA-2013-0028; FMCSA-2013-0029; FMCSA-2014-0006; FMCSA-2014-0010; FMCSA-2014-0302; FMCSA-2014-0304; FMCSA-2014-0305; FMCSA-2015-0049; FMCSA-2015-0052; FMCSA-2015-0053; FMCSA-2015-0055; FMCSA-2016-0033; FMCSA-2016-0207; FMCSA-2016-0212; FMCSA-2016-0214; FMCSA-2016-0377; FMCSA-2017-0014; FMCSA-2017-0016; FMCSA-2017-0019; FMCSA-2017-0020]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemptions; request for comments.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 126 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 requirements 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. Comments must be received on or before September 4, 2019.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA-2001-9258; FMCSA-2001-9561; FMCSA-2002-11714; FMCSA-2002-13411; FMCSA-2003-14504; FMCSA-2003-15268; FMCSA-2005-20560; FMCSA-2005-21254; FMCSA-2006-26653; FMCSA-2007-2663; FMCSA-2007-27333; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2008-0106; FMCSA-2009-0054; FMCSA-2009-0121; FMCSA-2010-0354; FMCSA-2011-0010; FMCSA-2011-0024; FMCSA-2011-0102; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2013-0022; FMCSA-

2013-0025; FMCSA-2013-0027; FMCSA-2013-0028; FMCSA-2013-0029; FMCSA-2014-0006; FMCSA-2014-0010; FMCSA-2014-0302; FMCSA-2014-0304; FMCSA-2014-0305; FMCSA-2015-0049; FMCSA-2015-0052; FMCSA-2015-0053; FMCSA-2015-0055; FMCSA-2016-0033; FMCSA-2016-0207; FMCSA-2016-0212; FMCSA-2016-0214; FMCSA-2016-0377; FMCSA-2017-0014; FMCSA-2017-0016; FMCSA-2017-0019; or FMCSA-2017-0020 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, [fmcsamedical@dot.gov](mailto: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. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA-2001-9258; FMCSA-2001-9561; FMCSA-2002-11714; FMCSA-2002-13411; FMCSA-2003-14504; FMCSA-2003-15268; FMCSA-2005-20560; FMCSA-2005-21254; FMCSA-2006-26653; FMCSA-2007-2663; FMCSA-2007-27333; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2008-0106; FMCSA-2009-0054; FMCSA-2009-0121; FMCSA-2010-0354; FMCSA-2011-0010; FMCSA-2011-0024; FMCSA-2011-0102; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2013-

0022; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2013–0029; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2015–0053; FMCSA–2015–0055; FMCSA–2016–0033; FMCSA–2016–0207; FMCSA–2016–0212; FMCSA–2016–0214; FMCSA–2016–0377; FMCSA–2017–0014; FMCSA–2017–0016; FMCSA–2017–0019; or FMCSA–2017–0020), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, put the docket number, FMCSA–2001–9258; FMCSA–2001–9561; FMCSA–2002–11714; FMCSA–2002–13411; FMCSA–2003–14504; FMCSA–2003–15268; FMCSA–2005–20560; FMCSA–2005–21254; FMCSA–2006–26653; FMCSA–2007–2663; FMCSA–2007–27333; FMCSA–2007–27515; FMCSA–2007–27897; FMCSA–2008–0106; FMCSA–2009–0054; FMCSA–2009–0121; FMCSA–2010–0354; FMCSA–2011–0010; FMCSA–2011–0024; FMCSA–2011–0102; FMCSA–2011–0140; FMCSA–2011–0141; FMCSA–2013–0022; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2013–0029; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2015–0053; FMCSA–2015–0055; FMCSA–2016–0033; FMCSA–2016–0207; FMCSA–2016–0212; FMCSA–2016–0214; FMCSA–2016–0377; FMCSA–2017–0014; FMCSA–2017–0016; FMCSA–2017–0019; or FMCSA–2017–0020, in the keyword box, and click “Search.” When the new screen appears, click on the “Comment Now!” button and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit

comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

#### *B. 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–2001–9258; FMCSA–2001–9561; FMCSA–2002–11714; FMCSA–2002–13411; FMCSA–2003–14504; FMCSA–2003–15268; FMCSA–2005–20560; FMCSA–2005–21254; FMCSA–2006–26653; FMCSA–2007–2663; FMCSA–2007–27333; FMCSA–2007–27515; FMCSA–2007–27897; FMCSA–2008–0106; FMCSA–2009–0054; FMCSA–2009–0121; FMCSA–2010–0354; FMCSA–2011–0010; FMCSA–2011–0024; FMCSA–2011–0102; FMCSA–2011–0140; FMCSA–2011–0141; FMCSA–2013–0022; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2013–0029; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2015–0053; FMCSA–2015–0055; FMCSA–2016–0033; FMCSA–2016–0207; FMCSA–2016–0212; FMCSA–2016–0214; FMCSA–2016–0377; FMCSA–2017–0014; FMCSA–2017–0016; FMCSA–2017–0019; or FMCSA–2017–0020, 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.

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

## **II. Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for five years if it finds that 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 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 red, green, and amber.

The 126 individuals listed in this notice have requested renewal of their exemptions from the vision standard in 49 CFR 391.41(b)(10), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable two-year period.

## **III. Request for Comments**

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

## **IV. Basis for Renewing Exemptions**

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than five years from its approval date and may be renewed upon application. FMCSA grants exemptions from the vision standard for a two-year period to align with the maximum duration of a driver’s medical certification. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 126 applicants has satisfied the renewal conditions for obtaining an exemption from the vision standard (see 66 FR 17743; 66 FR 30502; 66 FR 33990; 66 FR 41654; 67 FR 15662; 67 FR 37907; 67 FR 76439; 68 FR 10298; 68 FR 19598; 68 FR 33570; 68 FR 35772;

68 FR 37197; 68 FR 44837; 68 FR 48989; 69 FR 26206; 70 FR 7545; 70 FR 17504; 70 FR 25878; 70 FR 30997; 70 FR 30999; 70 FR 33937; 70 FR 41811; 70 FR 42615; 70 FR 46567; 71 FR 26601; 71 FR 26602; 72 FR 7812; 72 FR 8417; 72 FR 12666; 72 FR 21313; 72 FR 25831; 72 FR 27624; 72 FR 28093; 72 FR 32703; 72 FR 32705; 72 FR 36099; 72 FR 39879; 72 FR 40359; 72 FR 40360; 72 FR 40362; 72 FR 52419; 73 FR 27017; 73 FR 36955; 74 FR 11988; 74 FR 15586; 74 FR 19267; 74 FR 19270; 74 FR 20253; 74 FR 21427; 74 FR 23472; 74 FR 26461; 74 FR 26464; 74 FR 26466; 74 FR 28094; 74 FR 34074; 74 FR 34395; 74 FR 34630; 74 FR 34632; 75 FR 27621; 75 FR 36779; 75 FR 66423; 75 FR 72863; 76 FR 2190; 76 FR 9856; 76 FR 17481; 76 FR 20076; 76 FR 21796; 76 FR 25762; 76 FR 28125; 76 FR 29022; 76 FR 29026; 76 FR 32016; 76 FR 32017; 76 FR 37168; 76 FR 37169; 76 FR 37173; 76 FR 40445; 76 FR 44082; 76 FR 44652; 76 FR 44653; 76 FR 49531; 76 FR 50318; 76 FR 53710; 77 FR 27849; 77 FR 38384; 77 FR 74273; 78 FR 12815; 78 FR 14410; 78 FR 18667; 78 FR 20376; 78 FR 22596; 78 FR 22602; 78 FR 24300; 78 FR 24798; 78 FR 27281; 78 FR 30954; 78 FR 32703; 78 FR 32708; 78 FR 34141; 78 FR 34143; 78 FR 41188; 78 FR 46407; 78 FR 51268; 78 FR 51269; 78 FR 52602; 78 FR 56993; 78 FR 57679; 79 FR 4531; 79 FR 35212; 79 FR 35218; 79 FR 47175; 79 FR 51643; 79 FR 64001; 79 FR 73687; 80 FR 12248; 80 FR 14223; 80 FR 16500; 80 FR 16502; 80 FR 18696; 80 FR 22773; 80 FR 25766; 80 FR 25768; 80 FR 26320; 80 FR 29149; 80 FR 29152; 80 FR 29154; 80 FR 31635; 80 FR 31636; 80 FR 31957; 80 FR 33007; 80 FR 33011; 80 FR 35699; 80 FR 36395; 80 FR 36398; 80 FR 37718; 80 FR 40122; 80 FR 41547; 80 FR 41548; 80 FR 44185; 80 FR 44188; 80 FR 45573; 80 FR 48404; 80 FR 48413; 80 FR 62161; 80 FR 62163; 81 FR 59266; 81 FR 70248; 81 FR 74494; 81 FR 80161; 81 FR 86063; 81 FR 90046; 81 FR 91239; 82 FR 12678; 82 FR 12683; 82 FR 13045; 82 FR 13048; 82 FR 15277; 82 FR 17736; 82 FR 18949; 82 FR 18954; 82 FR 18956; 82 FR 26224; 82 FR 28734; 82 FR 32919; 82 FR 33542; 82 FR 34564; 82 FR 35043; 82 FR 37499; 82 FR 47296). They have submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that

extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31315, the following groups of drivers received renewed exemptions in the month of August and are discussed below. As of August 8, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 65 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (66 FR 30502; 66 FR 41654; 67 FR 15662; 67 FR 37907; 67 FR 76439; 68 FR 10298; 68 FR 19598; 68 FR 33570; 68 FR 44837; 69 FR 26206; 70 FR 7545; 70 FR 17504; 70 FR 25878; 70 FR 30997; 70 FR 41811; 71 FR 26601; 71 FR 26602; 72 FR 7812; 72 FR 8417; 72 FR 12666; 72 FR 21313; 72 FR 25831; 72 FR 27624; 72 FR 28093; 72 FR 32703; 72 FR 36099; 72 FR 39879; 72 FR 40362; 72 FR 52419; 73 FR 27017; 73 FR 36955; 74 FR 11988; 74 FR 15586; 74 FR 19267; 74 FR 19270; 74 FR 20253; 74 FR 20253; 74 FR 21427; 74 FR 23472; 74 FR 26461; 74 FR 26466; 74 FR 28094; 74 FR 34395; 74 FR 34630; 75 FR 27621; 75 FR 36779; 75 FR 66423; 75 FR 72863; 76 FR 2190; 76 FR 9856; 76 FR 17481; 76 FR 20076; 76 FR 21796; 76 FR 25762; 76 FR 28125; 76 FR 29022; 76 FR 32016; 76 FR 32017; 76 FR 37168; 76 FR 37173; 76 FR 44082; 76 FR 44652; 77 FR 27849; 77 FR 38384; 78 FR 12815; 78 FR 14410; 78 FR 18667; 78 FR 20376; 78 FR 22596; 78 FR 22602; 78 FR 24300; 78 FR 24798; 78 FR 27281; 78 FR 30954; 78 FR 32703; 78 FR 32708; 78 FR 34141; 78 FR 34143; 78 FR 41188; 78 FR 46407; 78 FR 51268; 78 FR 51269; 78 FR 52602; 78 FR 56993; 79 FR 35212; 79 FR 35218; 79 FR 47175; 79 FR 51643; 79 FR 64001; 79 FR 73687; 80 FR 12248; 80 FR 14223; 80 FR 16500; 80 FR 16502; 80 FR 18696; 80 FR 22773; 80 FR 25766; 80 FR 25768; 80 FR 26320; 80 FR 29149; 80 FR 29152; 80 FR 29154; 80 FR 31635; 80 FR 31636; 80 FR 31957; 80 FR 33007; 80 FR 33011; 80 FR 35699; 80 FR 36395; 80 FR 36398; 80 FR 37718; 80 FR 40122; 80 FR 41547; 80 FR 41548; 80 FR 44185; 80 FR 44188; 80 FR 45573; 80 FR 48404; 80 FR 48413; 80 FR 62161; 80 FR 62163; 81 FR 59266; 81 FR 70248; 81 FR 74494; 81 FR 80161; 81 FR 86063; 81 FR 90046; 81 FR 91239; 82 FR 12678; 82 FR 12683; 82 FR 13045; 82 FR 13048; 82 FR 15277; 82 FR 17736; 82 FR 18949; 82 FR 18954; 82 FR 18956; 82 FR 26224; 82 FR 28734; 82 FR 32919; 82 FR 33542; 82 FR 34564; 82 FR 35043; 82 FR 37499; 82 FR 47296). They have submitted evidence showing that the vision in the better eye continues to meet the requirement specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption requirements. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that

Joshua A. Akshar (NY)  
Dakota A. Albrecht (MN)  
James C. Barr (OH)  
Russell A. Bolduc (CT)  
Steven R. Brinegar (TX)  
Ryan L. Brown (IL)  
Bernabe V. Cerda (TX)

Don A. Clymer (PA)  
Dennis W. Cosens (NM)  
William T. Costie (NY)  
Paul W. Dawson (CO)  
Everett A. Doty (AZ)  
Timothy H. DuBois (MN)  
Eric Esplin (UT)  
Raymond C. Favreau (VT)  
Kevin M. Finn (NY)  
William B. Friend (MD)  
Greg E. Gage (IA)  
Odus P. Gautney (TX)  
Dale R. Goodell (SD)  
Edward J. Grant (IL)  
Ramon L. Green (LA)  
Jose J. Guzman-Olguin (IL)  
Johnnie L. Hall (MD)  
Gary D. Hallman (AL)  
Daniel L. Holman (UT)  
Tommy T. Hudson (VA)  
David A. Inman (IN)  
Joseph M. Jones (ID)  
Harry L. Jones (OH)  
James J. Keranen (MI)  
Cody A. Keys (OK)  
David J. Kibble (PA)  
Thomas Korycki (NJ)  
Larry G. Kreke (IL)  
Michael Lafferty (ID)  
Ryan P. Lambert (UT)  
David C. Leoffler (CO)  
Emanuel N. Malone (VA)  
James McClure (NC)  
Steven J. McLain (TN)  
Zagar E. Melvin (NJ)  
Daniel R. Murphy (WI)  
Travis W. Neiwert (ID)  
Armando F. Pederroso Jimenez (MN)  
Donald W. Randall (OR)  
Scott K. Richardson (OH)  
Elvis E. Rogers, Jr. (TX)  
Leo D. Roy (NH)  
Antonio Sanchez (NJ)  
Jose C. Sanchez-Sanchez (WY)  
Tim M. Seavy (IN)  
Raymond Sherrill (PA)  
Kyle C. Shover (NJ)  
Rick J. Smart (NH)  
Bill J. Thierolf (NE)  
Steven L. Thomas (IN)  
David R. Thomas (AL)  
Eric M. Turton (NY)  
Roy J. Ware (GA)  
Marcus R. Watkins (TX)  
Paul C. Weiss (PA)  
Daniel A. Wescott (CO)  
James Whiteway (TX)  
Edward A. Ziehlke (WI)

The drivers were included in docket numbers FMCSA-2001-9561; FMCSA-2002-11714; FMCSA-2002-13411; FMCSA-2003-14504; FMCSA-2005-20560; FMCSA-2006-26653; FMCSA-2007-2663; FMCSA-2007-27333; FMCSA-2007-27515; FMCSA-2007-27897; FMCSA-2007-27897; FMCSA-2008-0106; FMCSA-2009-0054; FMCSA-2009-0121; FMCSA-2010-

0354; FMCSA–2011–0010; FMCSA–2011–0024; FMCSA–2011–0102; FMCSA–2013–0022; FMCSA–2013–0025; FMCSA–2013–0027; FMCSA–2013–0028; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0302; FMCSA–2014–0304; FMCSA–2014–0305; FMCSA–2015–0049; FMCSA–2015–0052; FMCSA–2016–0033; FMCSA–2016–0207; FMCSA–2016–0212; FMCSA–2016–0214; FMCSA–2016–0377; FMCSA–2017–0014; FMCSA–2017–0016. Their exemptions are applicable as of August 8, 2019, and will expire on August 8, 2021.

As of August 10, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (66 FR 17743; 66 FR 33990; 68 FR 35772; 70 FR 30999; 70 FR 33937; 70 FR 46567; 72 FR 32705; 72 FR 40359; 74 FR 26464; 74 FR 34074; 76 FR 44653; 79 FR 4531; 80 FR 41547; 82 FR 32919): Donald M. Jenson (SD); Dennis D. Lesperance (OR); and Carl V. Murphy, Jr. (TX)

The drivers were included in docket numbers FMCSA–2001–9258; FMCSA–2005–21254. Their exemptions are applicable as of August 10, 2019, and will expire on August 10, 2021.

As of August 12, 2019, 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 requirement in the FMCSRs for interstate CMV drivers (76 FR 37169; 76 FR 50318; 79 FR 4531; 80 FR 41548; 82 FR 32919):

Danny F. Burnley (KY)  
Sean R. Conorman (MI)  
Robert E. Graves (NE)  
Terrence F. Ryan (FL)

The drivers were included in docket number FMCSA–2011–0140. Their exemptions are applicable as of August 12, 2019, and will expire on August 12, 2021.

As of August 13, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 40122; 80 FR 62163; 82 FR 32919):

William D. Cherry (MA)  
Pedro Del Bosque (TX)  
Anthony C. DeNaples (PA)  
Edward Dugue III (NC)  
Larry R. Hayes (KS)  
Wayne E. Jakob (IL)  
Earney J. Knox (MO)

James Smentkowski (NJ)  
Neil G. Sturges (NY)  
Norman G. Wooten (TX)  
Kurt A. Yoder (OH)

The drivers were included in docket number FMCSA–2015–0053. Their exemptions are applicable as of August 13, 2019, and will expire on August 13, 2021.

As of August 15, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following eight individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (66 FR 30502; 66 FR 41654; 68 FR 37197; 68 FR 44837; 68 FR 48989; 70 FR 41811; 70 FR 42615; 72 FR 40360; 74 FR 34632; 76 FR 49531; 79 FR 4531; 80 FR 44185; 82 FR 32919):

Steven P. Holden (MD)  
Christopher G. Jarvela (MI)  
Brad L. Mathna (PA)  
Vincent P. Miller (CA)  
Warren J. Nyland (MI)  
Wesley E. Turner (TX)  
Mona J. Van Krieken (OR)  
Paul S. Yocum (IN)

The drivers were included in docket numbers FMCSA–2001–9561; FMCSA–2003–15268. Their exemptions are applicable as of August 15, 2019, and will expire on August 15, 2021.

As of August 23, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (78 FR 34143; 78 FR 52602; 82 FR 32919):

Twila G. Cole (OR)  
Brian D. Dowd (MA)  
Randy L. Fales (MN)  
Marc C. Grooms (MO)  
Craig M. Mahaffey (OH)  
Rickey H. Reeder (TN)  
Michael L. Sherum (AL)  
Dale A. Torkelson (WI)  
Desmond Waldor (PA)

The drivers were included in docket number FMCSA–2013–0029. Their exemptions are applicable as of August 23, 2019, and will expire on August 23, 2021.

As of August 25, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 16 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 44188; 80 FR 62161; 82 FR 32919; 82 FR 34564; 82 FR 47296):

Harold D. Albrecht (IL)  
Robert F. Anneheim (NC)  
Ray C. Atkinson (TN)

Joseph W. Bahr (NJ)  
Stephen C. Brueggeman (KY)  
Robert J. Falanga (FL)  
Refugio Haro (IL)  
Kevin L. Harrison (TN)  
Duane S. Lozinski (IA)  
Keith W. McNabb (ID)  
Ronald W. Neujahr (KS)  
Robert E. Richards (ME)  
Thomas E. Riley (NJ)  
James R. Robinette (VA)  
Rick R. Warner (MI)  
Theodore A. White (PA)

The drivers were included in docket numbers FMCSA–2015–0055; FMCSA–2017–0020. Their exemptions are applicable as of August 25, 2019, and will expire on August 25, 2021.

As of August 29, 2019, and in accordance with 49 U.S.C. 31136(e) and 31315, the following ten individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (76 FR 40445; 76 FR 53710; 79 FR 4531; 82 FR 32919; 82 FR 35043):

Thomas A. Barber (NC)  
Patrick J. Conner (OK)  
Jay D. Diebel (MI)  
Danny G. Goodman (TX)  
Randy N. Grandfield (VT)  
James Howard (CA)  
Edgar A. Ideler (IL)  
Ramon Melendez (NJ)  
John J. Tilton (NH)  
Randy D. VanScoy (IA)

The drivers were included in docket numbers FMCSA–2011–0141; FMCSA–2017–0019. Their exemptions are applicable as of August 29, 2019, and will expire on August 29, 2021.

## V. 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.

## VI. 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 126 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: July 26, 2019.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2019-16638 Filed 8-2-19; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0012]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its decision to deny applications from 124 individuals who requested an exemption from the vision standard in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a CMV in interstate commerce.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto: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.

### 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-2019-0012, 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](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

## II. Background

FMCSA received applications from 124 individuals who requested an exemption from the vision standard in the FMCSRs. FMCSA has evaluated the eligibility of these applicants and concluded that granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(10).

## III. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption.

The Agency's decision regarding these exemption applications is based on the eligibility criteria, the terms and conditions for Federal exemptions, and an individualized assessment of each applicant's medical information provided by the applicant.

## IV. Conclusion

The Agency has determined that these applicants do not satisfy the eligibility criteria or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be

equivalent to, or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(10). Therefore, the 124 applicants in this notice have been denied exemptions from the physical qualification standards in 49 CFR 391.41(b)(10).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final action by the Agency. This notice summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following four applicants did not have sufficient driving experience over the past three years under normal highway operating conditions:

Kristopher K. Clements (ID)  
David J. Freund (IA)  
David F. Kirby (IN)  
Thomas R. Muller (NY)

The following 42 applicants had no experience operating a CMV:

Mahboob Ahmed (CA)  
Kadhim N. Al-Hisnawi (WA)  
Yesid Archila (NC)  
Timothy K. Atchison (MD)  
Christian B. T. Baker (FL)  
Michael J. Baragona (NY)  
David G. Beistel (PA)  
Kelvin Brown (DC)  
Robert A. Burbank (AL)  
Rico J. Butler (IL)  
Daniel E. Caldwell (KY)  
Diego Carrillo (NJ)  
Raynord J. Clemons (AL)  
Jehu Collins (NC)  
Kit A. Collman (TX)  
Tavanlis L. Cue (SC)  
William A. Delaney (CO)  
Kevin A. DeMarco (PA)  
Johnny J. Domingue (LA)  
Travis R. Faust (WI)  
Alfonso Franco (CA)  
Pavel G. Fursov (IA)  
Paul M. Hanson (MO)  
Juan C. Ibarra (IL)  
David W. Iverson (MO)  
Zina R. Lockhart (IL)  
Spencer C. Long (AL)  
Zachary T. Loudon (KY)  
Francisco E. Loza Espinoza (TX)  
Mussa H. Mohamed (MN)  
Charles T. Mudd (KY)  
Christopher D. Rader (TN)  
Alex M. Rodriguez (NY)  
Marquitta L. Rowser (GA)  
Jeffrey A. Rujawitz (MO)  
Michael R. Schmidt (PA)  
Miguel A. Solis Delgado (TX)  
Robyn M. Sowash (MO)  
Joseph L. Vespertino (NY)