

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. FMCSA encourages you to participate by submitting comments and related materials.

#### IV. Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 20 applicants has satisfied the entry conditions for obtaining an exemption (80 FR 18924; 80 FR 18926; 80 FR 22766; 80 FR 22768; 80 FR 60747). The Commercial Driver's License Information System (CDLIS) and Motor Carrier Management Information System (MCMIS) are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agency (SDLA). These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce.

#### V. Exemption Decision

The 20 drivers in this notice remain in good standing with the Agency and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous 2-year exemption period. FMCSA has concluded that renewing the exemptions for each of these applicants is likely to achieve a level of safety equal to that existing without the exemption. Therefore, FMCSA has decided to renew each exemption for a two-year period. They are:

Joshua Arango (FL), Michael Beebe (NJ), Andrew Deuschle (TX), David Garland (ME), Daniel Grossinger (MD), Roman Landa (CA), Claire Mitcham (TX), Quinton Murphy (WI), Michael Paasch (NE), Jeffrey Pagenkopf (MN), Kelly Pulvermacher (WI), Alfredo Ramirez (TX), Fernando Ramirez-Savon (NM), Julie Ramirez (TX), Ralph Reno (PA), Adalberto Rodriguez (NY), Andrey Shevchenko (MN), William Symonds (IL), Hayden Teesdale (TX), Joshua Weaver (GA).

#### VI. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each

driver must report any crashes or accidents as defined in 49 CFR 390.5; and (2) report all citations and convictions for disqualifying offenses under 49 CFR part 383 and 49 CFR 391 to FMCSA. In addition, the driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement officials. The driver is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The exemption does not exempt the individual from meeting the applicable CDL testing requirements. Each exemption will be valid for two years unless rescinded earlier by FMCSA. 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.

#### VII. Conclusion

Based upon its evaluation of the 20 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the hearing requirement in 49 CFR 391.41(b)(11). In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA.

Issued on: July 22, 2016.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2016-18137 Filed 7-29-16; 8:45 am]

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### DEPARTMENT OF TRANSPORTATION

#### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0002]

#### Qualification of Drivers; Application for Exemptions; Hearing

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation.

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

**SUMMARY:** FMCSA announces receipt of applications from 33 individuals for an exemption from the hearing requirement to operate commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before August 31, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2016-0002 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line 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., Monday through Friday, except Federal Holidays.
- *Fax:* 1-202-493-2251.

*Instructions:* Each submission must include the Agency name and the docket numbers 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., Monday through Friday, except Federal holidays. The Federal Docket Management System (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 on-line.

*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).

**FOR FURTHER INFORMATION CONTACT:** 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 W64-113, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:****I. Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations (FMCSRs) for a 2-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 2-year period. The 33 individuals listed in this notice have recently requested such an exemption from the hearing requirement in 49 CFR 391.41(b) (11), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard for drivers regarding hearing found in 49 CFR 391.41(b)(11) states that a person is physically qualified to drive a CMV if that person

First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

**II. Qualifications of Applicants***Priscilla Brakenridge*

Ms. Brakenredge, age 40, holds an operator's license in Illinois.

*David Balay Chappellear*

Mr. Chappellear, age 26, holds an operator's license in Texas.

*Donald Coen*

Mr. Coen, age 52, holds a class A CDL in New York.

*Mathias Conway*

Mr. Mathias, age 56, holds on operator's license in Michigan.

*Gary A. Cordano*

Mr. Cordano, age 44, holds a class A CDL in California.

*Harvey Culver*

Mr. Culver, age 32, holds a class A CDL in Texas.

*Charles DePriest*

Mr. DePriest, age 55, holds an operator's license in Texas.

*William R. English*

Mr. English, age 42, holds an operator's license in Texas.

*Samuel Fernell*

Mr. Fernell, age 47, holds an operator's license in Ohio.

*Richard Fisher*

Mr. Fisher, age 28, holds an operator's license in Pennsylvania.

*Russell Fleming*

Mr. Fleming, age 54, holds an operator's license in Georgia.

*Ronald Freeze*

Mr. Freeze, age 64, holds a class A CDL in Oklahoma.

*Carlos Gonzales*

Mr. Gonzales, age 53, holds an operator's license in Georgia.

*Zachary Gullett*

Mr. Gullett, age 22, holds an operator's license in Ohio.

*Richard Hoots*

Mr. Hoots, age 31, holds an operator's license in Arizona.

*Carlos Lee Jackson*

Mr. Jackson, age 53, holds a class A CDL in Texas.

*Richard Kahalewai-Campbell*

Mr. Kahalewai, age 34, holds an operator's license in Hawaii.

*Randall Lutsey*

Mr. Lutsey, age 52, holds a class A CDL in Pennsylvania.

*Reynaldo Martinez*

Mr. Martinez, age 35, holds an operator's license in Texas.

*Julio C. Medrano*

Mr. Medrano, age 41, holds an operator's license in Washington.

*Keith Miller*

Mr. Miller, age 37, holds a class B CDL in Missouri.

*Brian J. Minch*

Mr. Minch, age 31, holds an operator's license in Massachusetts.

*Katrina Parker*

Ms. Parker, age 31 holds an operator's license in New Jersey.

*Walt Pindor*

Mr. Pindor, age 55, holds a class A CDL in Arizona.

*Robert Samarian*

Mr. Samarian, age 39, holds an operator's license in Michigan.

*D'Nielle Smith*

Ms. Smith, age 32, holds an operator's license in Ohio.

*Michael Smith*

Mr. Smith, age 50, holds a class A CDL in Colorado.

*Daniel Stroud*

Mr. Stroud, age 50, holds an operator's license in Utah.

*Michael Sweet*

Mr. Sweet, age 45, holds a class B CDL in Georgia.

*James Watters*

Mr. Watters, age 55, holds an operator's license in Ohio.

*Gerald Westfall*

Mr. Westfall, age 67, holds a class A CDL in Pennsylvania.

*Derek Zamot*

Mr. Zamot, age 43, holds an operator's license in Florida.

**III. 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 received before the close of business on the closing date indicated in the date section of the notice.

**IV. Submitting Comments**

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> and in the search box insert the docket number FMCSA-2016-0002 and click the search button. When the new screen appears, click on the blue “Comment Now!” button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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.

We will consider all comments and material received during the comment period. FMCSA may issue a final determination any time after the close of the comment period.

#### V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2016-0002 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to this notice.

Issued on: July 22, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0032]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 160 applications from individuals who requested an exemption from the Federal vision standard applicable to interstate truck and bus drivers and the reasons for the denials. FMCSA has statutory authority to exempt individuals from the vision requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions does not provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

#### FOR FURTHER INFORMATION CONTACT:

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 W64-113, Washington, DC 20590-0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

#### Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal vision standard for a renewable 2-year period 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 procedures for requesting an exemption are set forth in 49 CFR part 381.

Accordingly, FMCSA evaluated 160 individual exemption requests on their merit and made a determination that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption program. Each applicant has, prior to this notice, received a letter of final disposition on the exemption request. Those decision letters fully outlined the basis for the denial and constitute final Agency action. The list published in 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 2 applicants did not have sufficient driving experience over the past 3 years under normal highway operating conditions:

Gregory M. Anderson  
David Holguin

The following 52 applicants had no experience operating a CMV:

Dakota G. Abbott  
Mohamed A. Barre  
William J. Baughman  
Drew R. Benton  
Michael W. Brown  
Ronald G. Burr  
Luis A. Cortez  
Michael A. DiBiase  
Ronnie D. Dingal  
Anthony D. Everett  
Paul D. Ewey  
Abraham Filmalter  
Danny S. Flemister  
Selese A. Fort  
Buddy L. Gibson  
Trevor Hall  
Richard M. Haugen  
Jason S. Hooker  
William D. Hulsey II  
Daniel M. Jackson  
Samuel L. Kirkpatrick  
Brian J. LaBarge  
Justin T. Lewis  
Samantha J. Linberg  
Cedrick A. Martin  
Aqif Matraku  
Aaron A. McBride  
Zachary J. Menchaca  
Richard W. Merritt  
Michael J. Miller  
David R. Mitchell

Huon Morris  
Lane T. Morton  
Rose M. Neely  
Douglas Patton  
Tina M. Petkovsek  
Brian J. Poe  
Derek D. Pratt  
Michael S. Pressley  
Lawrence K. Proctor  
Alexander Pulido  
Josue M. Rodriguez-Espinoza  
Michael C. Shelp  
Jerek Smith  
Rashania M. Smith  
James E. Soderquist  
Kody L. Sullivan  
Seifu A. Tilahun  
Jovan C. Vega  
Patricia A. Williams  
Kimberly S. Wilson  
Owen W. Witmer

The following 27 applicants did not have 3 years of experience driving a CMV on public highways with their vision deficiencies:

Guy L. Banks  
Gary W. Brockway  
Carlos D. M. Catillo  
Tsz Fung Chiu  
Eugene J. Corson  
Terry D. Eberly  
Juan J. Giron  
Timothy F. Giza  
Crescencio Gonzalez  
Tasuli Gramosli  
James W. Gray  
Gregory L. Grover  
Bobby M. James  
Robert F. LaMark  
Kevin A. Milam  
Bryan S. Moses  
Manuel Narvaez, Jr.  
Kenneth Newswanger  
Aaron B. Reke  
Kenneth W. Seifert  
Charles S. Shaffblower, Jr.  
Michael Sierra  
Roderick R. Sonnier  
Ramon E. Tijerino  
Alan L. Viessman  
James D. Watters  
Kenneth E. Wheland

The following 14 applicants did not have 3 years of recent experience driving a CMV with the vision deficiency:

Paul C. Alves  
Christopher L. Ambers  
John W. Black III  
Benny W. Bledsoe  
Michael C. Boyne  
Philip L. Bradford  
Jesus Cerros Palos  
Richard B. Davis  
Zack Fowler  
James E. Frederick III  
Daniel G. Y. Haile  
Dustin M. Mills