

is hand motion, and in his left eye, 20/15. Following an examination in 2019, his ophthalmologist stated, "As far as I can tell, he has sufficient vision to drive a commercial vehicle." Mr. Hodge reported that he has driven straight trucks for five years, accumulating 100,000 miles. He holds a Class A CDL from Tennessee. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Russell P. Kosinko*

Mr. Kosinko, 58, has optic nerve damage in his right eye due to a traumatic incident in 2011. The visual acuity in his right eye is 20/600, and in his left eye, 20/25. Following an examination in 2019, his optometrist stated, "In my professional opinion he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Kosinko reported that he has driven straight trucks for 20 years, accumulating 2.6 million miles, and tractor-trailer combinations for 20 years, accumulating 2.7 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.

*Joe M. Perez*

Mr. Perez, 52, has had amblyopia in his left eye since birth. The visual acuity in his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2019, his optometrist stated, "Mr. Perez has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Perez reported that he has driven tractor-trailer combinations for 28 years, accumulating 280,000 miles. He holds a Class A CDL from Texas. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Samuel Sanchez*

Mr. Sanchez, 59, has had central serous chorioretinopathy in his right eye since 2014. The visual acuity in his right eye is 20/80, and in his left eye, 20/20. Following an examination in 2018, his ophthalmologist stated, "Given an excellent visual field in both eyes, normal color vision, perfect corrected vision with glasses in the left eye, and an excellent commercial vehicle driving record over the past five years in which he has had this eye condition, I believe he has sufficient vision to perform the tasks required to operate a commercial vehicle." Mr. Sanchez reported that he has driven tractor-trailer combinations for 35 years,

accumulating 5.04 million miles. He holds a Class A CDL from New York. His driving record for the last three years shows no crashes and one conviction for speeding in a CMV; he exceeded the speed limit by 10 mph.

*Curtis M. Tharpe*

Mr. Tharpe, 51, has optic neuropathy in his right eye due to a traumatic incident in childhood. The visual acuity in his right eye is light perception, and in his left eye, 20/20. Following an examination in 2019, his optometrist stated, "It is my medical opinion that Mr. Tharpe has sufficient vision to perform the driving task required to operate a commercial vehicle." Mr. Tharpe reported that he has driven straight trucks for 33 years, accumulating 1.72 million miles, and tractor-trailer combinations for 33 years, accumulating 33,000 miles. He holds a Class A CDL from Virginia. His driving record for the last three years shows one crash, for which he was not cited, 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: April 12, 2019.

**Larry W. Minor**,

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0007]

#### 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 103 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-2019-0007, 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 103 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 103 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 three applicants did not have sufficient driving experience over the past three years under normal highway operating conditions:

David A. Farmer (SC); Thomas J. Johnston (TX); and Robert F. LaMark (PA)

The following 42 applicants had no experience operating a CMV:

Danny L. Abraham (GA)  
 Kentrell L. Alexander (LA)  
 Marc A. Alt (NC)  
 Henry G. Boles (TX)  
 Justin D. Buetow (MN)  
 Carlos Candelario (CA)  
 Zachary D. Coots (KY)  
 James J. Corr (NE)  
 David L. Cousin (TN)  
 Alan C. Cox (IL)  
 Brian Downton (NY)  
 Stephen S. Evans (KS)  
 Lasheika E. Felton (FL)  
 Jacob P. Lennington (MN)  
 Angela M. Levin (IL)  
 Abdilatif D. Malishe (NY)  
 Chad J. Michels (IA)  
 Patricia A. Minnich (WA)  
 Edward E. Morris (TX)  
 Julio C. Orellana (TX)  
 Nelson D. Perry (VT)  
 Brian M. Porter (IL)  
 Larry D. Porter (IA)  
 William B. Postel (IN)  
 De'Warren J. Reaves (MD)  
 David L. Reid (CO)  
 Charles D. Reynolds (NC)  
 Robert L. Rider (VA)  
 Herbert D. Ryan (AL)  
 Jesus A. Sanchez-Galvan (GA)

Justin D. Savio (NJ)  
 Joshua G. Seabolt (GA)  
 Judson Sejour (FL)  
 Ahmad Shirin (NC)  
 Larry W. Stephenson (WA)  
 Jason Thomas (AL)  
 Giovany M. Torres Aleman (TX)  
 Patrick J. Walkey (OH)  
 Alex L. Wanechek (WA)  
 Ernest J. Ward (FL)  
 Daniel L. White (WA)  
 Justin D. White (KS)

The following 17 applicants did not have three years of experience driving a CMV on public highways with their vision deficiencies:

Robert M. Adams (KY)  
 Charles V. Adcock (WA)  
 Yordan Belaunzaran (FL)  
 Mack A. Franks (IL)  
 Danny C. Henrichs (MT)  
 Terry W. Kelly (OR)  
 Andrew E. Kroll (IL)  
 Earl D. Lilley (TX)  
 Michael D. Marshall (ME)  
 James E. McLaughlin (IN)  
 Ted E. Parker (IL)  
 Michael R. Patrick (CO)  
 Candelario M. Peraza (WA)  
 Iurii V. Perkov (OR)  
 Joe S. Price (NC)  
 Steven L. Voigt (IL)  
 Randell N. Wallis (CO)

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

Donald Carrillo (NM)  
 Thomas H. Harnack (IA)  
 Elvin J. Horst (OH)  
 Clarence R. Keller (AL)  
 Brian D. Marlow (TN)  
 Dennis A. Mercer (IN)  
 Patrick Seaux (LA)  
 Lawrence A. Swatfager (ND)

The following three applicants did not have sufficient driving experience over the past three years under normal highway operating conditions (gaps in driving record):

Paul C. Bowen (WY); James D. Taylor (TN); and Michael J. Wells (NC)

The following applicant, Gary Nappier (VA), was charged with moving violations in conjunction with CMV accidents.

The following applicant, Steven A. Schaumberg (NJ), contributed to accident(s) in which the applicant was operating a CMV, which is a disqualifying offense.

The following two applicants did not hold a license that allowed operation of vehicles over 26,000 lbs. for all or part of the three-year review period:

Kevin R. Martin (IN); and Bryan J. Teaster (NC)

The following applicant, Carlos A. Melendez (MD), did not have an optometrist or ophthalmologist willing to make a statement that they are able to operate a commercial vehicle from a vision standpoint.

The following 15 applicants were denied for multiple reasons:

Larry D. Bowman (CA)  
 Arturo Garcia (IN)  
 John F. Janicki (MI)  
 Christopher R. Marden (NH)  
 Christian R. McHenry (IN)  
 John W. McNeel (AL)  
 Jerrell Mitchell (CA)  
 Dean E. Prindle (MI)  
 Saul Quintero (IN)  
 Richard R. Roggeman (IN)  
 Robert L. Schwartz (ND)  
 Tanveer Siddiq (NJ)  
 Christopher T. Sides (ME)  
 Robert Tichauer (PA)  
 Ronnie D. Van Zant (VA)

The following eight applicants have not had stable vision for the preceding three-year period:

William M. Batten (TX)  
 Dale O. Hoover (PA)  
 Shawn R. Leasy (ID)  
 George W. Luster (AL)  
 Lonnie A. Neimeister (OH)  
 Donald E. Ratliff (KY)  
 Patricia D. Wallace (MI)  
 Barry Young (PA)

The following two applicants drove interstate while restricted to intrastate driving:

Michael D. Cameron (GA); and Terrence H. Flick (IL).

Issued on: April 11, 2019.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0209]

#### 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 exempt 11 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. They are unable to meet the vision requirement in one eye for