

6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the nine renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the hearing requirement in § 391.41(b)(11).

As of November 18, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following nine individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers (85 FR 73591):

Michael Arwood (TN)
Christian DeNight (FL)
James Dignan (IL)
Michael Dohanish (OH)
Bruce Dunn (LA)
Scott Perdue (GA)
Albert Pizana (CA)
Adalberto Rodriguez (NY)
Michael Smith (CO)

The drivers were included in docket number FMCSA–2014–0102, FMCSA–2014–0104, FMCSA–2016–0002, FMCSA–2017–0057, FMCSA–2017–0061, or FMCSA–2018–0135. Their exemptions are applicable as of November 30, 2020, and will expire on November 30, 2022.

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 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(e) and 31315(b).

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2021–0002]

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 37 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, 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 materials in the docket, contact Dockets Operations, (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/docket?D=FMCSA-2021-0002> and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

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.transportation.gov/privacy.

II. Background

FMCSA received applications from 37 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 § 391.41(b)(10).

III. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-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. FMCSA grants exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on medical reports about the applicants' vision, as well as their driving records and experience driving with the vision deficiency.

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 § 391.41(b)(10). Therefore, the 37 applicants in this notice have been denied exemptions from the physical qualification standards in § 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 18 applicants had no experience operating a CMV:

Dut J. Acuoth (NY)
Wyatt W. Brown (IA)
James R. Bruner (AL)
Gareth S. Collins (AZ)
Maira A. Giraldo (TX)
Richard E. Hordon (NH)
Eddie Howard (NM)
Chen N. Nguyen (IA)
John R. Pruitt (AR)
Martin K. Ramos (FL)
Aaron Rot (TX)
Adam L. Scorza (CA)
Gabriel P. Serna (AZ)
Shabria N. Shepherd (AL)
Satvir Singh (NJ)
Coltin Upchurch (KS)
Aimable Vuningoma (TX)
Caleb Zane (NY)

The following 10 applicants did not have 3 years of experience driving a CMV on public highways with their vision deficiencies:

Jose M. Almarez (IL)
David D. Brown (ID)
Jonathan F. Curtis (IL)
Wesley H. Eldred (WA)
Jason J. Forward (TX)
Jeremiah R. Gladen (CA)
Shawn M. Osborn (MO)
William F. Preston (OH)
Daniel I. Smith (WA)
Dennis M. Wright

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

Derrick V. Arter (MD)
Jose O. Diaz Rosado (PA)
Michael L. Leschner (MN)

The following four applicants were denied for multiple reasons:

Kenneth W. Courtney (AL)
Jason A. Melo (NH)
George R. Miller (PA)
Ryan L. VanZanten (PA)

The following applicant has not had stable vision for the preceding 3-year period:

Sheldon Blanton (TX)

The following applicant drove interstate while restricted to intrastate driving:

Henry E. Brown (IL)

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-6480; FMCSA-2000-7006; FMCSA-2000-7363; FMCSA-2000-8398; FMCSA-2001-10578; FMCSA-2002-12294; FMCSA-2002-13411; FMCSA-2004-19477; FMCSA-2005-23238; FMCSA-2006-24783; FMCSA-2006-26066; FMCSA-2008-0021; FMCSA-2008-0266; FMCSA-2008-0340; FMCSA-2009-0011; FMCSA-2009-0303; FMCSA-2010-0187; FMCSA-2010-0354; FMCSA-2010-0385; FMCSA-2011-0276; FMCSA-2011-0379; FMCSA-2012-0161; FMCSA-2012-0339; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0006; FMCSA-2014-0007; FMCSA-2014-0299; FMCSA-2014-0300; FMCSA-2014-0301; FMCSA-2016-0027; FMCSA-2016-0031; FMCSA-2016-0033; FMCSA-2016-0210; FMCSA-2016-0212; FMCSA-2018-0207; FMCSA-2018-0209]

Qualification of Drivers; Exemption Applications; Vision

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

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

SUMMARY: FMCSA announces its decision to renew exemptions for 53 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 are 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 March 3, 2021.

ADDRESSES: You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA-1999-6480, Docket No. FMCSA-2000-7006, Docket No. FMCSA-2000-7363, Docket No. FMCSA-2000-8398, Docket No. FMCSA-2001-10578, Docket No. FMCSA-2002-12294, Docket No. FMCSA-2002-13411, Docket No. FMCSA-2004-19477, Docket No. FMCSA-2005-23238, Docket No. FMCSA-2006-24783, Docket No. FMCSA-2006-26066, Docket No. FMCSA-2008-0021, Docket No. FMCSA-2008-0266, Docket No. FMCSA-2008-0340, Docket No. FMCSA-2009-0011, Docket No. FMCSA-2009-0303, Docket No. FMCSA-2010-0187, Docket No. FMCSA-2010-0354, Docket No. FMCSA-2010-0385, Docket No. FMCSA-2011-0276, Docket No. FMCSA-2011-0379, Docket No. FMCSA-2012-0161, Docket No. FMCSA-2012-0339, Docket No. FMCSA-2013-0174, Docket No. FMCSA-2014-0002, Docket No. FMCSA-2014-0003, Docket No. FMCSA-2014-0006, Docket No. FMCSA-2014-0007, Docket No. FMCSA-2014-0299, Docket No. FMCSA-2014-0300, Docket No. FMCSA-2014-0301, Docket No. FMCSA-2016-0027, Docket No. FMCSA-2016-0031, Docket No. FMCSA-2016-0033, Docket No. FMCSA-2016-0210, Docket No. FMCSA-2016-0212, Docket No. FMCSA-2018-0207, or Docket No. FMCSA-2018-0209 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; 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:* (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, 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 Dockets Operations, (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-1999-6480; FMCSA-2000-7006; FMCSA-2000-7363; FMCSA-2000-8398; FMCSA-2001-10578; FMCSA-2002-12294; FMCSA-2002-13411; FMCSA-2004-19477; FMCSA-2005-23238; FMCSA-2006-24783; FMCSA-2006-26066; FMCSA-2008-0021; FMCSA-2008-0266; FMCSA-2008-0340; FMCSA-2009-0011; FMCSA-2009-0303; FMCSA-2010-0187; FMCSA-2010-0354; FMCSA-2010-0385; FMCSA-2011-0276; FMCSA-2011-0379; FMCSA-2012-0161; FMCSA-2012-0339; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0006; FMCSA-2014-0007; FMCSA-2014-0299; FMCSA-2014-0300; FMCSA-2014-0301; FMCSA-2016-0027; FMCSA-2016-0031; FMCSA-2016-0033; FMCSA-2016-0210; FMCSA-2016-0212; FMCSA-2018-0207; FMCSA-2018-0209), 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