

23629, 84 FR 27688, 84 FR 47047, 84 FR 47057):

Charles H. Akers, Jr. (VA)  
Sava A. Andjelich (IN)  
Thomas J. Boss (IL)  
Daniel M. Cannon (OR)  
Toby L. Carson (TN)  
John P. Catalano (NJ)  
Jose S. Chavez (AZ)  
Brett L. Condon (MD)  
Stephen L. Cornish (MN)  
Michael S. Crawford (IL)  
Jose G. Cruz Romero (TX)  
Stephen M. Currie (TX)  
Dudley G. Diebold (CT)  
Wayne L. Dorbert (PA)  
Irvin L. Eaddy (SC)  
Douglas Eamens (NY)  
Matthew T. Eggers (IA)  
Marc Enderson (ND)  
Kelly L. Ewing (PA)  
Breck L. Falcon (LA)  
Jevont D. Fells (AL)  
Raymundo Flores (TX)  
Jeremy L. Fricke (ND)  
James P. Gapinski (MN)  
Dolan A. Gonzalez, Jr. (FL)  
Peter D. Gouge (IA)  
Michael D. Greene (VT)  
Donald L. Hamrick (KS)  
Zane G. Harvey, Jr. (VA)  
Billy R. Holdman (IL)  
James S. Hummel (PA)  
Ronald D. Jackman II (NV)  
Alan L. Johnston (IL)  
Damian Klyza (NJ)  
Alfred R. Knotts (PA)  
Kevin R. Lambert (NC)  
James W. Lappan (KS)  
Thomas M. Leonard (PA)  
Terry L. Lipscomb (AL)  
Collin C. Longacre (PA)  
Kenny Y. Louie (CA)  
Phillip L. Mangen (OH)  
Kenton D. McCullough (VA)  
Anthony R. Melton (SC)  
Joshua G. Millican (OH)  
Stuart W. Penner (KS)  
Patrick A. Piekkola (WY)  
Daniel A. Rau (NJ)  
Donald G. Reed (FL)  
Richard S. Rehbein (MN)  
Menno H. Reiff (PA)  
Jeffrey Ridenhour (AR)  
Patrick W. Shea (MA)  
Ranjodh Singh (CA)  
Jeremichael Steele (NC)  
Dustin N. Sullivan (MD)  
Randall S. Surber (WV)  
Thomas R. Test (VA)  
Francisco J. Torres (PA)  
Kevin W. Van Arsdel (CO)  
Christopher A. Weidner (CT)  
Gerald L. Wheeler (FL)  
Don S. Williams (AL)  
Michael T. Wimber (MT)  
Rick L. Wood (PA)

The drivers were included in docket numbers FMCSA–2000–7363, FMCSA–

2000–7918, FMCSA–2001–9258, FMCSA–2002–12844, FMCSA–2002–13411, FMCSA–2003–14504, FMCSA–2004–18885, FMCSA–2006–25246, FMCSA–2007–27515, FMCSA–2007–27897, FMCSA–2008–0106, FMCSA–2008–0266, FMCSA–2008–0292, FMCSA–2008–0340, FMCSA–2008–0398, FMCSA–2009–0086, FMCSA–2009–0321, FMCSA–2010–0201, FMCSA–2010–0354, FMCSA–2011–0024, FMCSA–2011–0057, FMCSA–2011–0092, FMCSA–2011–0102, FMCSA–2012–0278, FMCSA–2012–0279, FMCSA–2012–0337, FMCSA–2012–0338, FMCSA–2012–0339, FMCSA–2013–0024, FMCSA–2014–0004, FMCSA–2014–0300, FMCSA–2014–0301, FMCSA–2014–0304, FMCSA–2015–0048, FMCSA–2016–0029, FMCSA–2016–0207, FMCSA–2016–0209, FMCSA–2016–0213, FMCSA–2016–0214, FMCSA–2016–0377, FMCSA–2017–0014, FMCSA–2017–0017, FMCSA–2017–0018, FMCSA–2018–0006, FMCSA–2018–0013, FMCSA–2018–0017, FMCSA–2018–0018, FMCSA–2019–0004, FMCSA–2019–0008, and FMCSA–2019–0009. Their exemptions are applicable as of July 22, 2021 and will expire on July 22, 2023.

As of July 23, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Bradley J. Kearl (UT) has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (80 FR 35699, 80 FR 48404, 82 FR 33542, 84 FR 47057).

This driver was included in docket number FMCSA–2015–0052. The exemption is applicable as of July 23, 2021 and will expire on July 23, 2023.

As of July 31, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Edward Swaggerty, Jr. (OH) has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (78 FR 24798, 78 FR 46407, 80 FR 36395, 82 FR 33542, 84 FR 47057).

This driver was included in docket number FMCSA–2013–0027. The exemption is applicable as of July 31, 2021 and will expire on July 31, 2023.

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.*

[FR Doc. 2021–15376 Filed 7–19–21; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

**[Docket No. FMCSA–2014–0104; FMCSA–2018–0137; FMCSA–2018–0138]**

### Qualification of Drivers; Exemption Applications; Hearing

**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 three individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

**DATES:** The exemptions were applicable on July 12, 2021. The exemptions expire on July 12, 2023. Comments must be received on or before August 19, 2021.

**ADDRESSES:** You may submit comments identified by the Federal Docket Management System (FDMS) Docket No. FMCSA–2014–0104, Docket No. FMCSA–2018–0137, or Docket No. FMCSA–2018–0138 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov/](http://www.regulations.gov/), insert the docket number, FMCSA–2014–0104, FMCSA–2018–0137, or FMCSA–2018–0138 in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click on the “Comment” button. 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, 20590–0001 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](mailto:fmcsamedical@dot.gov), FMCSA, DOT, 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–2014–0104, Docket No. FMCSA–2018–0137, or Docket No. FMCSA–2018–0138), 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 [www.regulations.gov/](http://www.regulations.gov/), insert the docket number, FMCSA–2014–0104, FMCSA–2018–0137, or FMCSA–2018–0138 in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click the “Comment” 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 Comments*

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket

number, FMCSA–2014–0104, FMCSA–2018–0137, or FMCSA–2018–0138 in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “Browse Comments.” 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.

#### *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.transportation.gov/privacy](http://www.transportation.gov/privacy).

### **II. Background**

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. The statute also allows the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

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).

The three individuals listed in this notice have requested renewal of their exemptions from the hearing standard in § 391.41(b)(11), 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 2-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(b), FMCSA will take immediate steps to revoke the exemption of a driver.

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

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the three applicants has satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The three drivers in this notice remain in good standing with the Agency. In addition, for Commercial Driver's License (CDL) holders, the Commercial Driver's License Information System and the Motor Carrier Management Information System are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agency. These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each of these drivers for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption.

As of July 12, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following three individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Jason Clark (MO); Stephen DiGiovanna (PA); and Jacob Hamilton (IN).

The drivers were included in docket number FMCSA–2014–0104, FMCSA–2018–0137, or FMCSA–2018–0138. Their exemptions are applicable as of July 12, 2021 and will expire on July 12, 2023.

## V. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must report any crashes or accidents as defined in § 390.5; and (2) report all citations and convictions for disqualifying offenses under 49 CFR 383 and 49 CFR 391 to FMCSA; and (3) each driver prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements. Each exemption will be valid for 2 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(b).

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

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2021-15379 Filed 7-19-21; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2021-0006]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt seven 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 various reasons. The exemptions enable these individuals to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

**DATES:** The exemptions were applicable on June 8, 2021. The exemptions expire on June 8, 2023.

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

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number, FMCSA-2021-0006, in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click "Browse Comments." 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](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.transportation.gov/privacy](http://www.transportation.gov/privacy).

#### II. Background

On May 6, 2021, FMCSA published a notice announcing receipt of applications from seven individuals requesting an exemption from vision requirement in 49 CFR 391.41(b)(10)

and requested comments from the public (86 FR 24436). The public comment period ended on June 7, 2021, and two comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting the exemptions to these individuals would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in § 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.

#### III. Discussion of Comments

FMCSA received two comments in this proceeding. The Minnesota Department of Public Safety submitted a comment in support of the Agency's decision to grant an exemption to Troy T. Driscoll.

John Fontano submitted a comment requesting assistance related to the vision exemption program. FMCSA has contacted the individual to provide assistance.

#### IV. 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. The statute also allows the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical 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. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the May 6, 2021, **Federal Register** notice (86 FR 24436) and will not be repeated here.