

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail*: Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier*: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax*: Fax comments to Docket Operations at 202-493-2251.

*Privacy*: 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 <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

*Docket*: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT**: Dan Ngo, 202-267-4264, 800 Independence Avenue SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 28, 2016.

**Lirio Liu,**

*Director, Office of Rulemaking.*

### Petition for Exemption

*Docket No.*: FAA-2015-0443.

*Petitioner*: Wes Myers

*Section(s) of 14 CFR Affected*: 61.113 (a) & (b).

*Description of Relief Sought*:

Petitioner seeks to amend Exemption No. 11592A for relief from Condition and Limitation 13 regarding Pilot in Command requirements to operate an unmanned aerial system (UAS) for aerial data collection.

[FR Doc. 2016-02347 Filed 2-5-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2015-0348]

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

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

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

**SUMMARY**: FMCSA announces receipt of applications from 20 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. They are unable to meet the vision requirement in one eye for various reasons. The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the prescribed vision requirement in one eye. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce.

**DATES**: Comments must be received on or before March 9, 2016. All comments will be investigated by FMCSA. The exemptions will be issued the day after the comment period closes.

**ADDRESSES**: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2015-0348 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 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. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### 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 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.” FMCSA can renew exemptions at the end of each 2-year period. The 20 individuals listed in this notice have each requested such an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

##### II. Qualifications of Applicants

*Lonnie D. Barber*

Mr. Barber, 47, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2015, his ophthalmologist stated, “In my medical

opinion, Mr. Barber's vision is sufficient to perform the driving tasks required to operate a commercial vehicle."

Mr. Barber reported that he has driven straight trucks for 10 years, accumulating 14,000 miles. He holds an operator's license from North Carolina. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Thomas M. Bowman*

Mr. Bowman, 50, has had a retinal detachment in his right eye since 2011. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2015, his ophthalmologist stated, "In my opinion, Mr. Bowman has sufficient vision to perform driving tasks required for a commercial vehicle."

Mr. Bowman reported that he has driven straight trucks for 27 years, accumulating 27,000 miles, and tractor-trailer combinations for 25 years, accumulating 750,000 miles. He holds a Class A CDL from Ohio. His driving record for the last 3 years shows one crash, for which he was not cited and to which he did not contribute, and no convictions for moving violations in a CMV.

*Daniel T. Brown*

Mr. Brown, 48, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/60. Following an examination in 2015, his optometrist stated, "Overall, I think that Mr. Brown has very good visual function and life experience, which would allow him to operate a commercial vehicle safely, and efficiently." Mr. Brown reported that he has driven straight trucks for 13 years, accumulating 780,000 miles. He holds a Class B CDL from Ohio. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Samuel S. Byler*

Mr. Byler, 53, has complete loss of vision in his left eye due to a traumatic incident in childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2015, his optometrist stated, "In my medical opinion with the use of side mirrors the patient should be able to operate a commercial vehicle." Mr. Byler reported that he has driven straight trucks for 12 years, accumulating 360,000 miles, and tractor-trailer combinations for 8 years, accumulating 600,000 miles. He holds a Class A CDL from Pennsylvania. His driving record for the last 3 years shows

no crashes and no convictions for moving violations in a CMV.

*Robert Fawcett, Jr.*

Mr. Fawcett, 65, has a retinal detachment in his right eye due to a traumatic incident in 1976. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2015, his ophthalmologist stated, "Mr. Fawcett has sufficient vision in his left eye to operate a commercial vehicle." Mr. Fawcett reported that he has driven straight trucks for 45 years, accumulating 270,000 miles, and tractor-trailer combinations for 45 years, accumulating 450,000 miles. He holds a Class AM CDL from Pennsylvania. His driving record for the last 3 years shows 1 crash, for which he was not cited and to which he did not contribute, and no convictions for moving violations in a CMV.

*James T. Friesner, Jr.*

Mr. Friesner, Jr., 47, has had optic nerve hypoplasia in his right eye since birth. The visual acuity in his right eye is counting fingers, and in his left eye, 20/20. Following an examination in 2015, his optometrist stated, "It is my medical opinion that Mr. Friesner has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Friesner reported that he has driven straight trucks for 7 years, accumulating 350,000 miles. He holds an operator's license from Ohio. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Harry J. Glynn*

Mr. Glynn, 56, has a corneal transplant and a lensectomy with IOL implant in his left eye due to a traumatic incident in 1984. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2015, his optometrist stated, "Harry Glynn has sufficient vision to operate a commercial vehicle in my opinion." Mr. Glynn reported that he has driven straight trucks for 40 years, accumulating 480,000 miles. He holds a chauffeur's license from Louisiana. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Jerry L. Gray*

Mr. Gray, 51, has a prosthetic left eye due to a traumatic incident in 1995. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2015, his optometrist stated, "It is my

professional opinion that Mr. Gray can operate any vehicle safely." Mr. Gray reported that he has driven straight trucks for 32 years, accumulating 1.6 million miles, and tractor-trailer combinations for 15 years, accumulating 375,000 miles. He holds a Class AMV CDL from Alabama. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Lloyd Hinton*

Mr. Hinton, 63, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/300. Following an examination in 2015, his optometrist stated, "In summary, I see no reason to restrict Mr. Hinton's license to drive a commercial vehicle for any eye or vision related cause." Mr. Hinton reported that he has driven straight trucks for 24 years, accumulating 72,000 miles. He holds a Class BM CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*James M. Knef*

Mr. Knef, 53, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/400, and in his left eye, 20/30. Following an examination in 2015, his optometrist stated, "Since this is a longstanding condition, it does not affect his ability to drive a commercial vehicle." Mr. Knef reported that he has driven straight trucks for 28 years, accumulating 1.9 million miles. He holds a Class B CDL from New Jersey. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Cody McDonnell*

Mr. McDonnell, 24, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, counting fingers. Following an examination in 2015, his optometrist stated, "In summary, in my opinion there is nothing vision or eye-related that should prevent Cody from obtaining his CDL and driving safely." Mr. McDonnell reported that he has driven tractor-trailer combinations for 3 years. He holds a Class A CDL from Oregon. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Brandon J. Michalko*

Mr. Michalko, 25, has a macular hole in his left eye due to a traumatic incident in 2004. The visual acuity in

his right eye is 20/20, and in his left eye, 20/200. Following an examination in 2015, his ophthalmologist stated, "In my medical opinion, I believe he does have sufficient vision to perform a driving test required to operate a commercial vehicle." Mr. Michalko reported that he has driven straight trucks for 8 years, accumulating 416,000 miles. He holds a Class BM CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*John L. Ratayczak*

Mr. Ratayczak, 50, has had amblyopia in his left eye since childhood. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2015, his optometrist stated, "In my medical opinion, Mr. Ratayczak has sufficient vision in both eyes to operate a commercial vehicle he uses for his job." Mr. Ratayczak reported that he has driven straight trucks for 15 years, accumulating 496,500 miles. He holds a Class D operator's license from Wisconsin. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Dennis C. Rokes*

Mr. Rokes, 51, has had macular degeneration in his left eye since 2012. The visual acuity in his right eye is 20/20, and in his left eye, 20/400. Following an examination in 2015, his optometrist stated, "In my medical opinion, Mr. Rokes has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Rokes reported that he has driven straight trucks for 33 years, accumulating 297,000 miles, and tractor-trailer combinations for 33 years, accumulating 132,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Brian W. Roughton*

Mr. Roughton, 51, has had a retinal detachment in his left eye since birth. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2015, his optometrist stated, "Again, Mr. Roughton has had this vision defect since birth and there are no new changes. I see no reason that it would affect his ability to continue driving or affect his DOT physical." Mr. Roughton reported that he has driven straight trucks for 20 years, accumulating 160,000 miles, and tractor-trailer combinations for 20 years, accumulating

160,000 miles. He holds a Class A CDL from Missouri. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Eric A. Simonsen*

Mr. Simonsen, 53, has had corneal dystrophy in his right eye since childhood. The visual acuity in his right eye is 20/60, and in his left eye, 20/20. Following an examination in 2015, his ophthalmologist stated, "Patient sees well enough to drive a commercial vehicle." Mr. Simonsen reported that he has driven straight trucks for 35 years, accumulating 1.23 million miles. He holds an operator's license from SC. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Brian S. Tuttle*

Mr. Tuttle, 43, has had refractive amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/200, and in his left eye, 20/20. Following an examination in 2015, his optometrist stated, "I feel he does see well enough operate a commercial vehicle without glasses." Mr. Tuttle reported that he has driven straight trucks for 15 years, accumulating 300,000 miles. He holds a Class DMB CDL from Kentucky. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Steven A. Van Raalte*

Mr. Van Raalte, 57, had a retinal detachment in his left eye in 1985. The visual acuity in his right eye is 20/20, and in his left eye, 20/80. Following an examination in 2015, his optometrist stated, "In my opinion, Mr. Van Raalte has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Van Raalte reported that he has driven straight trucks for 30 years, accumulating 57,000 miles, and tractor-trailer combinations for 30 years, accumulating 255,000 miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

*Marvin L. Wernimont*

Mr. Wernimont, 59, has had a prosthetic left eye since 1979. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2015, his optometrist stated, "I certify that in my medical opinion, Marvin has sufficient vision to perform the driving tasks required to operate a commercial

vehicle." Mr. Wernimont reported that he has driven straight trucks for 17 years, accumulating 510,000 miles, and tractor-trailer combinations for 17 years, accumulating 425,000 miles. He holds a Class A CDL from Iowa. His driving record for the last 3 years shows one crash, for which he was not cited and to which he did not contribute, and no convictions for moving violations in a CMV.

*Brian J. Yole*

Mr. Yole, 45, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/60, and in his left eye, 20/20. Following an examination in 2015, his optometrist stated, "In my opinion, he has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Yole reported that he has driven tractor-trailer combinations for 9 years, accumulating 832,500 miles. He holds a Class AM CDL from Texas. His driving record for the last 3 years shows no crashes and 1 conviction for a moving violation in a CMV; he exceeded the speed limit by 6 mph.

### III. Public Participation and Request for Comments

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

#### *Submitting Comments*

If you submit a comment, please include the docket number for this notice, 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 the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and put the docket number FMCSA-2015-0348 in the "Keyword" box, and click "Search." When the new screen appears, click on "Comment Now!" button and type your comment into the text box in 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 and may change this notice based on your comments.

#### *Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov> and insert the docket number FMCSA-2015-0348 in the "Keyword" box and click "Search." Next, click "Open Docket Folder" button and choose the document listed 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., e.t., Monday through Friday, except Federal holidays.

Issued on: January 21, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2016-02366 Filed 2-5-16; 8:45 am]

**BILLING CODE 4910-EX-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2015-0349]

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

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 345 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 345 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 4 applicants did not have sufficient driving experience over the past 3 years under normal highway operating conditions:

Allan V. Jorgensen  
Timothy M. O'Malley  
James S. Phipps  
David J. Varricchione

The following 82 applicants had no experience operating a CMV:

Wesley D. Adkins  
Coral Aguirre  
Mark J. Alden  
Mazin M. J. Alrawe  
Eric J. Andersen  
Abram J. Apodaca  
Antwanne L. Ash  
Stanley L. Ayers  
Nash Barno  
Savanna S. Bednar  
Daryl D. Beshirs  
Carola Buehler  
Phillip A. Carleton  
Rogelio Chacon  
Patchara Chiochankitmun  
Regino J. Cisneros Perez  
Christopher W. Cochran  
Ronnie P. Cook  
Matthew B. Dallachie  
Daniel E. Delano  
Jack H. Dependahl  
Shelia F. Dixon  
Lauren A. Dotterweich

Frank Eardley  
Jose E. Echegaray Hernandez  
Jeanne C. Emmons  
Michael C. Gacki, Jr.  
Houssein M. Gale  
Travis L. Gibbs  
William M. Godzisz  
Jose A. Gonzalez Morin  
Scott R. Graves  
Luke J. Harding  
David R. Hazen  
Mahmoud K. Hiima  
Eric M. Holloway  
Mark E. Irsik  
Edison Joe  
Craig A. Johnson  
Jennifer L. King  
Oleg Kovalev  
Mollie O. Krablin  
John P. Kuchta  
Brian N. LaRose  
James R. Lockard  
Michael E. Malloy  
Jacob D. Miller  
Rodney Mitchell  
Brian T. Murphy  
Steven K. Mynhier, Sr.  
Craig A. Nass  
Nathan R. Pawloski  
Bobby Phongsavanh  
Albert L. Prather, Jr.  
Ashley D. Pulkka  
Joshua E. Richardson  
Irfan A. Ridha  
Ammon D. Roe  
Larry E. Rohloff  
Roberto Ruiz  
Fred A. Scott, Jr.  
Mulmin J. Sellars  
Shawn R. Sexton  
Joseph L. Smid  
Arthur C. Smith  
Jermaine E. Smith  
Geoffrey K. Snelling  
Shane P. Spellman  
James L. Stevens  
Casey J. Stover  
Arnold Taci  
Joshua T. Takacs  
Shawn J. Tugwell  
Tonya M. Turybury  
Spooford Whitaker, Jr.  
Jason A. Williams  
Monique A. Williams  
Thomas D. Williams  
Carla M. Wright  
Vernon R. Yocham  
Richard W. Youngerman  
Ahmo Zildzevic

The following 54 applicants did not have 3 years of experience driving a CMV on public highways with their vision deficiencies:

Brian D. Beaulieu  
Anthony Britton  
Edward M. Brooks  
Ross A. Busby  
Riley M. Crumley, Jr.