

exemption, therefore, FMCSA will impose requirements on the 18 individuals consistent with the grandfathering provisions applied to drivers who participated in the Agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the requirement in 49 CFR 391.41(b)(10) and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### V. Discussion of Comments

FMCSA received 1 comment in this proceeding. Joshua H. stated that Tracy L. Neal holds a license in Mississippi and not Michigan.

#### IV. Conclusion

Based upon its evaluation of the 18 exemption applications, FMCSA exempts the following drivers from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above 49 CFR 391.64(b):

Joshua A. Akshar (NY)  
Elijah A. Allen, Jr. (AR)  
Tanner H. Brooks (MS)  
Brian E. Broux (CA)  
Alvin J. Dannenmann (DE)  
Wayne L. Dorbert (PA)  
Roger D. Ellsworth Jr. (NC)  
Gregory L. Frisch (CA)  
Josh Gallant Jr. (SC)  
John P. Grum (PA)  
Dillon L. Hendren (SC)  
Roger E. Kadolph (IA)  
Jay D. May (CO)  
Tracy L. Neal (MS)  
Edward P. Paloskey Jr. (PA)  
Jesse R. Parker (LA)  
Christopher A. Stewart (GA)  
Emejildo Vargas (MA)

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for 2 years unless revoked earlier by FMCSA. The exemption will be revoked

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 and 31315.

If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: December 2, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2016-29824 Filed 12-12-16; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2001-11426; FMCSA-2002-12844; FMCSA-2003-16564; FMCSA-2005-22194; FMCSA-2005-22727; FMCSA-2005-23099; FMCSA-2007-0071; FMCSA-2007-27897; FMCSA-2009-0206; FMCSA-2009-0291; FMCSA-2009-0321; FMCSA-2011-0140; FMCSA-2011-0141; FMCSA-2011-0325; FMCSA-2011-0365; FMCSA-2011-0366; FMCSA-2013-0167; FMCSA-2013-0168; FMCSA-2013-0169; FMCSA-2013-0170; FMCSA-2013-0174]

### 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 renew exemptions for 91 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 requirement in one eye.

**DATES:** Each group of renewed exemptions was effective on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001, [fmcamedical@dot.gov](mailto:fmcamedical@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., 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. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov> and/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., e.t., Monday through Friday, except Federal holidays.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/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., e.t., Monday through Friday, except Federal holidays.

*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 <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>.

##### II. Background

On April 7, 2016, FMCSA published a notice announcing its decision to renew exemptions for 91 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (81 FR 20433). The public comment period ended on May 9, 2016 and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to driver 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 no comments in this proceeding.

#### IV. Conclusion

Based upon its evaluation of the 91 renewal exemption applications and that there were no comments received, FMCSA confirms its decision to exempt the following drivers from the vision requirement in 49 CFR 391.41 (b)(10), subject to the requirements cited above:

As of March 2, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 27 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (70 FR 71884; 71 FR 4632; 73 FR 5259; 74 FR 43217; 74 FR 57551; 74 FR 65842; 75 FR 1451; 75 FR 9482; 76 FR 37169; 76 FR 50318; 76 FR 53710; 76 FR 75942; 76 FR 75943; 77 FR 539; 77 FR 545; 77 FR 10604; 77 FR 10608; 77 FR 10604; 78 FR 63302; 78 FR 64271; 78 FR 64274; 79 FR 10619):

John P. Bails (IA)  
 Donald J. Bierwirth, Jr. (CT)  
 Lester E. Burns (NM)  
 Cris D. Bush (TN)  
 Bruce A. Cameron (ND)  
 Billy C. Chenault (NM)  
 Eugene Contreras (NM)  
 Jim L. Davis (NM)  
 Eric DeFrancesco (PA)  
 David E. Evans (NC)  
 Jason L. Hoovan (UT)  
 Amos W. Hulsey (AL)  
 Brandon C. Koopman (NE)  
 Curtis M. Lawless (VA)  
 Norman V. Myers (WA)  
 Millard F. Neace II (WV)  
 William E. Norris (NC)  
 Paul D. Prillaman (VA)  
 Richard E. Purvenas, Jr. (DE)  
 Scott Randol (MO)  
 Mark C. Reineke (NM)  
 Miguel A. Sanchez (NM)  
 Tigran Semerjyan (CA)  
 Lawrence D. Ventimiglia (NV)  
 James Vickery (KY)  
 Norman J. Watson (NC)  
 Reginald J. Wuethrich (IL)

The drivers were included in one of the following dockets: Docket Nos. FMCSA–2005–22727; FMCSA–2009–0206; FMCSA–2009–0291; FMCSA–2011–0140; FMCSA–2011–0141; FMCSA–2011–0325; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0170. Their exemptions are effective as of March 2, 2016 and will expire on March 2, 2018.

As of March 5, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 10 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (68 FR 74699; 69 FR 10503; 70 FR 57353; 70 FR 72689; 71 FR 6829; 72 FR 39879; 72 FR 52419; 72 FR 62897; 73 FR 8392; 74 FR 64124; 75 FR 8184; 77 FR 7233; 79 FR 10602):

Lee A. Burke (WI)  
 Barton C. Caldara (WI)  
 Allan Darley (UT)  
 Richard Hailey, Jr. (DC)  
 Robert V. Hodges (IL)  
 John R. Knott, III (MD)  
 Timothy S. Miller (AZ)  
 Edward D. Pickle (GA)  
 Robert L. Thies (IN)  
 James T. Wortham, Jr. (GA)

The drivers were included in one of the following dockets: Docket No. FMCSA–2003–16564; FMCSA–2005–22194; FMCSA–2007–27897. Their exemptions are effective as of March 5, 2016 and will expire on March 5, 2018.

As of March 7, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 6 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 3552; 77 FR 13691; 79 FR 12565):

Richard P. Frederiksen (WY)  
 Samuel V. Holder (IL)  
 Dennis J. Lessard (IN)  
 Jerry L. Pettijohn (OK)  
 Jake F. Richter (KS)  
 Robert J. Townsley (VA)

The drivers were included in one of the following dockets: Docket No. FMCSA–2011–0365. Their exemptions are effective as of March 7, 2016 and will expire on March 7, 2018.

As of March 13, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 20 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 1908; 79 FR 14333):

Jeffrey A. Benoit (VA)  
 Norvan D. Brown (IA)  
 Jackie K. Curlin (KY)  
 Justin W. Demarchi (OH)  
 Gary A. Goostree (OH)  
 Jimmey C. Harris (TX)  
 David G. Henry (TX)  
 Rogelio C. Hernandez (CA)  
 Michael J. Hoskins (KS)  
 Zion Irizarry (NV)  
 Mohamed H. Issak (KS)  
 Juan J. Luna (CA)  
 Robert Mollicone (FL)  
 Christopher D. Moore (NC)  
 Elmore Nicholson, Jr. (AL)  
 James C. Paschal, Jr. (GA)  
 Harold D. Pressley (TX)  
 Jason C. Sadler (KY)  
 Robert Schick (PA)  
 Michael O. Thomas (NC)

The drivers were included in one of the following dockets: Docket No. FMCSA–2013–0174. Their exemptions are effective as of March 13, 2016 and will expire on March 13, 2018.

As of March 15, 2016, and in accordance with 49 U.S.C. 31136(e) and

31315, the following 11 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (67 FR 68719; 68 FR 2629; 70 FR 7545; 71 FR 4194; 71 FR 13450; 72 FR 39879; 72 FR 40362; 72 FR 52419; 73 FR 9158; 74 FR 43217; 74 FR 57551; 74 FR 64124; 74 FR 65842; 75 FR 1451):

Gene Bartlett, Jr. (VT)  
 Ronald D. Boeve (MI)  
 Daniel M. Cannon (OR)  
 Wayne H. Holt (UT)  
 Billy R. Jeffries (WV)  
 Guy A. Lanham (FL)  
 Oscar N. Lefferts (AL)  
 Willie L. Parks (CA)  
 Bradley S. Sanders (NM)  
 Gary N. Wilson (UT)  
 William B. Wilson (KY)

The drivers were included in one of the following dockets: Docket No. FMCSA–2002–12844; FMCSA–2005–23099; FMCSA–2007–27897; FMCSA–2009–0206; FMCSA–2009–0291; FMCSA–2009–0321; FMCSA–2011–0365. Their exemptions are effective as of March 15, 2016 and will expire on March 15, 2018.

As of March 23, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 6 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 5874; 77 FR 17117; 79 FR 13085):

Paul R. Barron (MO)  
 Eugenio V. Bermudez (MA)  
 Johnny Dillard (SC)  
 Edward M. Jurek (NY)  
 Glenn R. Theis (MN)  
 Peter A. Troyan (MI)

The drivers were included in one of the following dockets: Docket No. FMCSA–2011–0366. Their exemptions are effective as of March 23, 2016 and will expire on March 23, 2018.

As of March 31, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (68 FR 74699; 69 FR 10503; 71 FR 6829; 73 FR 6242; 73 FR 8392; 73 FR 16950; 75 FR 8184; 75 FR 9477; 77 FR 7723; 77 FR 13689; 79 FR 14331):

Alberto Blanco (NC)  
 Charles W. Cox (AR)  
 Gary W. Ellis (NC)  
 Robin S. England (GA)  
 W. R. Goold (AZ)  
 K. L. Guse (OH)  
 Steven W. Halsey (MO)  
 John C. Henricks (OH)  
 Thomas M. Leadbitter (PA)  
 Jonathan P. Lovel (IL)  
 Kent S. Reining (IL)

The drivers were included in one of the following dockets: Docket No. FMCSA–2003–16564; FMCSA–2007–0071. Their exemptions are effective as of March 31, 2016 and will expire on March 31, 2018.

In accordance with 49 U.S.C. 31315, each exemption will be valid for two 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 and 31315.

Issued on: December 2, 2016.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2016–29826 Filed 12–12–16; 8:45 am]

BILLING CODE 4910–EX–P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1998–4334; FMCSA–1999–5578; FMCSA–1999–6156; FMCSA–2001–9561; FMCSA–2001–11426; FMCSA–2006–24015; FMCSA–2006–24783; FMCSA–2008–0021; FMCSA–2008–0106; FMCSA–2008–0174; FMCSA–2009–0154; FMCSA–2009–0206; FMCSA–2009–0291; FMCSA–2010–0050; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2011–0324; FMCSA–2011–0379; FMCSA–2012–0104; FMCSA–2012–0106; FMCSA–2012–0159; FMCSA–2012–0160; FMCSA–2012–0161; FMCSA–2014–0002; FMCSA–2014–0003; FMCSA–2014–0006; FMCSA–2014–0007; FMCSA–2014–0008]

### Qualification of Drivers; Exemption Applications; Vision

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

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

**SUMMARY:** FMCSA announces its decision to renew exemptions for 100 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 requirement in one eye.

**DATES:** Each group of renewed exemptions was effective 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 January 12, 2017.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, [fmcamedical@dot.gov](mailto:fmcamedical@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., 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.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–1998–4334; FMCSA–1999–5578; FMCSA–1999–6156; FMCSA–2001–9561; FMCSA–2001–11426; FMCSA–2006–24015; FMCSA–2006–24783; FMCSA–2008–0021; FMCSA–2008–0106; FMCSA–2008–0174; FMCSA–2009–0154; FMCSA–2009–0206; FMCSA–2009–0291; FMCSA–2010–0050; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2011–0324; FMCSA–2011–0379; FMCSA–2012–0104; FMCSA–2012–0106; FMCSA–2012–0159; FMCSA–2012–0160; FMCSA–2012–0161; FMCSA–2014–0002; FMCSA–2014–0003; FMCSA–2014–0006; FMCSA–2014–0008 using any of the following methods:

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

*Instructions:* Each submission must include the Agency name and the docket number(s) 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., e.t., 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 online.

*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 <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>.

### I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for two years 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 two-year period.

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to driver 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 a 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.

The 100 individuals listed in this notice have requested renewal of their exemptions from the vision standard in 49 CFR 391.41(b)(10), 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 two-year period.

### II. 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