is granted. The notice must specify the effective period of the exemption (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.315(c) and 49 CFR 381.300(b)).

III. Cliff’s Application for Exemption

Cliffs, formerly known as ArcelorMittal, requests an exemption to allow its employee-drivers with CDLs who transport scrap metal on two trucks between their production and shipping locations to work up to 16 hours per day and return to work with less than the mandatory 10 consecutive hours off duty. The request is similar to the exemption previously granted that allows Cliffs’ drivers transporting steel coils to work the same HOS, and travel the same distances and routes between their production and shipping locations. Unlike the steel coil exemption, the scrap trucks would comply with the definition of a “heavy hauler trailer” in 49 CFR 393.5; the required “height of rear side marker lights restrictions” in 49 CFR 393.120 Table1—Footnote 4; the required “tire loading restrictions” in 49 CFR 393.75(f); and the “coil securement requirements” in 49 CFR 393.120.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b)(6), FMCSA requests public comment from all interested persons on Cliffs’ exemption request. The request was submitted as part of Cliffs’ exemption renewal application mentioned above. As a new request, however, it is subject to the separate notice and comment provided by this document. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the ADDRESSES section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,
Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration


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 102 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 were 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 September 27, 2021.


FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, fmcsomedical@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


**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, fmcsomedical@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.

B. Viewing Comments


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.
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 vision found in 49 CFR 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 the standard.

The 102 individuals listed in this notice have requested renewal of their exemptions from the vision standard in §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 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.
They have submitted evidence showing that the vision in the better eye continues to meet the requirement specified at § 391.41(b)[10] and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past 2 years indicates each applicant continues to meet the vision exemption requirements. These factors provide an adequate basis for predicting each driver’s ability to continue to drive safely in interstate commerce.

Therefore, FMCSA concludes that extending the exemption for each renewal applicant for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption.

In accordance with 49 U.S.C. 31136(e) and 31135(b), the following groups of drivers received renewed exemptions in the month of October and are discussed below. As of October 3, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 85 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers:

Barber (NC), Thomas L. Terrell (IA), Bill J. Thierolf (PA), Mark B. Wilmer (VA), Norman G. Wooten (TX), Kenneth D. Perkins (NC), Mark A. Pirl (NY), Joseph B. Peacock (NC), Reginald I. Powell (IL), John J. Tilghman, Sr. (DE), Larry D. Miller (NE), James J. Mitchell (NC), Kenneth Dionisi (MI), Russell R. Hipsley (MD), Steven C. Holland (OH), Wade J. Jandreau (ME), Joseph E. Jones (GA), Clyde H. Kitzan (ND), Gerald D. Larson (WI), Jason C. Laub (OH), Edward J. Lavin (CT), Gregory K. Lilly (NV), Pedro G. Limon (TX), Craig R. Martin (TX), Michael L. Martin (OH), David McKinney (OR), Brian S. Metheny (PA), David A. Miller (NE), James J. Mitchell (NC), John Montemayor (TX), Earl R. Neugerbaier (CO), Thomas G. Norman (NC), Frank L. O’Rourke (NY), Joseph B. Peacock (NC), Kenneth D. Perkins (NC), John A. Pirl (NC), Reginald I. Powell (IL), John J. Prribanic (TX), Shannon L. Puckett (KY), William A. Ramirez Vasquez (CA), John C. Rodriguez (PA), Vincent Rubino (NJ), Benito Saldana (TX), Daniel Salinas (OR), Bobby W. Sanders (TN), Scott W. Schilling (ND), Tim M. Seavy (IN), John M. Sexton (CA), Randy J. Shaboloski (PA), Phillip Shelburne (TX), Rick J. Smart (NH), David C. Snellings (MD), Scott C. Starr (NJ), Artis Sult (NC), Rodney W. Sukalski (MN), Lee F. Taylor (NJ), Thomas L. Terrell (IA), Bill J. Thierolf (NE), Larry A. Tidwell (MO), Malcolm J. Tilghman, Sr. (DE), Larry D. Warneke (WA), Harry S. Warren (FL), Ricky L. Watts (FL), Paul C. Weiss (PA), Mark B. Wilmer (VA), Norman G. Wooten (TX).

The drivers were included in docket number FMCSA–2013–0165. Their exemptions are applicable as of October 23, 2021 and will expire on October 23, 2023.

As of October 24, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following four individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (70 FR 30999, 70 FR 46567, 70 FR 48797, 70 FR 61493, 72 FR 40359, 72 FR 54971, 74 FR 34074, 74 FR 49069, 76 FR 62143, 78 FR 77782, 80 FR 59225, 82 FR 47312, 84 FR 47052):

Charles C. Berns (IA), Jeremiah E. Casey (MO), Carlos Marquez (WI), Daniel D. Tate (VA)

Larry E. Blakely (GA), Arlene S. Kent (NH), Willie L. Murphy (IN), Brian C. Yount (ID)

The driver was included in docket number FMCSA–2003–15892. The exemption is applicable as of October 30, 2021 and will expire on October 30, 2023.

As of October 31, 2021, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following four individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (76 FR 55465, 76 FR 61860, 78 FR 54837):

Larry W. Minor, 
Associate Administrator for Policy.

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.

VI. Conclusion

Based upon its evaluation of the 102 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the vision requirement in § 391.41(b)(10), subject to the requirements cited above. 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.