

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA–2000–7165; FMCSA–2002–12294; FMCSA–2006–23773; FMCSA–2007–29019; FMCSA–2008–0106; FMCSA–2008–0231; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2012–0104; FMCSA–2012–0160; FMCSA–2012–0161; FMCSA–2013–0028; FMCSA–2013–0169; FMCSA–2013–0170; FMCSA–2013–0174; FMCSA–2014–0003; FMCSA–2014–0004; FMCSA–2014–0007; FMCSA–2014–0010; FMCSA–2015–0056; FMCSA–2015–0070; FMCSA–2015–0347; FMCSA–2016–0025; FMCSA–2016–0030; FMCSA–2016–0033; FMCSA–2017–0022; FMCSA–2017–0026; FMCSA–2018–0007; FMCSA–2018–0011; FMCSA–2018–0012; FMCSA–2018–0013; FMCSA–2018–0014]

**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 44 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 were applicable on the dates stated in the discussions below and will expire on the dates provided below.

**FOR FURTHER INFORMATION CONTACT:** Ms. 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 W64–224, 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 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>. Insert the docket number, FMCSA–2000–7165; FMCSA–2002–12294; FMCSA–2006–23773; FMCSA–2007–29019; FMCSA–

2008–0106; FMCSA–2008–0231; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2012–0104; FMCSA–2012–0160; FMCSA–2012–0161; FMCSA–2013–0028; FMCSA–2013–0169; FMCSA–2013–0170; FMCSA–2013–0174; FMCSA–2014–0003; FMCSA–2014–0004; FMCSA–2014–0007; FMCSA–2014–0010; FMCSA–2015–0056; FMCSA–2015–0070; FMCSA–2015–0347; FMCSA–2016–0025; FMCSA–2016–0030; FMCSA–2016–0031; FMCSA–2016–0033; FMCSA–2017–0022; FMCSA–2017–0026; FMCSA–2018–0007; FMCSA–2018–0011; FMCSA–2018–0012; FMCSA–2018–0013; FMCSA–2018–0014, in the keyword box, and click “Search.” Next, click the “Open Docket Folder” button 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, 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 October 8, 2020, FMCSA published a notice announcing its decision to renew exemptions for 44 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 (85 FR 63649). The public comment period ended on November 9, 2020, and no comments were received.

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 § 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 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.

**III. Discussion of Comments**

FMCSA received no comments in this proceeding.

**IV. Conclusion**

Based on its evaluation of the 44 renewal exemption applications and comments received, FMCSA confirms its decision to exempt the following drivers from the vision requirement in § 391.41(b)(10).

As of September 8, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 32 individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (71 FR 6826; 71 FR 19602; 72 FR 58362; 72 FR 67344; 73 FR 11989; 73 FR 35198; 73 FR 48275; 74 FR 57553; 75 FR 13653; 75 FR 25919; 75 FR 39729; 75 FR 44051; 76 FR 70212; 77 FR 3552; 77 FR 5874; 77 FR 13691; 77 FR 17117; 77 FR 23797; 77 FR 38381; 77 FR 41879; 77 FR 46153; 77 FR 51846; 77 FR 52391; 78 FR 27281; 78 FR 41188; 78 FR 64274; 78 FR 67454; 78 FR 77778; 79 FR 1908; 79 FR 4803; 79 FR 13085; 79 FR 14333; 79 FR 14571; 79 FR 18392; 79 FR 23797; 79 FR 28588; 79 FR 29498; 79 FR 38659; 79 FR 41735; 79 FR 41740; 79 FR 46153; 79 FR 53514; 80 FR 33007; 80 FR 59230; 80 FR 63839; 80 FR 67476; 81 FR 1284; 81 FR 1474; 81 FR 15401; 81 FR 15404; 81 FR 20433; 81 FR 20435; 81 FR 21647; 81 FR 28138; 81 FR 45214; 81 FR 48493; 81 FR 52514; 81 FR 66726; 81 FR 68098; 81 FR 90050; 81 FR 91239; 82 FR 15277; 82 FR 37504; 82 FR 47309; 83 FR 2306; 83 FR 2311; 83 FR 6925; 83 FR 15195; 83 FR 15214; 83 FR 18648; 83 FR 24146; 83 FR 24585; 83 FR 28320; 83 FR 28325; 83 FR 28328; 83 FR 28332; 83 FR 28335; 83 FR 33292; 83 FR 34661; 83 FR 34677; 83 FR 40648; 83 FR 45749; 83 FR 54644);

Daniel C. Berry (AR)  
Christopher L. Binkley (NH)  
John R. Bohman (OH)  
Clifford L. Burruss (CA)  
Ronald H. Carey (PA)  
Darrin G. Davis (WI)  
Vincent DeMedici (PA)  
Jeffrey D. Duncan (IN)  
Paul D. Evenhouse (IL)  
John W. Forgy (ID)  
Grant G. Gibson (MN)

Rickey W. Goins (TN)  
 Jorge Gonzalez (FL)  
 John E. Halcomb (GA)  
 Nenad Harnos (NJ)  
 Brian D. Hoover (IA)  
 Alvin H. Horgdal (IA)  
 Elvin M. Hursh (PA)  
 Michael A. Kafer (KS)  
 Jason W. King (MT)  
 Allen J. Kunze (ND)  
 Mickey D. McCoy (TN)  
 Earl L. Mokma (MI)  
 Terrence A. Odrick (DE)  
 James L. Okonek (WI)  
 James C. Paschal, Jr. (GA)  
 Riland O. Richardson (GA)  
 Jacob H. Riggle (OK)  
 Michael J. Schmelzle (KS)  
 Gregory S. Smith (AR)  
 Larry L. Stewart (NC)  
 William B. Van Drielen (NV)

The drivers were included in docket numbers FMCSA–2006–23773; FMCSA–2007–29019; FMCSA–2008–0106; FMCSA–2010–0082; FMCSA–2011–0365; FMCSA–2011–0366; FMCSA–2012–0160; FMCSA–2012–0161; FMCSA–2013–0028; FMCSA–2013–0169; FMCSA–2013–0170; FMCSA–2013–0174; FMCSA–2014–0003; FMCSA–2014–0004; FMCSA–2014–0007; FMCSA–2015–0056; FMCSA–2015–0070; FMCSA–2015–0347; FMCSA–2016–0025; FMCSA–2016–0030; FMCSA–2016–0031; FMCSA–2017–0022; FMCSA–2017–0026; FMCSA–2018–0007; FMCSA–2018–0011; FMCSA–2018–0012; FMCSA–2018–0013; and FMCSA–2018–0014. Their exemptions were applicable as of September 8, 2020, and will expire on September 8, 2022.

As of September 9, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (75 FR 34212; 75 FR 47888; 77 FR 27847; 77 FR 38386; 77 FR 40945; 77 FR 41879; 77 FR 52391; 79 FR 29495; 79 FR 41735; 81 FR 81230; 83 FR 40638):

Michael J. Hoffarth (WA);  
 Shane N. Maul (IN); and  
 Robert Smiley (NM)

The drivers were included in docket numbers FMCSA–2010–0114; FMCSA–2012–0104; FMCSA–2012–0161. Their exemptions were applicable as of September 9, 2020, and will expire on September 9, 2022.

As of September 21, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following four individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for

interstate CMV drivers (65 FR 33406; 65 FR 57234; 67 FR 46016; 67 FR 57266; 67 FR 57267; 69 FR 51346; 69 FR 52741; 71 FR 50970; 71 FR 53489; 73 FR 48270; 73 FR 51336; 75 FR 50799; 75 FR 52062; 77 FR 52389; 79 FR 46300; 81 FR 81230; 83 FR 40638):

Jack D. Clodfelter (NC)  
 Daniel K. Davis, III (MA)  
 Reginald I. Hall (TX)  
 Alfred C. Jewell, Jr. (WY)

The drivers were included in docket numbers FMCSA–2000–7165; and FMCSA–2002–12294. Their exemptions were applicable as of September 21, 2020, and will expire on September 21, 2022.

As of September 23, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following three individuals have satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (73 FR 46973; 73 FR 54888; 75 FR 52063; 77 FR 52388; 79 FR 52388; 81 FR 81230; 83 FR 40638):

Terrence L. Benning (WI);  
 Larry D. Curry (GA); and  
 Thomas P. Shank (NY)

The drivers were included in docket number FMCSA–2008–0231. Their exemptions were applicable as of September 23, 2020, and will expire on September 23, 2022.

As of September 29, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (81 FR 59266; 81 FR 74494; 83 FR 40638):

Gregory M. Anderson (NY)

The driver was included in docket number FMCSA–2016–0033. The exemption was applicable as of September 29, 2020, and will expire on September 29, 2022.

As of September 30, 2020, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual has satisfied the renewal conditions for obtaining an exemption from the vision requirement in the FMCSRs for interstate CMV drivers (79 FR 51643; 79 FR 64001; 81 FR 81230; 83 FR 40638):

Loran J. Weiler (IA)

The driver was included in docket number FMCSA–2014–0010. The exemption was applicable as of September 30, 2020, and will expire on September 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.*

[FR Doc. 2020–26163 Filed 11–25–20; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA–2020–0089]

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

Under part 235 of title 49 of the Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that on November 12, 2020, BNSF Railway (BNSF) petitioned the Federal Railroad Administration (FRA) seeking approval to discontinue or modify a signal system. FRA assigned the petition Docket Number FRA–2020–0089.

*Applicant:* BNSF Railway, Mr. Jerad W. Fritz, AVP Signals, 2600 Lou Menk Drive, Ft. Worth, TX 76131

Specifically, BNSF requests permission to discontinue automatic cab signals on the Chicago Division, Chicago Subdivision from Union Avenue to Intermediate 36.1, Line Segment 71, milepost (MP) 2.3 to MP 36.1, currently in use for suburban trains only.

BNSF states the reason for the proposed discontinuance is a positive train control system, compliant with 49 CFR part 236, subpart I, Positive Train Control Systems, and certified accordingly, has been placed in service within the limits described.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the