

probability of an individual experiencing future crashes (See Weber, Donald C., "Accident Rate Potential: An Application of Multiple Regression Analysis of a Poisson Process," Journal of American Statistical Association, June 1971). A 1964 California Driver Record Study prepared by the California Department of Motor Vehicles concluded that the best overall crash predictor for both concurrent and nonconcurrent events is the number of single convictions. This study used 3 consecutive years of data, comparing the experiences of drivers in the first 2 years with their experiences in the final year.

Applying principles from these studies to the past 3-year record of the 31 applicants, 1 driver was involved in a crash and 2 drivers were convicted of a moving violation in a CMV. All the applicants achieved a record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

We believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he/she has been performing in intrastate commerce. Consequently, FMCSA finds that exempting these applicants from the vision requirement in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the Agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31136(e) and 31315 to the 31 applicants

listed in the notice of November 29, 2016 (81 FR 86063).

We recognize that the vision of an applicant may change and affect his/her ability to operate a CMV as safely as in the past. As a condition of the exemption, therefore, FMCSA will impose requirements on the 31 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 one comment in this proceeding. Daniel E. Kinney stated that he has been put in a financial hardship while waiting for his vision exemption. He was issued an exemption effective as of December 30, 2016.

#### IV. Conclusion

Based upon its evaluation of the 31 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):

James A. Bartolo, Jr. (CA)  
Harry S. Bumps (VT)  
Brian T. Castoldi (CT)  
William B. Friend (MD)  
Willie George (NY)  
David E. Goff (MA)  
Michael Golebiowski (IL)  
Dana L. Gould (ME)  
Johnny J. Gowdy (MS)  
Richard E. Hadler (MN)  
Donald J. Harrison (IA)  
Channing L. Herrell (MD)  
Loyd F. Hovey (NY)  
George T. Huffman Jr. (IL)  
Daniel E. Kinney (IL)

Shane M. Lovell (NE)  
Jason W. Mack (PA)  
Terry G. Montgomery (IN)  
John P. O'Doherty (MN)  
Antonio Rivera (PA)  
Julio Rivera (FL)  
Steve C. Sinclair (IA)  
Jerrell L. Smith (TX)  
Ricky E. Smith (GA)  
Venton E. Smith (CA)  
Willie J. Smith (TX)  
Glen W. Stake Jr. (OH)  
John D. Stork (IL)  
David T. Tann (NC)  
Jeremy M. Trager (OH)  
James R. Wagner (IL)

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: February 27, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017-04258 Filed 3-3-17; 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 final disposition.

**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.

**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., 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>.

**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 December 13, 2016, FMCSA published a notice announcing its decision to renew exemptions for 100 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 90500). The public comment period ended on January 12, 2017, 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 preceding.

##### VI. Conclusion

As of August 1, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 21 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (64 FR 54948; 65 FR 159; 66 FR 41654; 66 FR 66969; 67 FR 10471; 67 FR 10475; 67 FR 17102; 67 FR 19798; 68 FR 44837; 68 FR 69432; 69 FR 8260; 69 FR 17267; 69 FR 19611; 70 FR 41811; 71 FR 644; 71 FR 6824; 71 FR 14568; 71 FR 19604; 71 FR 26601; 71 FR 30228; 71 FR 32183; 71 FR 41310; 72 FR 52423; 73 FR 15254; 73 FR 15567; 73 FR 27014; 73 FR 27015; 73 FR 36955; 73 FR 42403; 74 FR 43220; 74 FR 57553; 74 FR 65842; 75 FR 9482; 75 FR 14656; 75 FR 19674; 75 FR 20881; 75 FR 25918; 75 FR 27622; 75 FR 28682; 75 FR 36778; 75 FR 36779; 75 FR 38602; 75 FR 39729; 77 FR 7657; 77 FR 10604; 77 FR 15184; 77 FR 17115; 77 FR 22059; 77 FR 23797; 77 FR 26816; 77 FR 27847; 77 FR 27850; 77 FR 29447; 77 FR 36338; 77 FR 38384; 77 FR 38386; 77 FR 44946; 79 FR 10606; 79 FR 10619; 79 FR 14571; 79 FR 17641; 79 FR 18390; 79 FR 21996; 79 FR 22003; 79 FR 23797; 79 FR 27043; 79 FR 28588; 79 FR 29495; 79 FR 35212; 79 FR 35218; 79 FR 35220; 79 FR 37842; 79 FR 37843; 79 FR 47175):

Lloyd J. Botsford (MO)  
Brad T. Braegger (UT)  
Ronald D. Danberry (MN)  
Frank J. Faria (CA)  
Juneau Faulkner (GA)  
Curtis N. Fulbright (NC)  
Randy M. Garcia (NM)  
Dean D. Hawks (WI)  
Larry L. Jarvis (VA)  
Julian A. Mancha (TX)  
Randall L. Mathis (AL)  
Larry G. Nikkel (WA)

Michael J. Rankin (OH)  
Justin T. Richman (IN)  
Kevin L. Routin (KY)  
Andrew W. Schollett (CO)  
Michael D. Singleton (IN)  
Roberto E. Soto (TX)  
Gary R. Thomas (OH)  
Barney J. Wade (MS)  
Wade W. Ward (WY)

The drivers were included in one of the following dockets: Docket Nos. FMCSA–1999–6156; FMCSA–2001–9561; FMCSA–2001–11426; FMCSA–2006–24015; FMCSA–2006–24783; FMCSA–2008–0021; FMCSA–2009–0206; FMCSA–2009–0291; FMCSA–2010–0050; FMCSA–2010–0082; FMCSA–2011–0324; FMCSA–2011–0379; FMCSA–2012–0104; FMCSA–2014–0002; FMCSA–2014–0003; FMCSA–2014–0006. Their exemptions are effective as of August 1, 2016, and will expire on August 1, 2018.

As of August 6, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 8 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (64 FR 27027; 64 FR 51568; 71 FR 14566; 71 FR 30227; 73 FR 27014; 75 FR 25918; 75 FR 38602; 75 FR 39729; 77 FR 15184; 77 FR 27850; 77 FR 33017; 77 FR 36336; 77 FR 36338; 77 FR 40946; 77 FR 44708; 77 FR 46795; 79 FR 38661):

William L. Martin (OR)  
Richard L. Miller (IN)  
Gerardus C. Molenaar (PA)  
James R. Morgan (MI)  
Lance C. Phares (NY)  
Willard L. Riggle (IN)  
Richard D. Tucker II (NC)  
Jay Turner (OH)

The drivers were included in one of the following dockets: Docket Nos. FMCSA–1999–5578; FMCSA–2006–24015; FMCSA–2010–0082; FMCSA–2011–0379; FMCSA–2012–0106; FMCSA–2012–0159. Their exemptions are effective as of August 6, 2016, and will expire on August 6, 2018.

As of August 8, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 25 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 38659; 79 FR 53514):

Jimmy A. Baker (TX)  
Frank B. Belenchia (TN)  
Ricky W. Bettes (TX)  
Antonio A. Calixto (MN)  
James W. Carter, Jr. (KS)  
Ronald G. Daniels (MO)  
Larry G. Davis (TN)  
Michael C. Doheny (CT)  
George P. Ford (NC)  
Todd M. Harguth (MN)

Dennis W. Helgeson (MN)  
 Ronnie L. Henry (KS)  
 Johnny L. Irving (MS)  
 Kevin L. Jones (SC)  
 Keith A. Kelley (ME)  
 David L. Miller (OH)  
 Earl L. Mokma (MI)  
 Donald L. Nisbet (WA)  
 David Perkins (NY)  
 Harry W. Root (MN)  
 Paul W. Sorenson (UT)  
 Randall H. Tempel (MT)  
 Cory J. Tivnan (WA)  
 Ricky W. Witt (IA)  
 John D. Woods (MI)

The drivers were included in Docket No. FMCSA–2014–0007. Their exemptions are effective as of August 8, 2016, and will expire on August 8, 2018.

As of August 9, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 8 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 46793; 77 FR 59245):

Mark S. Berkheimer (PA)  
 Rici W. Giesseman (OH)  
 Michael A. Jabro (MI)  
 Michael M. Martinez (NM)  
 Buddy W. Myrick (TX)  
 Alan J. Reynaldos (NJ)  
 Charles L. Rill, Sr. (MD)  
 Roger Sulfridge (KY)

The drivers were included in Docket No. FMCSA–2010–0114. Their exemptions are effective as of August 9, 2016, and will expire on August 9, 2018.

As of August 18, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 32 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (63 FR 66227; 64 FR 16520; 71 FR 14567; 71 FR 30228; 73 FR 28187; 73 FR 35195; 73 FR 35196; 73 FR 35197; 73 FR 35198; 73 FR 35199; 73 FR 35200; 73 FR 35201; 73 FR 38497; 38498; 73 FR 38499; 73 FR 48273; 73 FR 48275; 74 FR 37299; 74 FR 48344; 75 FR 25919; 75 FR 39729; 75 FR 44051; 77 FR 40946; 77 FR 46153; 79 FR 46153):

Catarino Aispuro (OR)  
 Gary R. Andersen (NE)  
 Donald L. Carman (OH)  
 Christopher R. Cone (GA)  
 Walter O. Connelly (WA)  
 Armando P. D'Angeli (PA)  
 Henry L. Donvian (WV)  
 Roger D. Elders (MI)  
 James F. Epperson (IN)  
 Lucious J. Erwin (TX)  
 Riche Ford (CO)  
 Kevin K. Friedel (NY)  
 Steven G. Harter (OR)  
 George F. Hernandez, Jr. (AZ)  
 Andrew C. Kelly (WV)  
 Jason W. King (MT)

Billy J. Lewis (LA)  
 Robert W. McMillian (MA)  
 Richard A. Peterson (OR)  
 Chad M. Quarles (AL)  
 Carroll G. Quisenberry (KY)  
 Ryan J. Reimann (WI)  
 Jacob H. Riggle (OK)  
 Brandon J. See (IA)  
 Ricky L. Shepler (PA)  
 LeTroy D. Sims (SC)  
 John L. Stone (PA)  
 Nils S. Thornberg (OR)  
 Daniel W. Toppings (WV)  
 Christopher R. Whitson (NC)  
 Charles A. Winchell (OK)  
 Aaron E. Wright (MI)

The drivers were included in Docket Nos. FMCSA–1999–4334; FMCSA–2006–24015; FMCSA–2008–0106; FMCSA–2008–0174; FMCSA–2009–0154; FMCSA–2010–0082. Their exemptions are effective as of August 18, 2016, and will expire on August 18, 2018.

As of August 19, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 2 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 41737; 79 FR 56102):

Leamon V. Manchester (LA)  
 Leverne F. Schilte, Jr. (OH)

The drivers were included on the following docket: Docket No. FMCSA–2014–0008. Their exemptions are effective as of August 19, 2016 and will expire on August 19, 2018.

As of August 27, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 2 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 38381; 77 FR 51846; 79 FR 41740):

Tyrane Harper (AL)  
 Gregory S. Smith (AR)

The drivers were included on the following docket: Docket No. FMCSA–2012–0160. Their exemptions are effective as of August 27, 2016 and will expire on August 27, 2018.

As of August 29, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 2 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 41879; 77 FR 52391; 79 FR 41735):

Ricky W. Goins (TN)  
 Clayton Schroeder (MN)

The drivers were included on the following docket: Docket No. FMCSA–2012–0161. Their exemptions are effective as of August 29, 2016 and will expire on August 29, 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: February 27, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2017–0002–N–4]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice and comment request.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA), this notice announces that FRA is forwarding the proposed Information Collection Requests (ICRs) abstracted below to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the information collections and their expected burden. On October 26, 2016, FRA published a notice providing a 60-day period for public comment on the ICRs.

**DATES:** Comments must be submitted on or before April 5, 2017.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 25, Washington, DC 20590 (Telephone: (202) 493–6292); or Ms. Kim Toone, Information Collection Clearance Officer, Office of Administration, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 35, Washington, DC 20590 (Telephone: (202) 493–6132). (These telephone numbers are not toll free.)

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue