

published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

Background

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption 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.” The statute also allows the agency to renew exemptions at the end of the 2-year period. The 36 individuals listed in this notice have recently requested 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 the exemption will achieve the required level of safety.

Qualifications of Applicants

1. Gene E. Adams

Mr. Adams, 64, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/70 and in the left, 20/20. Following an examination in 2003, his optometrist certified, “It is my professional opinion that Mr. Adams has adequate vision to operate a commercial vehicle.” Mr. Adams reported that he has driven straight trucks for 46 years, accumulating 138,000 miles, and tractor-trailer combinations for 23 years, accumulating 2.5 million miles. He holds a Class AMV CDL from Alabama. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

2. Morris R. Beebe

Mr. Beebe, 36, has a damaged retina in his right eye due to injury at age 6. His visual acuity in the right eye is 20/80 and in the left, 20/20. Following an examination in 2002, his optometrist certified, “It is my belief that Morris has sufficient vision and visual field perception in both eyes to be able to operate with a CDL license.” Mr. Beebe reported that he has driven straight trucks for 4 months, accumulating 38,000 miles, and tractor-trailer combinations for 2 years 8 months, accumulating 350,000 miles. He holds a Class A CDL from Colorado. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

3. William V. Beekler

Mr. Beekler, 59, had a branch artery occlusion in his right eye in 1993. His visual acuity in the right eye is hand

motions and in the left, 20/20 with correction. His optometrist examined him in 2003 and certified, “In my opinion, Mr. Beekler has sufficient visual function required to operate a commercial vehicle.” Mr. Beekler submitted that he has driven straight trucks and tractor-trailer combinations for 42 years, accumulating 840,000 miles in the former and 4.2 million miles in the latter. He holds a Class A CDL from New Jersey. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

4. Jerry W. Branning

Mr. Branning, 58, lost his left eye due to trauma in 1983. His visual acuity in the right eye is 20/20. Following an examination in 2003, his optometrist certified, “In my opinion Mr. Branning has sufficient vision to exercise the privileges and responsibilities of operating a commercial vehicle.” Mr. Branning reported that he has driven straight trucks for 28 years, accumulating 4.8 million miles. He holds a Class A CDL from New Mexico. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—speeding—in a CMV. He exceeded the speed limit by 10 mph.

5. Dennis R. Burda

Mr. Burda, 55, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/20. Following an examination in 2003, his optometrist certified, “It is our judgment that Mr. Burda’s vision is good enough to operate a commercial vehicle with no restrictions day or night.” Mr. Burda submitted that he has driven straight trucks for 37 years, accumulating 742,000 miles, and tractor-trailer combinations for 5 years, accumulating 101,000 miles. He holds a Class A CDL from California. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

6. James A. Busbin, Jr.

Mr. Busbin, 48, has an enlarged blind spot in his right eye resulting from an injury at age 4. His best-corrected visual acuity in the right eye is 20/50 and in the left, 20/16. Following an examination in 2003, his optometrist certified, “In my opinion, this individual has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Busbin reported that he has driven straight trucks for 3 years, accumulating 150,000 miles. He holds a Class DM

driver’s license from Alabama. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

7. Domenic J. Carassai

Mr. Carassai, 44, has amblyopia in his right eye. His visual acuity in the right eye is 20/70 and in the left, 20/20. His ophthalmologist examined him in 2002 and stated, “In our opinion, Mr. Carassai’s vision is good enough to operate a commercial vehicle.” Mr. Carassai reported that he has driven straight trucks for 15 years, accumulating 360,000 miles. He holds a Class A CDL from New Jersey. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

8. Theodore W. Cozat

Mr. Cozat, 60, lost his right eye at age 10 due to a congenital birth defect. His visual acuity in the left eye is 20/20. Following an examination in 2003, his optometrist certified, “In my medical opinion he has the vision to operate a commercial vehicle safely, as he has done so, for the past 29 years with a reportedly clean driving record.” Mr. Cozat reported that he has driven tractor-trailer combinations for 9 years, accumulating 900,000 miles. He holds a Class CA CDL from Michigan. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

9. Todd L. Dewey

Mr. Dewey, 35, has had optic nerve hypoplasia in his right eye for 4 years. His best-corrected visual acuity in the right eye is 20/400 and in the left, 20/30. Following an examination in 2002, his optometrist certified, “Based on the above findings, Mr. Dewey appears to have sufficient vision to perform the driving tasks associated with driving a commercial motor vehicle.” Mr. Dewey reported that he has driven straight trucks for 14 years, accumulating 345,000 miles. He holds a Class B CDL from Florida. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

10. John F. Dougherty

Mr. Dougherty, 59, has amblyopia in his right eye. His best-corrected visual acuity in the right eye is 20/60 and in the left, 20/20. Following an examination in 2003, his optometrist stated, “Mr. Dougherty, due to his congenital refractive amblyopia does have reduced acuity and peripheral vision. Binocular vision quality is also reduced due to the amblyopia. These