

commercial vehicle." Mr. McGinnis submitted that he has driven straight trucks for 20 years, accumulating 150,000 miles, and tractor-trailer combinations for 13 years, accumulating 1.2 million miles. He holds a Class A CDL from Texas. His driving record shows one accident and no convictions for moving violations in a CMV during the last 3 years. According to the accident report, Mr. McGinnis was attempting to make a right turn when another driver also attempted to turn right by driving on the shoulder. The report indicated that the other driver contributed to the collision by "turning improperly—wrong lane." Mr. McGinnis was not cited.

17. Gary L. Miller

Mr. Miller, 61, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/30 and in the left, 20/60. Following an examination in 2003 his optometrist stated, "Mr. Miller's driving experience and life-long visual adaptation make him quite capable of driving commercial vehicles safely." Mr. Miller submitted that he has driven straight trucks for 30 years, accumulating 750,000 miles, and tractor-trailer combinations for 12 years, accumulating 840,000 miles. He holds a Class A CDL from Kansas. His driving record for the last 3 years shows no accidents and one conviction for a moving violation—"failure to yield right of way to an emergency vehicle"—in a CMV.

18. Jack D. Miller

Mr. Miller, 46, has had a retinal and iridic coloboma in his left eye since birth. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. His optometrist examined him in 2003 and certified, "With an excellent driving history, stable visual condition and 20/20 potential, I do believe Jack Miller would be safe to drive a commercial vehicle." Mr. Miller reported that he has driven straight trucks for 10 years, accumulating 100,000 miles, and tractor-trailer combinations for 18 years, accumulating 1.6 million miles. He holds a Class A CDL from Ohio. 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 19 mph.

19. Ezequiel M. Ramirez

Mr. Ramirez, 45, lost his right eye due to trauma 20 years ago. His visual acuity in the left eye is 20/20. Following an examination in 2003, his optometrist certified, "In my medical opinion, Ezequiel, has sufficient vision in his left

eye to perform the driving tasks required to operate a commercial vehicle, and has reported performing these driving tasks for the past five to ten years." Mr. Ramirez reported that he has driven tractor-trailer combinations for 5 years, accumulating 816,000 miles. He holds a Class A CDL from Texas. 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.

20. Carl W. Skinner, Jr.

Mr. Skinner, 47, has had a macular scar in his left eye since 1997 due to toxoplasmosis. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/400. Following an examination in 2003, his optometrist stated, "Carl Skinner, in my opinion, has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Skinner submitted that he has driven straight trucks for 15 years, accumulating 375,000 miles, and tractor-trailer combinations for 2 years, accumulating 30,000 miles. He holds a Class A CDL from Ohio. His driving record shows no accidents or convictions for moving violations in a CMV during the last 3 years.

21. Doyce J. Soriez

Mr. Soriez, 70, experienced a retinal artery occlusion in his left eye in 1999. His best-corrected visual acuity is 20/20 in the right eye and 20/50 in the left. Following an examination in 2003, his ophthalmologist stated, "In my opinion, Mr. Soriez has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Soriez reported that he has driven straight trucks for 1 year, accumulating 20,000 miles, tractor-trailer combinations for 1 year, accumulating 800 miles, and buses for 13 years, accumulating 988,000 miles. He holds a Class D chauffeur's license from Louisiana. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

22. Peter D. Wehner

Mr. Wehner, 27, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/15 and in the left, 20/50. Following an examination in 2003, his optometrist certified, "I see no indication from a visual standpoint that he would be unable to properly handle the visual tasks required in operating a commercial motor vehicle." Mr. Wehner reported that he has driven straight trucks for 4 years, accumulating 160,000 miles. He holds a Class B CDL from

Minnesota. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

23. Howard W. Williams

Mr. Williams, 54, has retinal scarring in his right eye due to trauma at age 2. His best-corrected visual acuity is 20/200 in the right eye and 20/20 in the left. His optometrist examined him in 2003 and certified, "In my opinion, Mr. Williams has sufficient vision to drive a commercial vehicle." Mr. Williams reported that he has driven buses for 21 years, accumulating 874,000 miles. He holds a Class D chauffeur's license from Louisiana. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

24. Jack E. Wilson

Mr. Wilson, 55, has amblyopia in his left eye. His best-corrected visual acuity in the right eye is 20/20 and in the left, 20/200. Following an examination in 2003, his ophthalmologist certified, "It is my medical opinion that he currently has adequate vision to perform the visual tasks required pertaining to the operation of a commercial vehicle." Mr. Wilson reported that he has driven straight trucks for 24 years, accumulating 2.8 million miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

Request for Comments

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in the notice.

Issued on: October 24, 2003.

Pamela M. Pelcovits,
Office Director, Policy, Plans, and Regulations.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2003-15892]

Qualification of Drivers; Exemption Applications; Vision

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