

visual acuity is 20/15 with correction in the right eye. His optometrist examined him in 2000 and stated, "In my opinion Mr Veach is qualified to operate a commercial vehicle without any restrictions." In his application, Mr. Veach reported that he has driven tractor-trailer combination vehicles and straight trucks for 35 years, totaling 2.0 million miles and 100,000 miles, respectively. He holds an Iowa Class A CDL, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*36. Kevin L. Wickard*

Mr. Wickard, 44, has amblyopia in his left eye. His best-corrected vision is 20/20 in the right eye and 20/100 in the left eye. The optometrist who examined him in 2000 stated, "The vision in Mr. Wickard's right eye is sufficient to perform the driving tasks required to operate a commercial vehicle." Mr. Wickard submitted that he has 22 years of experience driving tractor-trailer combinations for a total of 1.6 million miles; and 4 years of experience driving straight trucks for a total of 80,000 miles. He holds a Class A CDL from Pennsylvania, and for the last 3 years he has no accidents or convictions for moving violations in a CMV on his driving record.

*37. Charles M. Wilkins*

Mr. Wilkins, 47, has had amblyopia of the right eye and nystagmus since childhood. His best-corrected visual acuities are 20/40 in the right eye, and 20/25 in the left eye. In 2000 his optometrist examined him and affirmed, "[The nearsightedness and nystagmus] have not presented him any problems in his driving or in performing his driving tasks for a commercial vehicle in all of the years that I have seen him. I do not anticipate that these will cause problems for him in his current position." Mr. Wilkins submitted that he has 28 years of experience driving tractor-trailer combinations over 2.1 million miles. He holds a Class A CDL from Indiana, and his driving record for the last 3 years has no accidents or convictions for a moving violation in a CMV.

*38. Michael C. Wines*

Mr. Wines, 42, has a chorioretinal scar in his left eye, due to an injury in 1971. He is able to see 20/20 with his right eye with correction, and 20/200 with his left eye. His ophthalmologist examined him in 2000, and stated, "In my medical opinion, Mr. Wines has sufficient vision to perform the driving tasks required to operate a commercial vehicle as long as

he has mirrors on both sides of the vehicle." Mr. Wines reported that he has driven straight trucks for 17 years and 59,000 miles. He holds a Maryland Class BM CDL, and he has no accidents or convictions for moving violations in a CMV on his driving record for the last 3 years.

**Request for Comments**

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA is requesting public comment from all interested persons on the exemption petitions and the matters discussed in this notice. All comments received before the close of business on the closing date indicated above will be considered and will be available for examination in the docket room at the above address. Comments received after the closing date will be filed in the docket and will be considered to the extent practicable, but the FMCSA may publish in the **Federal Register** a notice of final determination at any time after the close of the comment period. Interested persons should continue to examine the docket for new material.

**Authority:** 49 U.S.C. 322, 31136 and 31315; and 49 CFR 1.73.

Issued on March 27, 2001.

**Stephen E. Barber,**

*Acting Deputy Administrator.*

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA 2001-9116; Notice 1]

**Hankook Tire Corporation, Receipt of Application for Decision of Inconsequential Noncompliance**

Hankook Tire Manufacturing Company, Ltd., a Korean corporation, has determined that approximately 7,600 P205/75R14 Dayton Thorobred tires produced in the Hankook Daejun Plant during August 2000 through January 2001 do not meet the labeling requirements mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 109, "New Pneumatic Tires."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Hankook has petitioned for a determination that the noncompliance is inconsequential to motor vehicle safety. It has filed an appropriate report pursuant to 49 CFR Part 573, "Defect and Noncompliance Reports."

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not

represent any agency decision or other exercise of judgment concerning the merits of the application.

The noncompliance with S4.3.(a) relates to a mismarking of the tire size on one mold, Serial Number 24383. The actual stamping in the bead area of the DOT serial side only is P205/75R15 and the correct stamping should be P205/75R14.

Hankook states that the affected P205/75R14 Dayton Thorobred tires meet all other requirements of FMVSS No. 109. The larger predominant P205/75R14 markings on the mid-sidewall and markings on the tire labels are correct. Furthermore, the P205/75R14 tire could not be mounted on a 15" wheel since the mounting machine could not apply sufficient force to mount the tire. Hankook submits that "possible adverse effect upon motor vehicle safety, which could be attributed to the noncompliance, should be deemed inconsequential."

Interested persons are invited to submit written data, views, and arguments on the application described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation, Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. It is requested that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below. Comment closing date: May 3, 2001.

**Authority:** 49 U.S.C. 301118, 301120; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: March 29, 2001.

**Stephen R. Kratzke,**

*Associate Administrator for Safety Performance Standards.*

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