

MEDICAL REVIEW BOARD

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C/O: Federal Motor Carrier Safety Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

September 1, 2015

T.F. Scott Darling, III

Acting Administrator

Federal Motor Carrier Safety Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

Dear Mr. Darling:

On July 22, 2015, the Medical Review Board (MRB) met in public meetings to deliberate on *Medical Review Board Task 15-2* regarding potential regulatory actions concerning vision standards for interstate commercial motor vehicle drivers. In MRB Task 15-2, the Federal Motor Carrier Safety Administration (FMCSA) requested that the MRB recommend criteria and identify factors the Agency should consider with regard to making a decision about a potential future rulemaking on vision criteria.

The attached report includes all of the MRB’s ideas and recommendations related to MRB Task 15-2. On behalf of the MRB, I respectfully submit this report to FMCSA for its consideration.

Sincerely,

//signed//

Gina C. Pervall, MD, CIME

Chairman, Medical Review Board

Enclosure

**MRB Task 15-2: Recommendations on Potential Regulatory Actions Concerning Vision Standards for Interstate Commercial Motor Vehicle (CMV) Drivers**

*Task 15-02: FMCSA requests that the MRB recommend criteria and identify factors the Agency should consider with regard to making a decision about a potential future rulemaking on vision criteria.*

*The current vision standard pertains to acuity (the ability to see at a distance), field of vision (the ability to see peripherally), and the ability to detect and distinguish colors. Specifically, 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV in interstate commerce if that person has:*

1. *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;*
2. *Distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses;*
3. *Field of vision of at least 70° in the horizontal meridian in each eye; and*
4. *The ability to recognize the colors of traffic signals and devices showing standard, red, green, and amber.*

*Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may exempt a CMV driver from application of the vision standards 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 current Vision Exemption Program was established in 1998; applications are now handled in*

*accordance with 49 CFR part 381 subpart C. Qualifying individuals may apply for an exemption for up to 2 years from specified provisions of the Federal Motor Carrier Safety Regulations, including physical qualification standards specified under § 391.41(b).*

1. If FMCSA considers removing the current Visual Exemption program, the MRB recommends the following changes to the vision standard regulations:
2. Provide a form/questionnaire to the eye specialist (ophthalmologist or optometrist) that includes all information required by the current Visual Exemption program. Form should be given to the Certified Medical Examiner (CME).
3. Length of certification with vision exemption: MRB recommends 1 year but FMCSA should seek comment from eye specialist (ophthalmologist or optometrist) associations on recommended frequency of examination.
4. FMCSA should seek comment from the eye specialist (ophthalmologist or optometrist) associations regarding:
   1. Whether there is additional information that would be useful to collect.
   2. What is the minimum amount of time they would feel comfortable allowing someone to drive who has sudden change from binocular vision? (Current Visual Exemption Program requires a safe driving record with such an eye condition for 3 years.)
   3. Co-condition/disease process.
   4. Recommendations on field of vision criteria (e.g., not supposed to be 70° as stated in the current vision standard).