

FR 23054, 79 FR 73400). In addition, for Commercial Driver's License (CDL) holders, the Commercial Driver's License Information System (CDLIS) and the Motor Carrier Management Information System (MCMIS) are searched for crash and violation data. For non-CDL holders, the Agency reviews the driving records from the State Driver's Licensing Agency (SDLA). These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce.

The 10 drivers in this notice remain in good standing with the Agency, have maintained their medical monitoring, and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous two-year exemption period. FMCSA has concluded that renewing the exemptions for each of these applicants is likely to achieve a level of safety equal to that existing without the exemption. Therefore, FMCSA has decided to renew each exemption for a two-year period. In accordance with 49 U.S.C. 31136(e) and 31315, each driver has received a renewed exemption.

As of June 9, 2016, David Crowe (VA) has satisfied the renewal conditions for obtaining an exemption from the Epilepsy and Seizure Disorders prohibition in 49 CFR 391.41(b)(8) from driving CMVs in interstate commerce (79 FR 23054). This driver was included in FMCSA-2013-0109. The exemption was effective on June 9, 2016, and will expire on June 9, 2018.

As of June 24, 2016, the following 9 individuals have satisfied the renewal conditions for obtaining an exemption from the Epilepsy and Seizure Disorders prohibition in 49 CFR 391.41(b)(8) from driving CMVs in interstate commerce (79 FR 73400):

Travis Arend (VA)  
Heath Crowe (LA)  
Richard Degnan (AZ)  
Peter DellaRocco (PA)  
Domenick Panfie (NJ)  
Scott Reaves (TX)  
Milton Tatham (NV)  
Thomas Tincher (VA)  
Duane Troff (MN)

These drivers were included in FMCSA-2013-0444. The exemptions were effective on June 24, 2016, and will expire on June 24, 2018.

#### IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must remain seizure-free and maintain a stable treatment during the two-year exemption period; (2) each

driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified Medical Examiner, as defined by 49 CFR 390.5; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file or keep a copy of his/her driver's qualification file if he/she is self-employed. The driver must have a copy of the exemption when driving for presentation to a duly authorized Federal, State, or local enforcement official. The exemption will be rescinded 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(e) and 31315.

#### V. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

#### VI. Conclusion

Based upon its evaluation of the 10 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the Epilepsy and Seizure Disorders requirement in 49 CFR 391.41(b)(8). In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years unless revoked earlier by FMCSA.

Issued on: December 29, 2016.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017-00518 Filed 1-11-17; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2010-0247; FMCSA-2012-0128; FMCSA-2012-0217; FMCSA-2012-0219; FMCSA-2014-0021]

#### Qualification of Drivers; Exemption Applications; Diabetes

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to renew exemptions of 116 individuals from its prohibition in the

Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals with ITDM to continue to operate CMVs in interstate commerce.

**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 a.m. to 5:30 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 November 15, 2016, FMCSA published a notice announcing its decision to renew exemptions for 116 individuals from the insulin-treated diabetes mellitus prohibition in 49 CFR 391.41(b)(3) to operate a CMV in interstate commerce and requested comments from the public (81 FR 80164). The public comment period ended on December 15, 2016 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)(3).

The physical qualification standard for drivers regarding diabetes found in 49 CFR 391.41(b)(3) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

### III. Discussion of Comments

FMCSA received no comments in this preceding.

### IV. Conclusion

Based upon its evaluation of the 116 renewal exemption applications and that no comments were received, FMCSA confirms its' decision to exempt the following drivers from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce in 49 CFR 391.64(3):

As of October 8, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following individual, Gary B. Bland (GA) has satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce. (75 FR 52813; 75 FR 64394):

The driver was included in Docket No. FMCSA–2010–0247. The exemption is effective as of October 8, 2016, and will expire on October 8, 2018.

As of October 10, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 8 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (77 FR 48587; 77 FR 61655):

Dominick Bravata (IL)  
Barry J. Drews (MI)  
Mason L. Hall (SD)  
Chad E. Hasler (MT)  
Norman A. Latondresse (RI)  
Robert C. Lister, Jr. (OH)  
Robert E. Smith (GA)  
Steven A. Wilson (FL)

The drivers were included in Docket No. FMCSA–2012–0217. Their exemptions are effective as of October 10, 2016, and will expire on October 10, 2018.

As of October 19, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 14 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (75 FR 52813; 75 FR 64394):

Eric A. Anderson (ND)  
Juan E. Boyd (NC)  
Bradley R. Burns (OH)  
Leo G. Dinero (GA)  
Terry W. Ferguson (GA)  
Thomas G. Flanagan (IN)  
Donald K. Fraase (ND)  
Jason W. Geier (MT)  
Scott R. Grange (CA)  
John A. Hayes (NY)  
Bradley D. Heagel (IA)  
Harold A. Meeker, Jr. (MA)  
Ronald D. Olson (WI)  
Daniel E. Velasco (MD)

The drivers were included in Docket No. FMCSA–2010–0247. Their exemptions are effective as of October 19, 2016, and will expire on October 19, 2018.

As of October 21, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 70 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 56107; 79 FR 73946):

Michael L. Agnitsch (NE)  
Earl W. Avery (TN)  
Michael A. Baker (CT)  
Pablo H. Bilbao La Vieja Pozo (RI)  
Todd D. Bloomfield (WA)  
Charles K. Bond (PA)  
Christopher R. Cook (NY)  
Wygila M. Corliss (NM)  
Timothy J. Cornish (OH)  
Evan R. Dieken (MN)  
Greg B. Duck (TX)  
Richard A. Durr (IL)  
George B. Ferris, Jr. (NY)  
John B. Flood (MO)  
Brian K. Forrest (PA)  
David S. Fortune (VA)  
John Galione (NJ)  
Peter E. Ganss (KS)  
David E. Gates (MA)  
Michael Hawkins (SC)  
Rodney J. Hendricks (ID)  
Timothy U. Herring (NC)  
Richard L. Hines (NC)  
David M. Hughes (UT)  
Jammie L. Hughes (OH)  
Andy L. Hughes (IL)  
Rodney L. Johnson (OR)  
Paul D. Kimmel (IA)  
Scott M. Klain (OR)  
Jeffrey P. Kloeckl (SD)  
John J. Kress (AZ)  
Gregory L. Kuharski (MN)  
Robert B. Langston, III (MS)  
Mark W. Lavorini (PA)  
Alan S. Lewis (NM)  
William M. Linskey (MA)  
Jason D. Lowder (OH)  
Arnold V. Magaoay (HI)  
Norman C. Mallett (AR)  
Justin T. Mattice (AZ)  
Leldon W. McCutcheon (AL)

William F. McQueen Jr. (MO)  
Kenneth M. Miller (ID)  
William F. Mitchell (CT)  
Richard E. Moore (NY)  
Matthew K. Morrison (UT)  
Gary R. Nelson (MN)  
Edward L. Norfleet (AL)  
Mark P. Norwood (NV)  
Kyle R. Perry (PA)  
Michael L. Plinski (WA)  
Christopher M. Provance (NE)  
James A. Rambo (VA)  
Michael E. Reck (OH)  
Warren A. Richter (MN)  
Richard D. Sandison (ND)  
James E. Seymour (PA)  
Calvin R. Smith (IL)  
Wesley J. Summerville (PA)  
William R. Thome (IA)  
Stephen M. Thompson (GA)  
Randy L. Triplett (OH)  
John E. Trygstad (SD)  
Steven R. Weir (MA)  
Richard T. Whitney (MN)  
Donald D. Willard (IA)  
Gary W. Wozniak (NE)  
Steven L. Yokom (ID)  
Allan M. Younglas (PA)  
Daniel R. Zuriff (MN)

The drivers were included in Docket No. FMCSA–2014–0021. Their exemptions are effective as of October 21, 2016, and will expire on October 21, 2018.

As of October 22, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 16 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (77 FR 52384; 77 FR 64585):

Richard T. Ewell (IL)  
Patrick D. Fortier (MN)  
Daniel J. Gladen (MN)  
Walter V. Gruba (VA)  
Marshall D. Howell (MI)  
Roger P. LaFever (WI)  
William R. Lawrence (MT)  
Duane J. Mullins (WI)  
Louis R. Noellsch (WA)  
Darrin W. Pettis (WA)  
Michael J. Raposa (MA)  
Anthony E. Reed (MO)  
Earl L. Slater (NY)  
Keith J. Tavares (MA)  
Phillip L. Truitt (MD)  
David A. Weinbroer (KY)

The drivers were included in Docket No. FMCSA–2012–0128. Their exemptions are effective as of October 22, 2016, and will expire on October 22, 2018.

As of October 31, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 7 individuals have satisfied the renewal conditions for obtaining an exemption from the rule

prohibiting drivers with ITDM from driving CMVs in interstate commerce (77 FR 56258; 77 FR 65929):

Edward K. Belcher (KY)  
Philip C. Brooks, Jr. (VA)  
Michael R. Conley (MN)  
Patrick J. Connors (MA)  
John C. Halabura (PA)  
Paul L. Harrison III (NY)  
Robert D. Marshall (PA)

The drivers were included in Docket No. FMCSA–2012–0219. Their exemptions are effective as of October 31, 2016, and will expire on October 31, 2018.

Each of the 116 drivers in the aforementioned groups qualifies for a renewal of the exemption. They have maintained their required medical monitoring and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous 2-year exemption period.

These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each of the 116 drivers for a period of two years is likely to achieve a level of safety equal to that existing without the exemption. The drivers were included in docket numbers FMCSA–2010–0247; FMCSA–2012–0128; FMCSA–2012–0217; FMCSA–2012–0219; FMCSA–2014–0021.

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: January 6, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017–00516 Filed 1–11–17; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0382]

### Qualification of Drivers; Exemption Applications; Diabetes Mellitus

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA).

**ACTION:** Notice of applications for exemptions; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from 47 individuals for exemption from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals with ITDM to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before February 13, 2017.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2016–0382 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

*Instructions:* Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below for further information.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time 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. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

*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 [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**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 W64–113, Washington, DC 20590–0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

### SUPPLEMENTARY INFORMATION:

#### I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations 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 47 individuals listed in this notice have recently requested such an exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), 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 mandated by statute.

#### II. Qualifications of Applicants

##### *Luciano Abreu*

Mr. Abreu, 61, has had ITDM since 2016. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Abreu understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Abreu meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds an operator's license from New Jersey.

##### *Louis I. Alonzo*

Mr. Alonzo, 45, has had ITDM since 2016. His endocrinologist examined him in 2016 and certified that he has had no