FOR FURTHER INFORMATION CONTACT:
Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, fmcsamedical@dot.gov, FMCSA, Department of Transportation, 1200 New Jersey Avenue SE, Room W64–113, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m. e.t., Monday through Friday, except Federal holidays.

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., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 552a(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, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.dot.gov/privacy.

II. Background

On November 27, 2015, FMCSA published a notice of receipt of Federal diabetes exemption applications from 44 individuals and requested comments from the public (80 FR 74190). The public comment period closed on December 28, 2015, and no comments were received.

FMCSA has evaluated the eligibility of the 44 applicants and determined that granting the exemptions to these individuals 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).

Diabetes Mellitus and Driving Experience of the Applicants

The Agency established the current requirement for diabetes in 1970 because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that “A person is physically capable of driving a commercial motor vehicle if that person has no established condition of the applicant were stated and discussed in detail in the November 27, 2015, Federal Register notice and they will not be repeated in this notice.

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants’ ITDM and vision, and reviewed the treating endocrinologists’ medical opinion related to the ability of
the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that in each case exempting these applicants from the diabetes requirement in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

V. Conditions and Requirements

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual provide a copy of the ophthalmologist’s report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver’s qualification file, or keep a copy in his/her driver’s qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

VI. Conclusion

Based upon its evaluation of the 44 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above 49 CFR 391.64(b):

William R. Hardy (MI)
Craig A. Hendrickson (IL)
William D. Hoopes (OH)
Jeffrey L. Jones (AR)
Brent S. LaBree, II (VT)
Michael C. Landers (MA)
Duane F. Light (CT)
Darold W. Mahlstedt (IA)
Robert L. McConnell (PA)
Mark R.S. McMillan (NY)
Keith R. Miller (WV)
Randall T. Mitchell (AL)
Ernest Nez, Sr. (AZ)
Shawn P. O’Malley (WA)
Felipe N. Perez (FL)
Kenneth W. Phillips (IN)
Tony L. Prouty (IA)
Jim T. Repass (IN)
Jakob K. Siler (OK)
Darren G. Steil (IA)
Steffen P. Stokke (WI)
Richard E. Wagner (MN)
Harold W. Welch (NE)
John F. Wescoski, Jr. (ND)
Levon Wright, Sr. (FL)
Tadeusz S. Wrzesinski (PA)

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption is valid for two years 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 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. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: January 19, 2016.
Larry W. Minor,
Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Notice To Rescind Notice of Intent To Prepare an Environmental Impact Statement Virginia Beach Transit Extension Study, Virginia

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Rescind Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS).

SUMMARY: FTA in cooperation with Hampton Roads Transit (HRT) is issuing this notice to advise the public that the NOI to prepare an EIS for the Virginia Beach Transit Extension Study (VBTES) is being rescinded.

FOR FURTHER INFORMATION CONTACT: Mr. Ryan Long, Community Planner, Federal Transit Administration Region III, 1760 Market St, Suite 500 Philadelphia, PA 19103, phone 215–656–7051, email ryan.long@dot.gov.

SUPPLEMENTARY INFORMATION: FTA, as the lead Federal agency, and HRT, as the project sponsor, published an NOI in the Federal Register on August 14, 2013 (FR Volume 78, Number 157) to prepare an EIS for the VBTEES. The VBTEES EIS evaluated extending transit service from the eastern terminus of HRT’s existing Light Rail Transit (LRT) system, “The Tide,” at Newtown Road in Norfolk to the Virginia Beach oceanfront. The extension would travel either along the former Norfolk Southern Railroad right-of-way (NSRR ROW) that runs from Newtown Road to Birdneck Road, or along the NSRR ROW to Laskin Road then onto Birdneck Road and terminating at the Virginia Beach oceanfront.

HRT was intending to seek Capital Investment Grant Program (CIG) funding from FTA for one or more of the alternatives that were examined in the Draft EIS. The CIG program, more commonly known as the New Starts, Small Starts, and Core Capacity program, involves a multi-year, multi-step process that project sponsors must complete before a project is eligible for funding. The steps in the process and the basic requirements of the program can be found on FTA’s Web site at www.fta.dot.gov.

Since FTA approval of the Draft EIS on March 3, 2015, HRT has re-examined funding options and elected to not pursue the CIG program or other Federal transportation funding. Therefore, FTA is rescinding the August 14, 2013 NOI.

Comments and questions concerning this notice should be directed to FTA at the address provided above.

Terry Garcia Crews,
Regional Administrator, FTA Region III.

BILLING CODE 4910–EX–P