DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Notice of final disposition.]


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 107 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 (80 FR 81667). The public comment period ended on January 29, 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 107 renewal exemption applications and that no comments were received, FMCSA announces its decision to exempt the following drivers from the rule prohibiting drivers with ITDM from operating CMVs in interstate commerce in 49 CFR 391.41(b)(3):

As of January 5, 2016, the following 20 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs.
As of January 11, 2016, the following 28 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (74 FR 55890; 75 FR 4622; 80 FR 81667):

- John C. Thomas (IN)
- Ron E. Reif (WI)
- Michael E. Pleak (IN)
- Christopher C. Stephenson (KS)
- Scott J. Denham (MN)
- Joseph J. Conner (IA)
- Gary L. Breitenbach (SC)
- Michael Kollos (MN)
- Clair H. Gilmore (WA)
- Michael Kollo (MN)
- William L. McSweeney (NH)
- Eric W. Miller (IN)
- Mark A. Ronsen (MN)
- Daniel B. Shaw (FL)
- John C. Thomas (IN)
- Richard Wasko (FL)
- Douglas E. Wilholt (PA)
- Richard A. Wilk (OH)
- Thomas A. Young (TX)

The drivers were included in Docket No. FMCSA–2013–0190. Their exemptions are effective as of January 23, 2016 and will expire on January 23, 2018.

As of January 23, 2016, the following 13 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (78 FR 3917; 80 FR 81667):

- Dylan J. Bryan (IL)
- Robert A. Collins (NJ)
- Fred J. Combs (OH)
- Edward C. DeFrancesco (CT)
- Terrance J. Dusharm (MN)
- Jonathan Eggers (MN)
- Gilbert N. Fugate (IN)
- Scott C. Garbisel (ME)
- Charles D. Grant (GA)
- William F. Hamann (KY)
- Jerry J. Klosterman (OH)
- Joseph E. Kolb (NY)
- Matthew D. Lee (VA)
- Craig A. Lemponen (OH)
- Matthew P. Ludvig (NY)
- Keith B. Masters (NH)
- Eli J. Meekhof (MI)
- Jeffrey A. Olson (IA)
- Marvin H. Patterson III (SC)
- Brandon C. Rhinehart (MD)
- Donald R. Sine, Jr. (WV)
- Dennis E. Taunton (ID)
- Phillip A. Trent (VA)
- Deborah D. Watson (MI)
- Ronnie C. Webb (MT)

The drivers were included in Docket No. FMCSA–2013–0191. Their exemptions are effective as of January 29, 2016 and will expire on January 29, 2018.

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: November 25, 2016.

Larry W. Minor, Associate Administrator for Policy.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[DOcket No. NHTSA–2016–0028; Notice 2]

Volkswagen Group of America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: Volkswagen Group of America, Inc. (Volkswagen) determined that certain model year (MY) 2016 Volkswagen Beetle Convertible passenger cars do not fully comply with Federal Motor Vehicle Safety Standards (FMVSS) No. 110, "Tire Selection and Rims and Motor Home/