

each applicant were stated and discussed in detail in the April 9, 2018, **Federal Register** notice (83 FR 15225) and will not be repeated in this notice.

These 46 applicants have had ITDM over a range of 1 to 28 years. These applicants report no severe hypoglycemic reactions resulting in loss of consciousness or seizure, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning symptoms, in the past 12 months and no recurrent (two or more) severe hypoglycemic episodes in the past five years. In each case, an endocrinologist verified that the driver has demonstrated a willingness to properly monitor and manage his/her diabetes mellitus, received education related to diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes related complications. Each meets the vision requirement at 49 CFR 391.41(b)(10).

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 are provided to the applicants in the exemption document and includes the following: (1) Each driver must submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) each driver must report within two business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) each driver must provide a copy of the ophthalmologist's or optometrist's report to the Medical Examiner at the time of the annual medical examination; 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 keeping a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

#### VI. 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.

#### VII. Conclusion

Based upon its evaluation of the 46 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above:

Mark G. Albertson (NY)  
 Duane L. Barrett (AL)  
 Marvin L. Bodey (TX)  
 Kevin A. Cardona (NY)  
 James W. Carlson (WI)  
 Kyle E. Caswell (MA)  
 Nathaniel W. Curry (NC)  
 Henry H. Daugherty (PA)  
 Victor D. Davis (DE)  
 Todd E. Dawson (MI)  
 James A. Denmark (GA)  
 John V. Dobrowski (NH)  
 Michael W. Driggers (SC)  
 Michael J. Duffey (VA)  
 Timothy L. Ebberts (IL)  
 Alfred K. Estes (WI)  
 Travis L. Gelbrich (OR)  
 Wyllshaun A. Gipson (ME)  
 Adam K. Graham (PA)  
 Nicholas D. Haggerty (WV)  
 John A. Hayes (NY)  
 Dennis R. Henry (TX)  
 Kenneth R. Henry (TX)  
 Robert T. Holcombe (TN)  
 Richard P. Houle (WA)  
 Daniel S. Howell (PA)  
 Christopher S. Justice (NC)  
 William T. Kribell (SD)  
 Jason A. Lantz (MN)  
 Dennis A. Lightbown (CO)  
 Anthony L. Maita (PA)  
 Robert M. Matthies (MA)  
 James J.P. May (CA)  
 Dale H.N. McCann (PA)  
 James L. Morgan, Jr. (NC)  
 William L. Nicklas (PA)  
 Lorenzo E. Romo (TX)  
 Dennis K. Rottenbacher (SD)  
 Gregory Schembri (PA)  
 Douglas R. Schrader (WI)  
 Ethan J. Stewmon (TN)  
 Charles F. Stockton (MO)  
 Michael E. Thomas (NE)  
 Benjamin D. Utoft (IA)  
 Cassandra D. Waters (MD)  
 Daniel J. Welch (MI)

In accordance with 49 U.S.C. 31136(e) and 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(e) and 31315.

Issued on: June 11, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2018-13009 Filed 6-15-18; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0322; FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2015-0329; FMCSA-2013-0124]

### Qualification of Drivers; Exemption Applications; Hearing

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

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

**SUMMARY:** FMCSA announces its decision to renew exemptions for 19 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these hard of hearing and deaf individuals to continue to operate CMVs in interstate commerce.

**DATES:** Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below. Comments must be received on or before July 18, 2018.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2012-0322; FMCSA-2013-0122; FMCSA-2013-0123; FMCSA-2015-0329; and FMCSA-13-0124 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online 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 number(s) 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 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 online.

**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>.

**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 8:30 a.m. to 5 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. Background**

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for five years 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 five-year period. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum duration of a driver’s medical certification.

The physical qualification standard for drivers regarding hearing found in

49 CFR 391.41(b)(11) states that a person is physically qualified to driver a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

49 CFR 391.41(b)(11) was adopted in 1970, with a revision in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid, 35 FR 6458, 6463 (April 22, 1970) and 36 FR 12857 (July 3, 1971).

The 19 individuals listed in this notice have requested renewal of their exemptions from the hearing standard in 49 CFR 391.41(b)(11), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable two-year period.

**II. Request for Comments**

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

**III. Basis for Renewing Exemptions**

In accordance with 49 U.S.C. 31136(e) and 31315, each of the 19 applicants has satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 19 drivers in this notice remain in good standing with the Agency. 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. Therefore, FMCSA concludes that extending the exemption for each of these drivers for a period of

two years is likely to achieve a level of safety equal to that existing without the exemption.

As of April 23, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 2 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Donald Lynch (SC); and Zachery Rietz (TX).

The drivers were included in docket number FMCSA-2012-0322. Their exemptions are applicable as of April 23, 2018, and will expire on April 23, 2020.

As of April 21, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSs for interstate CMV drivers:

Andrew Alcozer (IL)  
Michael Beebe (NJ)  
Shayne Bumbalough (WA)  
Barry Carpenter (SC)  
Roman Landa (CA)  
Bryan McFarland (OH)  
Jacob Paulin (WI)  
Ryan Pope (CA)  
Ronald Rutter (CA)  
Fernando R. Savon (TX)  
Russel Smith (OH)

The drivers were included in docket number FMCSA-2013-0122. Their exemptions are applicable as of April 21, 2018, and will expire on April 21, 2020.

As of April 27, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 3 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSs for interstate CMV drivers.

Tonya Bland (MD); Glenn Ferguson (TX); and Michael McCarthy.

The drivers were included in docket number FMCSA-2015-0329. Their exemptions are applicable as of April 17, 2018, and will expire on April 17, 2020.

As of April 24, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 3 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSs for interstate CMV drivers.

Kwinton Carpenter (OH); Darren Norquist (WI); and Andrey Shevchenko (MN).

The drivers were included in docket number FMCSA-2013-0124. Their exemptions are applicable as of April

24, 2018, and will expire on April 24, 2020.

#### IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must report any crashes or accidents as defined in 49 CFR 390.5; and (2) report all citations and convictions for disqualifying offenses under 49 CFR part 383 and 49 CFR 391 to FMCSA; and (3) each driver prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. In addition, the exemption does not exempt the individual from meeting the applicable CDL testing requirements. Each exemption will be valid for two years unless rescinded earlier by FMCSA. 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 19 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the hearing requirement in 49 CFR 391.41 (b)(11). 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: June 11, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2018-13014 Filed 6-15-18; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2001-10578; FMCSA-2003-15892; FMCSA-2003-16564; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2006-24015; FMCSA-2007-0071; FMCSA-2007-26653; FMCSA-2007-27897; FMCSA-2007-28695; FMCSA-2008-0021; FMCSA-2009-0303; FMCSA-2009-0321; FMCSA-2010-0050; FMCSA-2011-0324; FMCSA-2011-0365; FMCSA-2011-0366; FMCSA-2011-0378; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2013-0029; FMCSA-2013-0030; FMCSA-2013-0165; FMCSA-2013-0167; FMCSA-2013-0168; FMCSA-2013-0170; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004; FMCSA-2015-0070; FMCSA-2015-0071; FMCSA-2015-0072; FMCSA-2015-0344; FMCSA-2015-0347; FMCSA-2015-0348; FMCSA-2015-0351; FMCSA-2016-0024; FMCSA-2016-0025; FMCSA-2016-0027]

#### Qualification of Drivers; Exemption Applications; Vision

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

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

**SUMMARY:** FMCSA announces its decision to renew exemptions for 95 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirements in one eye.

**DATES:** Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below. Comments must be received on or before July 18, 2018.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-1999-6480; FMCSA-2000-7363; FMCSA-2001-10578; FMCSA-2003-15892; FMCSA-2003-16564; FMCSA-2004-17195; FMCSA-2005-23099; FMCSA-2006-24015; FMCSA-2007-0071; FMCSA-2007-26653; FMCSA-2007-27897; FMCSA-2007-28695; FMCSA-2008-0021; FMCSA-2009-0303; FMCSA-2009-0321; FMCSA-2010-0050; FMCSA-2011-0324; FMCSA-2011-0365; FMCSA-2011-0366; FMCSA-2011-0378; FMCSA-2011-0379; FMCSA-2011-0380; FMCSA-2012-0040; FMCSA-2012-0104; FMCSA-2013-0029; FMCSA-2013-0030; FMCSA-2013-0165;

FMCSA-2013-0167; FMCSA-2013-0168; FMCSA-2013-0170; FMCSA-2013-0174; FMCSA-2014-0002; FMCSA-2014-0003; FMCSA-2014-0004; FMCSA-2015-0070; FMCSA-2015-0071; FMCSA-2015-0072; FMCSA-2015-0344; FMCSA-2015-0347; FMCSA-2015-0348; FMCSA-2015-0350; FMCSA-2015-0351; FMCSA-2016-0024; FMCSA-2016-0025; FMCSA-2016-0027 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online 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.

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*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>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, 202-366-4001,