

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 15 applicants has satisfied the renewal conditions for obtaining an exemption from the hearing requirement. The 15 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 June 17, 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:

Tanya Bland, (MD); and Joseph Woodle (AL)

The drivers were included in docket number FMCSA–2015–0326. Their exemptions are applicable as of June 17, 2018, and will expire on June 17, 2020.

As of June 24, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 4 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers:

Paul Aseka (FL)  
John Dumars (FL)  
Michael McCarthy (MN)  
Fernando Velasquez (TX)

The drivers were included in docket number FMCSA–2015–0328. Their exemptions are applicable as of June 24, 2018, and will expire on June 24, 2020.

As of June 25, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Daniel Tricolici (MA) has satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers.

This driver was included in docket number FMCSA–2015–0327. The exemption is applicable as of June 25, 2018, and will expire on June 25, 2020.

As of June 27, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 4 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers.

Glenn Ferguson (TX)  
Anthony Panto (NJ)  
Wayne Turner (IL)  
Robert Wilson (TN)

The drivers were included in docket number FMCSA–2015–0329. Their exemptions are applicable as of June 27, 2018, and will expire on June 27, 2020.

As of June 29, 2018, and in accordance with U.S.C. 31136(e) and 31315, the following 4 individuals have satisfied the renewal conditions for obtaining an exemption from the hearing requirement in the FMCSRs for interstate CMV drivers.

Andrew Dueschle (TX)  
Alfredo Ramirez (TX)  
Julie Ramirez (TX)  
Hayden Teesdale (TX)

The drivers were included in docket number FMCSA–2014–0102. Their exemptions are applicable June 29, 2018, and will expire on June 29, 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: July 12, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2018–15546 Filed 7–19–18; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0061]

#### Qualification of Drivers; Exemption Applications; Hearing

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

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

**SUMMARY:** FMCSA announces receipt of applications from 30 individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before August 20, 2018.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2017–0061 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](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 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 from the FMCSRs for a five-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 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 30 individuals listed in this notice have requested an exemption from the hearing requirement in 49 CFR 391.41(b)(11). 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.

The physical qualification standard for drivers regarding hearing found in 49 CFR 391.41(b)(11) states that a person is physically qualified to drive 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.

This standard was adopted in 1970 and was revised 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).

On February 1, 2013, FMCSA announced in a Notice of Final Disposition titled, Qualification of Drivers; Application for Exemptions; National Association of the Deaf, (78 FR 7479), its decision to grant requests from 30 individuals for exemptions from the Agency’s physical qualification standard concerning hearing for interstate CMV drivers. Since the February 1, 2013 notice, the Agency has published additional notices granting requests from hard of hearing and deaf individuals for exemptions from the Agency’s physical qualification standard concerning hearing for interstate CMV drivers.

##### II. Qualifications of Applicants

###### *Matthew Albrecht*

Mr. Albrecht, age 51, holds a class A CDL in Pennsylvania.

###### *Kenji Batchelor*

Mr. Batchelor, age 40, holds an operator’s license in North Carolina.

###### *Richard W. Blaine*

Mr. Blaine, age 36, holds an operator’s license in Pennsylvania.

###### *Jeffrey D. Clark*

Mr. Clark, age 51, holds an operator’s license in Connecticut.

###### *Donald M. Craig*

Mr. Craig, age 41, holds an operator’s license in Ohio.

###### *William Entwistle*

Mr. Entwistle, age 65, holds an operator’s license in New Jersey.

###### *Donald Garber*

Mr. Garber, age 28, holds an operator’s license in Ohio.

###### *Chris Guidry*

Mr. Guidry, age 39, holds an operator’s license in Louisiana.

###### *Matthew Hamill*

Mr. Hamill, age 42, holds an operator’s license in New York.

###### *Austin Hernandez*

Mr. Hernandez, age 36, holds an operator’s license in Texas.

###### *Robert T. Hilber*

Mr. Hilber, age 34, holds an operator’s license in Texas.

###### *Scott E. Holmes*

Mr. Holmes, age 46, holds an operator’s license in Iowa.

###### *Roderick Lemoine*

Mr. Lemoine, age 52, holds an operator’s license in Louisiana.

###### *Gordon McAllister*

Mr. McAllister, age 66, holds an operator’s license in South Carolina.

###### *Gabriel L. McKelvey*

Mr. McKelvey, age 35, holds an operator’s license in South Carolina.

###### *Ervin Mitchell*

Mr. Mitchell, age 39, holds a class A CDL in Texas.

###### *Gary T. Nagel*

Mr. Nagel, age 60, holds an operator’s license in Minnesota.

###### *Albert Pizana*

Mr. Pizana, age 47, holds an operator’s license in California.

###### *Christopher Poole*

Mr. Poole, age 41, holds an operator’s license in Ohio.

###### *Ricardo O. Porras Payan*

Mr. Porras Payan, age 36, holds an operator’s license in Texas.

###### *Charles L. Perkins Jr.*

Mr. Perkins, age 31, holds an operator’s license in Louisiana.

###### *James R. Quinn*

Mr. Quinn, age 36, holds an operator’s license in Tennessee.

###### *William J. Richards*

Mr. Richards, age 33, holds an operator’s license in Ohio.

###### *Enos Smith, Jr*

Mr. Smith, age 45, holds an operator’s license in Pennsylvania.

*Khaoe K. Smith*

Mr. Smith, age 42, holds a class A CDL in Georgia.

*Ronell Smith*

Mr. Smith, age 47, holds an operator's license in California.

*Brandon Soto*

Mr. Soto, age 33, holds an operator's license in Missouri.

*Bryan Soto*

Mr. Soto, age 29, holds an operator's license in Indiana.

*Brett E. Wanner*

Mr. Wanner, age 29, holds an operator's license in Pennsylvania.

*Michael C. Wilson*

Mr. Wilson, age 52, holds an operator's license in Kentucky.

### III. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the dates section of the notice.

### IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2017-0061 and click the search button. When the new screen appears, click on the blue "Comment Now!" button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and materials received during the comment period. FMCSA may issue a final

determination any time after the close of the comment period.

### V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to <http://www.regulations.gov> and in the search box insert the docket number FMCSA-2017-0061 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to this notice.

Issued on: July 13, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2018-0028]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 36 individuals from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these individuals with ITDM to operate CMVs in interstate commerce.

**DATES:** The exemptions were applicable on June 29, 2018. The exemptions expire on June 29, 2020.

**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. 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://](http://www.regulations.gov)

[www.regulations.gov](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 May 29, 2018, FMCSA published a notice announcing receipt of applications from 36 individuals requesting an exemption from diabetes requirement in 49 CFR 391.41(b)(3) and requested comments from the public (83 FR 24563). The public comment period ended on June 28, 2018, and no comments were received.

FMCSA has evaluated the eligibility of these 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).

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 proceeding.

### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard 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.

The Agency's decision regarding these exemption applications is based on the program eligibility criteria and an individualized assessment of information submitted by each applicant. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the May 29, 2018,