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We will consider all comments and material received during the comment period. FMCSA may issue a final determination at 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–2017–0029 and click “Search.” Next, click “Open Docket Folder” and you will find all documents and comments related to this notice.

Issued on: February 28, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017–04385 Filed 3–6–17; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0384]

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

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 74 applications from individuals who requested an exemption from the Federal diabetes standard applicable to interstate truck and bus drivers and the reasons for the denials. FMCSA has statutory authority to exempt individuals from the diabetes requirement if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemptions does not provide a level of safety that will be equivalent to, or

greater than, the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**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:

##### Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal diabetes standard for a renewable 2-year period if it finds “such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption.” The procedures for requesting an exemption are set forth in 49 CFR part 381.

Accordingly, FMCSA evaluated 74 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption program. Each applicant has, prior to this notice, received a letter of final disposition on the exemption request. Those decision letters fully outlined the basis for the denial and constitute final Agency action. The list published in this notice summarizes the Agency’s recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following 7 applicants met the diabetes requirements of 49 CFR 391.41(b)(3) and do not need an exemption:

James D. Bohanan (TN)  
Dean A. Dahlheimer (MN)  
James A.E. Harris (PA)  
Clifford D. Humphrey (NJ)  
Gary L. Knox (MN)  
Brian T. McGill (UT)  
John C. McGrath (WI)

The following 33 applicants were not operating CMVs in interstate commerce:

Epifano M. Alonzo (TX)  
Henry W. Beeler (VA)  
David Boutwell (NH)  
Gary D. Buzzard (OK)  
William J. Couch (GA)  
Gladys N. Crespo (CT)  
Russell L. Fortna (CO)  
Glenda L. Haines (IN)  
Nan W. Hendley (TX)  
Phillip L. Kidney (CT)

Socrates Landestoy (NJ)  
Kevin R. Loder (NJ)  
Thomas W. McNeil (KY)  
Rafael Mendez (CT)  
Pamela J. Meziere (MS)  
Edward V. Mixdorf (WI)  
William C. Moore (GA)  
Derek G. Norde (MO)  
Alejandro Palacios (FL)  
David A. Panza (OH)  
Sonel Pierre-Louis (FL)  
Robert B. Riley (NC)  
Niguel A. Salinas (TX)  
Warren A. Smith (NJ)  
Donald S. Staiger (NJ)  
Ernest P. Stengel (CT)  
Vicki L. Stone (HI)  
Zachary L.D. Tennant (WV)  
Danny Thomas (PA)  
Carlos F. Webb (VA)  
Shane D. Weber (LA)  
Charles L. Willingham (AZ)  
Edward B. Wilson (VA)

The following 8 applicants have had more than one hypoglycemic episode requiring hospitalization or the assistance of others, or has had one such episode but has not had one year of stability following the episode:

Weston Arnick (MD)  
Ryan L. Cox (NY)  
Patricia A. Koch (AR)  
Clarissa M. Olson (MO)  
Silvio N. Pantaleon (NY)  
Clinton W. Reynolds (VA)  
Kevin G. Snyder (IN)  
Hans J. Woelk (WA)

The following 3 applicants had other medical conditions making the applicant otherwise unqualified under the Federal Motor Carrier Safety Regulations:

James V. Maiorana (NY)  
Robert A. Shamberger (NC)  
Kenny L. White (OR)

The following applicant, Ray S. Justus (PA), did not have an endocrinologist willing to make a statement that he is able to operate a CMV from a diabetes standpoint.

The following 2 applicants are unable or have not demonstrated with willingness to properly monitor and manage his or her diabetes, whether by a personal decision or medical inability:

Gerald W. Fitch (OH)  
Tyler T. Turner (TN)

The following 2 applicants currently reside in Canada. They are not eligible because the Federal exemption is for drivers operating only in the United States:

Tony J. Basaraba (SK)  
Jerzy R. Rudowski (BC)

The following applicant, Dale W. Perkins (MO), has peripheral neuropathy or circulatory insufficiency

of the extremities likely to interfere with his ability to operate a CMV.

The following 5 applicants did not meet the minimum age criteria outlined in 49 CFR 391.41(b)(1) which states that an individual must be at least 21 years old to operate a CMV in interstate commerce:

Alex J. Erickson (ND)  
Michael T. Fitzpatrick (MA)  
Bradley R. Knudson (ND)  
Grant A. Mason (WA)  
Zachary Vanrossum (WI)

The following 12 applicants were exempt from the diabetes standard:

Antonio Ballo (NY)  
Davarus L. Bouknight (SC)  
John V. Buehler (CT)  
Alfred E. Canfield (OK)  
Burl E. Cox (KY)  
Mitchell F. Durkan (CO)  
Thomas E. Fooshee (AZ)  
Steven J. Hamilton (CO)  
Sarah M. Harrison (PA)  
Rupert N. Isaac (PA)  
Larry D. Lambert (TX)  
Yesimar P. Lozada (IA)

Issued on: February 27, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2010-0188; FMCSA-2012-0164 FMCSA-2014-0019; FMCSA-2014-0020]

### Qualification of Drivers; Exemption Applications; Diabetes

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

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

**SUMMARY:** FMCSA announces its decision to renew the exemptions of 97 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. FMCSA has statutory authority to exempt individuals from this rule if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these CMV drivers.

**DATES:** Each group of renewed exemptions are effective from the dates

stated in the discussions below. Comments must be received on or before April 6, 2017.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) numbers: Docket No. FMCSA-2010-0188; FMCSA-2012-0164 FMCSA-2014-0019; FMCSA-2014-0020 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 or Courier:* 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 for this notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

**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 online.

**Privacy Act:** Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

**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 from 8 a.m. to 5:30 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 renew an exemption from the Federal Motor Carrier Safety Regulations 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 97 individuals listed in this notice have recently become eligible for a renewed exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. The drivers remain in good standing with the Agency, 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.

#### II. Exemption Decision

This notice addresses 97 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. These 97 drivers remain in good standing with the Agency, 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. Therefore, FMCSA has decided to extend each exemption for a renewable two-year period. Each individual is identified according to the renewal date.

The exemptions are renewed subject to the following conditions: (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 reports within 2 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) that each individual submit an annual ophthalmologist's or optometrist's report; and (4) that each individual provide a copy of the annual