

transaction will not result in LAS' becoming a Class II or Class I rail carrier, but that its projected annual revenues would exceed \$5 million. Accordingly, LAS is required, at least 60 days before this exemption is to become effective, to send notice of the transaction to the national offices of the labor unions with employees on the affected lines, post a copy of the notice at the workplace of the employees on the affected lines, and certify to the Board that it has done so. 49 CFR 1150.42(e).

LAS has also filed a petition for waiver of the 60-day advance labor notice requirement under 1150.42(e), asserting that: (1) No KCS employees will be affected because no KCS employees have performed operations or maintenance on the lines since 2005; and (2) no LAS employees will be affected because LAS will continue to provide the same service and perform the same maintenance as it has since 2005. LAS' waiver request will be addressed in a separate decision.

LAS states that the transaction is expected to be consummated on or shortly after the effective date of this notice. The Board will establish in the decision on the waiver request the earliest date this transaction may be consummated.

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than February 12, 2016.

An original and ten copies of all pleadings, referring to Docket No. FD 35983, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on applicant's representative, Karl Morell, Karl Morell & Associates, 655 Fifteenth Street, Suite 225, NW., Washington, DC 20005.

According to LAS, this action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: February 2, 2016.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2016-02263 Filed 2-4-16; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Seventeenth Meeting: RTCA NextGen Advisory Committee (NAC)

**AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of Seventeenth RTCA NextGen Advisory Committee (NAC) Meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of the Seventeenth RTCA NextGen Advisory Committee (NAC) meeting.

**DATES:** The meeting will be held February 25, 2016 from 9:00 a.m.–3:00 p.m.

**ADDRESSES:** The meeting will be held at Delta Air Lines, Inc., New York City Room, 1010 Delta Blvd., Atlanta, GA 30354, Tel: (202) 330-0652.

**FOR FURTHER INFORMATION CONTACT:** The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833-9339, fax at (202) 833-9434, or Web site at <http://www.rtca.org> or Andy Cebula, NAC Secretary, RTCA, Inc., [acebula@rtca.org](mailto:acebula@rtca.org), (202) 330-0652.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., App.), notice is hereby given for a meeting of RTCA NextGen Advisory Committee (NAC). The agenda will include the following:

#### Thursday, February 25, 2016

1. Opening of Meeting/Introduction of NAC Members—Chairman Richard Anderson, Chief Executive Officer, Delta Air Lines, Inc.
2. Official Statement of Designated Federal Official—The Honorable Mike Whitaker, FAA Deputy Administrator
3. Review and Approval of October 8, 2015 Meeting Summary
4. Chairman's Report—Chairman Anderson
5. FAA Report—Mr. Whitaker
6. PBN Strategy Task Group—Dan Allen/Steve Fulton
7. NextGen Integration Working Group (NIWG): Exec Team Update and NextGen Priorities Beyond the Four
8. Reports & Discussion (Approval of Interim Recommendations): DataComm, Multiple Runway Operations, Performance Based Navigation (PBN), Surface & Data Sharing
9. PBN JFK Implementation
10. Joint Analysis Team—Dave Knorr/Ilhan Ince: Update on FAA-Industry

Metrics Project and Timing and expectations on analysis

11. PBN Blueprint Community Outreach Task Group—Jim Crites/Brian Townsend
12. ADS-B: Equip 2020, Status of implementation, Air Carrier Fleet Equipage
13. NextGen Vision—Michelle Merkle/Bruce DeCleene
14. Summary of meeting and next steps; DFO and NAC Chairman Closing Comments
15. Other business
16. Adjourn

Attendance is open to the interested public but limited to space availability and registration is required. Please email [bteel@rtca.org](mailto:bteel@rtca.org) with name and company to pre-register. For those driving to Delta facilities, please email [bteel@rtca.org](mailto:bteel@rtca.org) no later than Friday, February 19, 2016. Upon arrival to the NAC meeting, please be prepared to show photo id. With the approval of the chairman, members of the public may present oral statements at the meeting. Plenary information will be provided upon request. Persons who wish to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on February 1, 2016.

**Latasha Robinson,**

*Management & Program Analyst, NextGen, Enterprise Support Services Division, Federal Aviation Administration.*

[FR Doc. 2016-02171 Filed 2-4-16; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2015-0336]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA confirms its decision to exempt 54 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions were effective on December 15, 2015. The exemptions expire on December 15, 2017.

**FOR FURTHER INFORMATION CONTACT:** 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 8:30 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. 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 [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**II. Background**

On November 12, 2015, FMCSA published a notice of receipt of Federal diabetes exemption applications from 54 individuals and requested comments from the public (80 FR 70067). The public comment period closed on December 14, 2015, and one comment was received.

FMCSA has evaluated the eligibility of the 54 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 qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring

insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441), **Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 54 applicants have had ITDM over a range of 1 to 41 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 (2 or more) severe hypoglycemic episodes in the past 5 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).

The qualifications and medical condition of each applicant were stated and discussed in detail in the November 12, 2015, **Federal Register** notice and they will not be repeated in this notice.

**III. Discussion of Comments**

FMCSA received one comment in this proceeding. Latu Anitoni stated that, in her opinion, drivers using insulin are safer due to the monitoring the condition requires, and believes the exemptions should be granted.

**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 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 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) 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 54 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above 949 CFR 391.64(b):

Ramon Becerra (IN)  
 Harry L. Blakely (MN)  
 Steven J. Bloemker (OH)  
 Billy J. Bookout (OK)  
 David M. Brady (NE)  
 William G. Bush (IL)  
 Gene D. Carey, Jr. (PA)  
 James C. Decker (CA)  
 Richard D. Doherty (MA)  
 Richard N. Dunn (KS)  
 Thomas C. Eklund (OR)  
 Rodney L. Forrister, Jr. (MI)  
 Ronald J. Gasper (SD)  
 Jeremy J. Giesbrecht (IN)

David F. Goehring (WI)  
 Robert J. Golding (ME)  
 Ethan T. Heideman (MN)  
 Benjamin R. Hickerson (CA)  
 Timothy J. Hrinak (PA)  
 Kevin M. Hunt (MI)  
 David T. Issler (NY)  
 Todd D. Jacquin (NC)  
 Bruce E. Kerr (KY)  
 Mark C. Kucharski (CO)  
 Philip M. LaPierre (ME)  
 Mary J. Martin (PA)  
 Peter J. Meier (WA)  
 Terry J. Miller (WI)  
 Michael E. Morel (NH)  
 Marvin K. Mosley (SC)  
 Eric Nieves, Jr. (NY)  
 Jerry D. Pearce (NM)  
 George W. Pottle, IV (ME)  
 Kenneth A. Prine (WA)  
 Charles R. Ratcliff, Jr. (VA)  
 Joseph B. Ribitzki (AR)  
 Roger D. Richey (IN)  
 Michael G. Sanchez (CA)  
 Guido J. Scarafoni (MA)  
 Jeffrey M. Schleisman (IA)  
 Scott J. Schmidt (NE)  
 Lori A. Shaffnit (IA)  
 Sanampreet Singh (CA)  
 Joshua A. Snyder (WV)  
 Christophe M. Stephens (TN)  
 Michael A. Stille (GA)  
 Leonard Tawahongva (AZ)  
 Edward M. Taylor (NE)  
 Donald L. Trogdon (ID)  
 Gregory S. Van Hal (MN)  
 Lazario R. Watkins (NC)  
 Eric J. Watson (NY)  
 William T. White (WA)  
 J. Ryan Wolf (IN)

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.*

[FR Doc. 2016-02299 Filed 2-4-16; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2015-0488]

**Qualification of Drivers; Exemption Applications; Narcolepsy**

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

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

**SUMMARY:** FMCSA announces receipt of applications from two individuals for exemptions from the following two Federal Motor Carrier Safety Regulations (FMCSRs) which prohibit operating a commercial motor vehicle (CMV) in interstate commerce. Section 391.41(b)(8) of the FMCSRs prohibit operation of a commercial motor vehicle by persons with either a clinical diagnosis of a condition that is likely to cause a loss of consciousness or any loss of ability to operate a CMV safely. Section 391.41(b)(9) of the FMCSRs prohibit operation of a commercial motor vehicle by persons with a mental, nervous, organic, functional disease, or psychiatric disorder likely to interfere with his/her ability to drive a commercial motor vehicle safely. If granted, the exemption would enable these individuals who have been diagnosed with narcolepsy and are receiving medical treatment to operate CMVs for 2 years in interstate commerce.

**DATES:** Comments must be received on or before March 7, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA-2012-0081 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov). Follow the on-line 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., Monday through Friday, except Federal Holidays.
- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket ID for this Notice. Note that DOT posts all comments received without change to [www.regulations.gov](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 [www.regulations.gov](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., 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 on-line.

*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 [www.regulations.gov](http://www.regulations.gov), as described in the system records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:**

Christine Hydock, Chief, Medical Programs Division, (202) 366-4001, or via email at [fmcamedical@dot.gov](mailto:fmcamedical@dot.gov), or by letter to FMCSA, Room W64-113, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Background**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** [49 CFR 381.315(a)]. The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The Agency may grant an exemption subject to specified terms and conditions. The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of