

*Gonzalin Sanabria*

Mr. Sanabria is a 61 year-old class B CDL holder in New York. He has a history of a seizure disorder as the result of brain lymphoma that was diagnosed in 2003. He remains in remission and has been seizure free since 2004. He takes anti-seizure medication with the dosage and frequency remaining the same since that time. His physician states that he is supportive of Mr. Sanabria receiving an exemption.

*David Sica*

Mr. Sica is a 53 year-old driver in Connecticut. He has a history of a seizure disorder and has remained seizure free since 1985. He takes anti-seizure medication with the dosage and frequency remaining the same since that time. His physician states that he is supportive of Mr. Sica receiving an exemption.

*Raymond H. Van De Mark*

Mr. Van De Mark is a 62 class A CDL holder in New Jersey. He has a history of a seizure disorder and has remained seizure free since 1986. He takes anti-seizure medication with the dosage and frequency remaining the same since that time. His physician states that he is supportive of Mr. Van De Mark receiving an exemption.

*William Frederick Youse*

Mr. Youse is a 24 year-old driver in North Carolina. He has a history of childhood epilepsy and has been seizure free since 2002. He has not taken anti-seizure medication since 2005. His physician states that he is supportive of Mr. Youse receiving an exemption.

**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 date 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-2015-0323" 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-2015-0323 and click "Search." Next, click "Open Docket Folder" and you will find all documents and comments related to this notice.

Issued on: July 27, 2016.

**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-2016-0217]

**Qualification of Drivers; Exemption Applications; Diabetes**

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

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its denial of 88 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:**

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 88 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 8 applicants met the diabetes requirements of 49 CFR 391.41(b)(3) and do not need an exemption:

Elbi Aguado  
Neil R. Boss  
Matthew A. Bunce  
Harm A. Gibson  
Willie Hammond  
Tommy M. Harris  
Burke J. Minns  
Robert R. Roy

The following 39 applicants were not operating CMVs in interstate commerce:

Steven G. Alvarez  
Gary L. Atchley  
Taja T. Barnett  
David E. Benavides  
John K. Bottkol  
Donald L. Conklin  
Timothy P. Conner  
Tyrone O. Cooke  
Garrett M. Cooper  
Roy L. Cox  
Isaac K. Danso  
Robert C. Davis  
Clarence Evans

Carmine Ferraro  
 Anthony P. Fortuna  
 Kenneth E. Fralin  
 Angel Fuentes  
 Arnulfo Garcia  
 Nan W. Hendley  
 Sharon M. Henry  
 Jesse D. Hensley  
 Christopher J. Hundt  
 Richard M. Jackimowicz  
 Thomas W. Johnson  
 David E. Kessler  
 Robert D. Knoblauch  
 Stephanie I. Leisure  
 Nelson F. Meythaler  
 Henry J. Mioduszewski  
 George K. Namauu  
 Nicholas Nigro  
 Terry J. Nihart  
 Wilfredo Padin  
 Oquilla Royster  
 Vincent Shanks  
 Donna E. Smith  
 Jeffrey D. Spoden  
 Michael T. Stremkowski  
 Alvin G. Welch

The following 2 applicants had renal insufficiency:

Manuel M. Loreto  
 Olga N. Richards

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:

Gyorgy Kovacs  
 Allen Lara  
 John L. Moreno  
 William T. Phipps, Jr.  
 Jose L. Ramos  
 Michael J. Scheresky  
 Roger M. Smith, Jr.  
 Michael H. Zimmerman

The following 4 applicants had other medical conditions making the applicant otherwise unqualified under the Federal Motor Carrier Safety Regulations:

Philip M. Burroughs  
 Conrad V. Gooding  
 Eugene R. Huelskamp  
 Santito Zamot, Jr.

The following 2 applicants were unable to have an endocrinologist state the applicant is able to operate a CMV from a diabetes standpoint:

Kenneth B. Golden, Jr.  
 Michael P. Kruimer

The following applicant, Kenneth M. Zakaib, currently resides in Canada. He is not eligible because the Federal exemption is for drivers operating only in the United States.

The following applicant, Jeffrey W. Sgrignoli, is unable or has not demonstrated willingness to properly

monitor and manage his or her diabetes, whether by personal decision or medical inability.

The following applicant, Larry Bush, has peripheral neuropathy or circulatory insufficiency of the extremities likely to interfere with his or her ability to operate a CMV.

The following 2 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:

Ronald D. Kestner  
 Kyle J. Russell

The following 20 applicants were exempt from the diabetes standard:

Guanny T. Bradley  
 Scott D. Butler  
 Bryan R. Clines  
 Allan J. Clune  
 Earl L. Combs  
 David A. Comeau  
 Robert N. Costa  
 Frank J. Fregoni  
 William Garcia  
 John T. Maher  
 Bart J. Meyer  
 William B. Piver  
 Audrey E. Platt-Carroll  
 Ronald W. Rein  
 Calvin J. Rose  
 Steven A. Traver  
 Robert C. Tucker  
 Wesley G. Walton  
 Caleb K. Whitlock  
 Anthony L. Wingfield

Issued on: July 27, 2016.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA—2016—0043]

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

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

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

**SUMMARY:** FMCSA announces receipt of applications from 47 individuals for exemption from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals with ITDM to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before September 6, 2016.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA—2016—0043 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <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:* 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.

*Instructions:* Each submission must include the Agency name and the docket numbers 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., 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 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 of 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 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.,