

B. *Sub-Central Government Entities listed in the U.S. Schedule to Annex 13A, Schedule 1, Section B:*

(1) Procurement of goods and services—\$492,000; and

(2) Procurement of construction services—\$6,932,000.

C. *Other Entities listed in the U.S. Schedule to Annex 13A, Schedule 1, Section C:*

(1) Procurement of goods and services—\$555,000;

(2) Procurement of construction services—\$6,932,000.

Jamieson Greer,

Chief of Staff, Office of the United States Trade Representative.

[FR Doc. 2017-26597 Filed 12-8-17; 8:45 am]

BILLING CODE 3290-F8-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2017-0237]

Qualification of Drivers; Exemption Applications; Diabetes

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

ACTION: Notice of denials.

SUMMARY: FMCSA announces its decision to deny applications from 81 individuals who requested an exemption from the Federal Motor Carrier Safety Regulations (FMCSRs) prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating a commercial motor vehicle (CMV) in interstate commerce.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, 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., ET, 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://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., ET, 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

FMCSA received applications from 81 individuals who requested an exemption from the FMCSRs prohibiting persons with ITDM from operating a CMV in interstate commerce. FMCSA has evaluated the eligibility of these applicants and concluded that granting these exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(3).

III. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for two years 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 Agency’s decision regarding these exemption applications is based on the eligibility criteria, the terms and conditions for Federal exemptions, and an individualized assessment of each applicant’s medical information provided by the applicant.

IV. Conclusion

The Agency has determined that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(3). Therefore, the 81 applicants in this notice have been denied exemptions from the physical qualification standards in 49 CFR 391.41(b)(3).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitutes final action by the Agency.

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

Melchor A. Corral (CO)
Timothy J. Furman (NY)
Alex A. Jackson (TX)
Gregory M. Johnson (TX)
William S. Langeluttig (ME)
Maria C. Mariquez (TX)
Sergio P. Raymundo (KS)
Maurice R. Williams (MN)

The following 42 applicants were not operating CMVs in interstate commerce:

Jason A. Applegate (AR)
Christopher J. Barreira (MA)
Zamorano Benito (CA)
Mingle Blake (FL)
Joshua J.J. Blouin (VT)
Marcial C. Cardenas (FL)
Billy B. Carnes (NE)
Roy L. Christopherson (WI)
Marvin B. Collins (IN)
James P. Demby (MD)
Walter Dudiak (PA)
Beth-Lynne Durant (MA)
Nicholas B. Durkin (NJ)
Martin N. Escalante (NC)
William F. Gelinas (MA)
Darren K. Green (CT)
Robert J. Grewette (MI)
Randy S. Huckins (AZ)
Anthony E. Jackson (TX)
Kevin T. Lively (TN)
Rendell E. Norington (IL)
Ryan A. Oglesby (IN)
Latasha M. Oliver (OH)
Donte S. Parker (MD)
Steven J. Pipa (FL)
Ricardo C. Ray (CA)
Larry J. Rogers (MA)
George Sanchez (TX)
Carlos Sanchez (MA)
Richard K. Schaefer (TX)
Galen L. Sears (KS)
Michael W. Stockton (WI)
Milton L. Terrell (VA)
Jerry L. Thomas (GA)
Erasmio Torres (TX)
Ralph VanZandt, Jr. (NY)
Susie M. Vazquez (CA)
Kenneth Walker (MN)
Kenneth C. Waterhouse (CT)
Raymond L. Williamson (IL)
Terry L. Wood (NC)
Billy E. York (NC)

The following six 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:
David J. Couch (OR)

Delmar W. Daoust (FL)
Cameron D. Ferguson (TX)
George W. Huwe (PA)
Kevin R. Kerrigan (MI)
William E. Naeve (CO)

Kenneth E. Gilreath (OH) had other medical conditions making the applicant otherwise unqualified under the FMCSRs.

The following two applicants did not have endocrinologists willing to make statements that they are able to operate CMVs from a diabetes standpoint:

David A. Martin (IL)
Amy L. Purvis (WI)

Michael L. Hawkins (GA) had other miscellaneous reasons making the applicant otherwise unqualified under the FMCSRs.

Glenn A. Bauer (SK) currently resides in Canada. He is not eligible because the Federal exemption is for drivers operating only in the United States.

Patrick L. Beasley (AR) has peripheral neuropathy or circulatory insufficiency of the extremities likely to interfere with his ability to operate a CMV.

The following four 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:

Drake C. Comer (VA)
Melissa A. Laskowski (NY)
Matthew T.S. Odell (OH)
Cameron M. Simpson (CA)

The following 15 applicants were exempt from the diabetes standard:

David L. Balcom (MO)
Michael G. Brown (MD)
Perry C. Browning (OR)
Jeffery A. Cooper (IN)
Steven T. Dolar (CA)
Marsha S. Dunn (NC)
Melody F. Levi (IL)
Jason R. Maunz (OH)
Cindy L. Murphy (OK)
Blake A. Nylund (WA)
Thomas F. Rinn (CO)
Joshua J. Rodman (CT)
Mary A. Satterfield (TN)
Earl T. Smith (MT)
Tesfaye Tekle (TX)

Issued on: December 4, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017-26585 Filed 12-8-17; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2014-0381; FMCSA-2014-0382; FMCSA-2015-0115]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for three individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on June 10, 2017. The exemptions expire on June 10, 2019.

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

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II. Background

On September 18, 2017, FMCSA published a notice announcing its decision to renew exemptions for three individuals from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce and requested comments from the public (82 FR 43652). The public comment period ended on October 18, 2017 and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions 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)(8).

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria to assist Medical Examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy; § 391.41(b)(8), paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA received no comments in this proceeding.

IV. Conclusion

Based upon its evaluation of the three renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8):

Monte J. DeRocini (PA)
Teddy H. Dixon (GA)
Bryan R. Jones (PA)

The drivers were included in docket number FMCSA-2014-0381; FMCSA-2014-0382; FMCSA-2015-0115. Their exemptions are applicable as of June 10, 2017, and will expire on June 10, 2019.