

20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

### 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 vision standard in 49 CFR 391.41(b)(10) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows applicants to operate CMVs in interstate commerce.

The Agency's decision regarding these exemption applications is based on medical reports about the applicants' vision as well as their driving records and experience driving with the vision deficiency. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the April 27, 2018, **Federal Register** notice (83 FR 18644) and will not be repeated in this notice.

FMCSA recognizes that some drivers do not meet the vision requirement but have adapted their driving to accommodate their limitation and demonstrated their ability to drive safely. The 14 exemption applicants listed in this notice are in this category. They are unable to meet the vision requirement in one eye for various reasons, including amblyopia, aphakia, complete loss of vision, corneal scar, enucleation, keratoconus, macular scar, optic atrophy, and prosthesis. In most cases, their eye conditions were not recently developed. Eleven of the applicants were either born with their vision impairments or have had them since childhood. The three individuals that sustained their vision conditions as adults have had it for a range of 14 to 30 years. Although each applicant has one eye which does not meet the vision requirement in 49 CFR 391.41(b)(10), each has at least 20/40 corrected vision in the other eye, and in a doctor's opinion, has sufficient vision to perform all the tasks necessary to operate a CMV.

Doctors' opinions are supported by the applicants' possession of a valid license to operate a CMV. By meeting State licensing requirements, the applicants demonstrated their ability to operate a CMV, with their limited vision in intrastate commerce, even though their vision disqualified them from driving in interstate commerce. We

believe that the applicants' intrastate driving experience and history provide an adequate basis for predicting their ability to drive safely in interstate commerce. Intrastate driving, like interstate operations, involves substantial driving on highways on the interstate system and on other roads built to interstate standards. Moreover, driving in congested urban areas exposes the driver to more pedestrian and vehicular traffic than exists on interstate highways. Faster reaction to traffic and traffic signals is generally required because distances between them are more compact. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions.

The applicants in this notice have driven CMVs with their limited vision in careers ranging for 4 to 96 years. In the past three years, no drivers were involved in crashes, and no drivers were convicted of moving violations in CMVs. All the applicants achieved a record of safety while driving with their vision impairment, demonstrating the likelihood that they have adapted their driving skills to accommodate their condition. As the applicants' ample driving histories with their vision deficiencies are good predictors of future performance, FMCSA concludes their ability to drive safely can be projected into the future.

Consequently, FMCSA finds that in each case exempting these applicants from the vision requirement in 49 CFR 391.41(b)(10) 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 are provided to the applicants in the exemption document and includes the following: (1) Each driver must be physically examined every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10) and (b) by a certified Medical Examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) each driver must provide a copy of the ophthalmologist's or optometrist's report to the Medical Examiner at the time of the annual medical examination; and (3) each driver must 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 exemption when driving, for presentation to a duly

authorized Federal, State, or local enforcement official.

### VI. 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.

### VII. Conclusion

Based upon its evaluation of the 14 exemption applications, FMCSA exempts the following drivers from the vision requirement, 49 CFR 391.41(b)(10), subject to the requirements cited above:

Zachary A. Abbotts (CT)  
Joseph J. Amatulli (NY)  
Clarton D. Avis (KY)  
Jimmy L. Burgi (TX)  
Gordon C. Canfield (MI)  
David M. Clark, Jr. (MD)  
Dorothy J. Crum (OH)  
Tammy J. Duval (NH)  
Brian K. LaJoie (MI)  
James V. Latess, Jr. (PA)  
Igor L. Litvak (MD)  
John A. Thomas, Jr. (NC)  
Jerry L. Womble (AR)  
Kevin Young (NJ)

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years from the effective date 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 prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: June 11, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2010-0083; FMCSA-2010-0115; FMCSA-2010-0138; FMCSA-2012-0108; FMCSA-2012-0109; FMCSA-2014-0016; FMCSA-2014-0017; FMCSA-2016-0040; FMCSA-2016-0041; FMCSA-2016-0042]

### 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 exemptions for 264 individuals from its prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals with ITDM to continue to operate CMVs in interstate commerce.

**DATES:** Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates stated in the discussions below. Comments must be received on or before July 18, 2018.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA-2010-0083; FMCSA-2010-0115; FMCSA-2010-0138; FMCSA-2012-0108; FMCSA-2012-0109; FMCSA-2014-0016; FMCSA-2014-0017; FMCSA-2016-0040; FMCSA-2016-0041; FMCSA-2016-0042 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>, 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 e.t., 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 from 8:30 a.m. to 5:30 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 for five years 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 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.

The 264 individuals listed in this notice have requested renewal of their exemptions from the diabetes standard in 49 CFR 391.41(b)(3), in accordance with FMCSA procedures. Accordingly, FMCSA has evaluated these applications for renewal on their merits and decided to extend each exemption for a renewable two-year period.

##### **II. Request for Comments**

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The

Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

##### **III. Basis for Renewing Exemptions**

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application. In accordance with 49 U.S.C. 31136(e) and 31315, each of the 264 applicants has satisfied the renewal conditions for obtaining an exemption from the diabetes requirement (75 FR 25919; 75 FR 28677; 75 FR 34206; 75 FR 38597; 75 FR 38598; 75 FR 44049; 77 FR 33551; 77 FR 33554; 77 FR 43417; 77 FR 43901; 79 FR 29484; 79 FR 35844; 79 FR 42628; 79 FR 51223; 81 FR 40746; 81 FR 42035; 81 FR 42044; 81 FR 59725; 81 FR 59726; 81 FR 62793; 81 FR 92949). They 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 two-year exemption period. These factors provide an adequate basis for predicting each driver’s ability to continue to drive safely 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.

In accordance with 49 U.S.C. 31136(e) and 31315, the following groups of drivers received renewed exemptions in the month of July and are discussed below:

As of July 2, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 28 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (75 FR 25919; 75 FR 28677; 75 FR 38597; 75 FR 38598; 81 FR 92949):

Spencer W. Alexander (UT)  
Cody R. Anderson (MT)  
Joseph P. Beagan (RI)  
Brian C. Blevins (VA)  
John M. Charlton (UT)  
Stuart A. Dietz (KS)  
Michael G. Eikenberry (IN)  
Francisco K. Gallardo (AZ)  
Devin S. Gibson (UT)  
Jason C. Green (MS)  
Kimmy D. Hall (AR)  
Edward G. Harbin (AR)  
Lewis M. Hendershott (NJ)  
Mark E. Henning (NY)

Christopher M. Hultman (WI)  
 Duane K. Kohls (MN)  
 John F. Lohmuller (IN)  
 Jerry A. McMurdy (PA)  
 Steven L. Miller (ND)  
 H.A. Miller (OR)  
 Andrew D. Monson (MN)  
 Timothy J. Nowak (FL)  
 Peter J. Pendola (VA)  
 Ross R. Romano (MI)  
 Jason D. Sweet (CA)  
 Robert M. Thomson (IL)  
 James P. Tomasik (PA)  
 Joseph H. Watkins (IN)

The drivers were included in docket numbers FMCSA–2010–0083; FMCSA–2010–0115. Their exemptions are applicable as of July 2, 2018, and will expire on July 2, 2020.

As of July 22, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 29 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 29484; 79 FR 42628; 81 FR 92949):

Curtis D. Andersen (MT)  
 Thomas E. Armbrust (IL)  
 Michael A. Barrett (MI)  
 Richard K. Cressman (ND)  
 Steven W. Dahl (ND)  
 Shannon D. Eck (KS)  
 Manuel Fernandez (PA)  
 Kevin J. Franje (IA)  
 Jared P. Greene (OH)  
 Michael L. Jobe (PA)  
 Edwin P. Jonas, II (PA)  
 John J. Katcher (CO)  
 Glenn T. Keller (PA)  
 Michael G. Keller (CA)  
 Jay T. Kirschmann (ND)  
 James L. Laufenberg (ND)  
 Erik M. Mardesen (IA)  
 Pedro Saavedra Garcia (CA)  
 Jerry J. Shipley (KS)  
 Glenn A. Skonberg (SD)  
 Douglas R. Smith (KS)  
 Cheryl G. Stephens (DE)  
 Martin T. Struthers (NE)  
 Dennis C. Svec (MI)  
 Larry L. Taff (AR)  
 Filbert J. Torres (NM)  
 Burdette Walker (PA)  
 Harold W. Wilson, Jr. (SC)  
 Ronald D. Young (GA)

The drivers were included in docket number FMCSA–2014–0016. Their exemptions are applicable as of July 22, 2018, and will expire on July 22, 2020.

As of July 23, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 53 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (81 FR 40746; 81 FR 59726):

Michael J. Andries (WI)  
 Appiah T. Ankrah (MA)  
 Gregory P. Austin (CA)  
 David F. Banko (CO)  
 John T. Bardin (NY)  
 Joseph Berta IV (OK)  
 John C. Birmingham (IA)  
 Robert G. Canelo (NM)  
 Christoph A. Chiappa (NJ)  
 Johnny L. Cloy (TN)  
 Jon W. Collett (OH)  
 Joel A. Cote (ME)  
 Donald E. Cowell (CA)  
 Raymond J. Crosbie (NH)  
 Kenneth Dennis (KY)  
 Robert D. Diefenbaugh (NE)  
 William J. Gangloff (NY)  
 Phillip J. Guidice (WA)  
 Darin K. Hansen (IA)  
 William M. Haralson (TN)  
 Alejandro R. Hernandez (FL)  
 Stephen R. Hill (PA)  
 Jon W. Jernigan (OK)  
 Mark A. Johnston (PA)  
 Denise D. Johnston (IA)  
 Zachary J. F. Kinsey (CA)  
 Jongsub Lee (PA)  
 Ramon Lopez (TX)  
 David C. Love (IL)  
 Billy J. McNealy (MO)  
 Carlos Medellin (TX)  
 Samuel B. Morris (MN)  
 Bryan C. Mullins (TX)  
 Zachary Nechi (IL)  
 Toriano T. Neely (AL)  
 Orlando Padilla (TX)  
 Michael P. Pattie (RI)  
 Brian K. Porter (KY)  
 Oscar L. Quezada (CA)  
 Walter D. Richardson (MA)  
 Tracy A. Rowland (WA)  
 Michael J. Russell (MA)  
 Jeffrey M. Sandler (CA)  
 Paul A. Schaus (IL)  
 Lloyd E. Schrunck (MN)  
 Burton D. Shellabarger (IA)  
 John M. Suttles (OH)  
 John R. Tupper (ID)  
 Thomas W. Upton (NY)  
 James M. Walsh (WI)  
 Billy J. Webb, Jr. (MS)  
 Steven R. Williams (MO)  
 James A. Yates (IA)

The drivers were included in docket number FMCSA–2016–0040. Their exemptions are applicable as of July 23, 2018, and will expire on July 23, 2020.

As of July 24, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 11 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (77 FR 33554; 77 FR 43417; 81 FR 92949):

Tony O. Billman (PA)  
 Tracy M. Downton (MT)  
 Anil D. Gharmalkar (KS)

Larry A. Hamilton (MO)  
 Allen K. Kates (NJ)  
 Victor C. Port (ND)  
 Jeffrey A. Ryan (IA)  
 James H. Stichberry, Jr. (MD)  
 John F. Watson (IN)  
 Melvin E. Welch (NJ)  
 Leroy R. Wille (IA)

The drivers were included in docket number FMCSA–2012–0109. Their exemptions are applicable as of July 24, 2018, and will expire on July 24, 2020.

As of July 25, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 44 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 35844; 79 FR 51223; 81 FR 92949):

John H. Ascherman (MN)  
 Alan F. Brown, Jr. (IN)  
 Theodore W. Burnette (CA)  
 John Canal (NY)  
 Kevin G. Comstock (MN)  
 Jacob S. Crawford (GA)  
 Christopher Dave (MI)  
 Anthony J. Davis (IN)  
 Charles G. Denegal (WA)  
 Wayne H. Dirks (WA)  
 Charles G. Elliott (IN)  
 Joseph S. Farrow (MN)  
 James R. Fiecke (ND)  
 Eric C. Gambill (OH)  
 Mark P. Gerrits (WI)  
 Michael Gilon (NH)  
 Chance A. Gooch (GA)  
 Robert L. Harris (IN)  
 Darrell S. Haynes (PA)  
 Joseph D. Helget (OR)  
 Charles D. Henderson (NY)  
 Marvin S. Howard (OH)  
 Eric A. Knox (KY)  
 Erik M. Lindquist (WA)  
 Thomas K. Linkel (IN)  
 Christine I. Llewellyn (IL)  
 Thomas J. Manning (MN)  
 Steve A. Meharry (WA)  
 Robert A. Miller, Jr. (WV)  
 Ben G. Moore (IL)  
 Chad M. Morris (NY)  
 Paul C. Mortenson (WI)  
 William D. Murray (AL)  
 Jacob D. Nafziger (OH)  
 Edward T. Nauer (VA)  
 Colin R. Parmelee (IN)  
 Matthew P. Sczpanski (OH)  
 Anthony S. Sobreiro (NJ)  
 Colby E. Starner (PA)  
 Daniel E. Stephens (NY)  
 Johnathan D. Truitt (IL)  
 Rylan P. Wheeler (IL)  
 Kelly L. Whitley (NC)  
 Michelle L. York (WA)

The drivers were included in docket number FMCSA–2014–0017. Their exemptions are applicable as of July 25, 2018, and will expire on July 25, 2020.

As of July 26, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 13 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (77 FR 33551; 77 FR 43901; 81 FR 92949):

Larry J. Anderson (MN)  
Wade D. Calvin (WA)  
Carl A. Candelaria (NM)  
Owen R. Dossett (AL)  
Jennifer A. Ferguson (SC)  
Michael E. Fritz (NV)  
Lee A. Haerterich (WI)  
Eric W. Holland (CO)  
Richard P. Holmen (MN)  
Paul A. Lacina (ND)  
Bradley J. Moore (MO)  
Ross W. Petermann (MN)  
Curtis J. Young (FL)

The drivers were included in docket number FMCSA–2012–0108. Their exemptions are applicable as of July 26, 2018, and will expire on July 26, 2020.

As of July 27, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 12 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (75 FR 34206; 75 FR 44049; 81 FR 92949):

Clinton R. Carlson II (RI)  
Brandon L. Cheek (NC)  
Richard A. Dufton, Jr. (NH)  
Kenneth Dunn (IN)  
Robert J. Dyxin (IL)  
Michael H. Hayden (NY)  
John T. Jones (OK)  
Blake A.S. Keeten (NE)  
Randall L. Koegel (NY)  
Worden T. Price (NC)  
Gary L. Sager (IL)  
Darrel D. Schroeder (KS)

The drivers were included in docket number FMCSA–2010–0138. Their exemptions are applicable as of July 27, 2018, and will expire on July 27, 2020.

As of July 29, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 74 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (81 FR 42035; 81 FR 42044; 81 FR 59725; 81 FR 62793):

Scott D. Allen (NE)  
Scott R. Bailey (MA)  
Michael J. Beaver (MN)  
Casey G. Bergman (MN)  
Gary R. Butts (NY)  
Christopher D. Chapman (IA)  
Robert J. Chapman (OH)  
Carey P. Cole (PA)  
Steven A. Crain (LA)

Phillip Daquila III (IL)  
Paul J. Dematas (NY)  
Kirk A. Erickson (MN)  
Raymond E. Fisher, Jr. (PA)  
Richard M. Frostig (CT)  
Jason L. Garrett (TX)  
Faustino P. Garza (TX)  
Lawrence M. Gates (NY)  
Alva E. Gladney (LA)  
Robert D. Golding (NM)  
John J. Gonzalez (CT)  
Bruce E. Gusler (NH)  
James M. Haight (NC)  
Bradley T. Hall (AL)  
Travis L. Handy (DE)  
William C. Higgins (NC)  
David R. Hodge (MI)  
Paul D. Hollenbeck (UT)  
Jame Holman (PA)  
Kevin R. Holz (MN)  
Brian J. Hurlley (IL)  
Willis A. Jergenson (IA)  
Steven C. Jordan, Jr. (MD)  
Kevin M. Krug (IN)  
Duane A. Leazott (MN)  
Robert A. Lewis (PA)  
Brian C. Link (NY)  
Bruce A. Mattison (WA)  
James K. Medeiros (RI)  
Richard E. Mellors (NY)  
Gregory S. Montierth (CA)  
Daniel M. Mulligan (NJ)  
John N. Mulready (MA)  
Colton J. Nefzger (ND)  
Jerry L. Niichel (IA)  
Donald S. Oakes (PA)  
Dorian T. Papazikos (AL)  
Ardell Parks (IL)  
Terry D. Paxton (PA)  
Carson A. Penny (CA)  
Lawrence C. Powers (MI)  
Reynier Prieto (FL)  
Charles V. Radford, Jr. (NC)  
David E. Roth (MN)  
Kenneth R. Schleppey (PA)  
John J. Shedlock (PA)  
Jonathan W. Simoneau (NH)  
Malcom D. Small (TX)  
Russell F. Smith (PA)  
Trenton W. Socha (TX)  
Edward D. Sprague (WI)  
Carla J. Stafford (TN)  
Kenneth R. Stephenson (TX)  
Jeffrey S. Toler (IN)  
Luis M. Torres (CT)  
Lyle D. Tunink (IA)  
Fasitupe Tupuola (CA)  
Louis D. Valente (MA)  
Robert L. Westergaard (NJ)  
James A. Wiggins (OK)  
Reed R. Wilken (IL)  
Mark A. Williams (IN)  
Robert A. Yerges (WI)  
Abraham K. Yohannan (NY)  
Kyle S. Yount (KY)

The drivers were included in docket numbers FMCSA–2016–0041; FMCSA–2016–0042. Their exemptions are applicable as of July 29, 2018, and will expire on July 29, 2020.

#### IV. Conditions and Requirements

The exemptions are extended subject to the following conditions: (1) Each driver must submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) each driver must report within two 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) each driver must submit an annual ophthalmologist's or optometrist's report; and (4) each driver must 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 exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official. 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 264 exemption applications, FMCSA renews the exemptions of the aforementioned drivers from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce. 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: June 11, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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