

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 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:

Anthony D. Anderson (MN)  
Austin T. Brooks (MO)  
Joshua G. Christensen (NC)  
Alan C. Hageman (IA)  
James Kopec (PA)  
Samuel A. Rosseau (MA)

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

Eugene C. Arnett (WI)  
Donald L. Conklin (IN)  
Steven C. Kasten (IL)  
Daniel R. Leon (CO)  
Lee H. Watkins (OH)

The following applicant, Anthony L. Golden (DE), did not have endocrinologists willing to make statements that he is able to operate CMVs from a diabetes standpoint.

The following applicant, Marty G. Niles (MT), had other miscellaneous reasons making the applicant otherwise unqualified under the Federal Motor Carrier Safety Regulations.

The following applicant, Robert J. Louis (LA), has peripheral neuropathy or circulatory insufficiency of the extremities likely to interfere with the ability to operate a CMV.

Issued on: July 13, 2018.

**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-2008-0071; FMCSA-2012-0044; FMCSA-2012-0107; FMCSA-2014-0015; FMCSA-2014-0016; FMCSA-2016-0037; FMCSA-2016-0039]

### Qualification of Drivers; Exemption Applications; Diabetes

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 133 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.

**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. 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., e.t., 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

On May 29, 2018, FMCSA published a notice announcing its decision to renew exemptions for 133 individuals from the insulin-treated diabetes mellitus prohibition in 49 CFR 391.41(b)(3) to operate a CMV in interstate commerce and requested comments from the public (83 FR 24581). The public comment period

ended on June 28, 2018, 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)(3).

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.

##### III. Discussion of Comments

FMCSA received no comments in this preceding.

##### IV. Conclusion

Based upon its evaluation of the 133 renewal exemption applications and comments received, FMCSA confirms its decision to exempt the following drivers from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce in 49 CFR 391.64(3):

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

As of June 1, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 33 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 25486; 81 FR 66733):

Christopher R. Barwick (NC)  
Jeffrey C. Bergen (MA)  
Christopher J. Burgess (ID)  
Edward D. Burman (MA)  
Lynn J. Clark (UT)  
Kenneth W. Day (TN)  
Horace Dickinson (GA)  
James R. Fifield (MI)  
Scott A. Figert (OH)  
Larry D. Funk (KS)  
Steven S. Gray (CT)  
Donald F. Greel, Jr. (MA)  
John A. Jung (OH)  
Jerry H. Kahn (MN)  
Sean T. Lewis (NJ)  
Edwin Lozada (FL)  
Kevin S. Martin (MN)  
Allysa B. Meirowitch (NY)  
Brian L. Murray (WA)  
Thomas V. Noyes (MA)  
Benny M. Perez (PA)  
Gregory S. Pethtel (OH)  
Thomas J. Price (WY)  
Theodore D. Reagle (PA)

Eric A. Richie (AZ)  
 Keith E. Shumake (CO)  
 William G. Simpson (CO)  
 Stirling H.C. Sowerby (PA)  
 John J. Steele (AL)  
 Ryan M. Stumbaugh (PA)  
 David J. Walker (IA)  
 Shawn D. Weigel (KS)  
 William H. Yocom (MO)

The drivers were included in docket number FMCSA–2016–0037. Their exemptions are applicable as of June 1, 2018, and will expire on June 1, 2020.

As of June 3, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following eight individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (73 FR 16946; 73 FR 31734; 81 FR 96176):

Edward F. Connole (MA)  
 Gary D. Coonfield (MO)  
 Shannon D. Hanson (SD)  
 Aundra Menefield (MS)  
 James T. Rothwell (TN)  
 Dalton T. Smith, Jr. (IL)  
 Marvin D. Webster (KY)  
 Travis S. Wolfe (WV)

The drivers were included in docket number FMCSA–2008–0071. Their exemptions are applicable as of June 3, 2018, and will expire on June 3, 2020.

As of June 5, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following nine 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 20876; 77 FR 33264; 81 FR 96176):

Steven W. Beaty (SD)  
 David D. Brown (MI)  
 Evan P. Hansen (WI)  
 John M. Kennedy, Jr. (NC)  
 Jeremy A. Ludolph (KS)  
 Gerald N. Martinson (ND)  
 Glenn D. Taylor (NY)  
 Thomas R. Toews (OR)  
 James E. Waller, III (GA)

The drivers were included in docket number FMCSA–2012–0044. Their exemptions are applicable as of June 5, 2018, and will expire on June 5, 2020.

As of June 9, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 40 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 28121; 81 FR 59728):

Matthew P. Ambrose (OH)  
 Steven E. Beining (OH)  
 Steven Belback (PA)

Roger D. Bragg (WV)  
 John Ciesmelewski (NJ)  
 Ernest W. Collett (TX)  
 Daniel C. Crider (MN)  
 Charla J. Donahy (TX)  
 Richard D. Florio, Jr. (NY)  
 Tyler J. Francis (KS)  
 Calvin L. Frew (ID)  
 Juda Friedman (NY)  
 Dean Gage (NY)  
 William Gallagher (PA)  
 Harvey E. Gordon (MA)  
 James W. Gorman, Jr. (MD)  
 Christopher L. Greene (WY)  
 Gregor C. Guisewhite (PA)  
 Dennis T. Harding (MN)  
 Brandon R. Hart (TX)  
 Stephen E. Hochmiller (CO)  
 Jack V. Holloway (IL)  
 Richard L. Hubbard (MN)  
 Stephen A. Kinney (MI)  
 Russell L. Koehn (IL)  
 Timothy C. LaRue (FL)  
 Joseph M. Lopes (NH)  
 William B. Onimus (PA)  
 Victor M. Orta (TX)  
 William D. Powell (IL)  
 Lee A. Pulda (WI)  
 William K. Sawyer II (NM)  
 Jeffrey J. Schnacker (NE)  
 Jeffrey D. Smith (MD)  
 Anthony G. Stellatos (NJ)  
 Trent A. Stuber (IL)  
 LaDon L. Wallin (MN)  
 Richard D. Webb (NY)  
 Grady L. Wilson, Jr. (FL)  
 Karl S. Yauneridge (MD)

The drivers were included in docket number FMCSA–2016–0039. Their exemptions are applicable as of June 9, 2018, and will expire on June 9, 2020.

As of June 20, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Gary R. Harper, (IN) has 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 96176).

The driver was included in docket number FMCSA–2014–0016. The exemption is applicable as of June 20, 2018, and will expire on June 20, 2020.

As of June 24, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 35 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 22573; 79 FR 35855; 81 FR 96176):

Joshua T. Adams (OH)  
 Dennis W. Athey II (KS)  
 John M. Behan, Jr. (MD)  
 Kirk B. Berridge (KS)  
 Francis P. Bourgeois (LA)  
 Randall T. Buffkin (NC)

Heladio Castillo (WA)  
 Purvis J. Chesson (VA)  
 Jeff T. Enbody (VA)  
 Larry S. Gibson, II (NC)  
 James M. Halapchuk (PA)  
 Jeffery A. Hall (ME)  
 Henry W. Hartman (NY)  
 Marlin R. Hein (IA)  
 Vincenzo Ingrassellino (NY)  
 Davis Jansen van Beek (MT)  
 Baek J. Kim (MD)  
 Shawn N. Kimble (PA)  
 Darrel G. Klauer (WI)  
 Stephen D. Lewis (NY)  
 Alvin McClain (OR)  
 Kenneth D. Mehmen (IA)  
 Kyle B. Mitchell (CA)  
 Michael A. Murrell (KY)  
 Ryan R. Ong (CA)  
 Gregory Paradiso (OH)  
 Brian K. Patenaude (MA)  
 William A. Schimpf (CA)  
 Frank J. Sciulli (PA)  
 Bryan J. Smith (ND)  
 Edward L. Stauffer (PA)  
 Kyle G. Streit (TX)  
 Joseph D. Stutzman (PA)  
 Raymond J. Vaillancourt (OH)  
 Robert L. Weiland (PA)

The drivers were included in docket number FMCSA–2014–0015. Their exemptions are applicable as of June 24, 2018, and will expire on June 24, 2020.

As of June 26, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, Tommy R. Riley, (IL) has 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 96176).

The driver was included in docket number FMCSA–2014–0016. The exemption is applicable as of June 26, 2018, and will expire on June 26, 2020.

As of June 27, 2018, and in accordance with 49 U.S.C. 31136(e) and 31315, the following six 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 27842; 77 FR 38383; 81 FR 96176):

Matthew R. Bagwell (NY)  
 Eric J. Bright (IL)  
 Kyle D. Dale (MO)  
 Donald L. Philpott (WA)  
 John Randolph (OK)  
 Courtney R. Schiebout (IA)

The drivers were included in docket number FMCSA–2012–0107. Their exemptions are applicable as of June 27, 2018, and will expire on June 27, 2020.

In accordance with 49 U.S.C. 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: July 12, 2018.

Larry W. Minor,

Associate Administrator for Policy.

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0011]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 12 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. They are unable to meet the vision requirement in one eye for various reasons. The exemptions enable these individuals to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

**DATES:** The exemptions were applicable on June 29, 2018. The exemptions expire on June 29, 2020.

**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 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.

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##### II. Background

On May 29, 2018, FMCSA published a notice announcing receipt of applications from 12 individuals requesting an exemption from vision requirement in 49 CFR 391.41(b)(10) and requested comments from the public (83 FR 24585). The public comment period ended on June 28, 2018, and one comment was received.

FMCSA has evaluated the eligibility of these 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)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to drive a CMV if that person has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 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 one comment in this proceeding. Vicky Johnson stated that Minnesota Public Safety has no objections to granting a vision exemption to Thomas R. Krentz.

##### 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 May 29, 2018, **Federal Register** notice (83 FR 24585) 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 12 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, central retinal vein occlusion, iris coloboma, optic atrophy, and prosthesis. In most cases, their eye conditions were not recently developed. Eight of the applicants were either born with their vision impairments or have had them since childhood. The four individuals that sustained their vision conditions as adults have had it for a range of 5 to 16 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