

combinations for eight years, accumulating 1.32 million miles. He holds a Class AM CDL from Georgia. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Shelby M. Kuehler*

Mr. Kuehler, 39, has had aphakia in his left eye since childhood. The visual acuity in his right eye is light perception, and in his left eye, 20/20. Following an examination in 2018, his optometrist stated, "In my medical opinion Shelby has sufficient vision to perform driving tasks required to operate a commercial vehicle and, in fact, he has been operating commercial vehicles for the past fifteen years." Mr. Kuehler reported that he has driven straight trucks for 13 years, accumulating 455,000 miles, and tractor-trailer combinations for 13 years, accumulating 455,000 miles. He holds an operator's license from Kansas. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Kendall S. Lane*

Mr. Lane, 25, has a corneal scar in his left eye due to a traumatic incident in 2014. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2018, his optometrist stated, "The fact that he has been doing his job operating a commercial vehicle with his currently stable condition is proof he has sufficient vision to perform his work duties as required." Mr. Lane reported that he has driven straight trucks for 30 years, accumulating 300,000 miles. He holds a Class A CDL from Oklahoma. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Leonard Morris*

Mr. Morris, 63, has had a chorioretinal scar in his left eye since 2013. The visual acuity in his right eye is 20/20, and in his left eye, hand motion. Following an examination in 2018, his optometrist stated, "In my opinion he has sufficient vision to operate a commercial vehicle." Mr. Morris reported that he has driven tractor-trailer combinations for 43 years, accumulating 2.15 million miles. He holds a Class A CDL from New Jersey. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Gale L. O'Neil*

Mr. O'Neil, 60, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/100, and in his left eye, 20/25. Following an examination in 2018, his optometrist stated, "He has sufficient vision to operate a commercial vehicle." Mr. O'Neil reported that he has driven straight trucks for 44 years, accumulating 660,000 miles. He holds an operator's license from Pennsylvania. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Michael L. Sheldon*

Mr. Sheldon, 53, has a cataract in his right eye due to a traumatic incident in 2005. The visual acuity in his right eye is 20/300, and in his left eye, 20/20. Following an examination in 2018, his optometrist stated, "In my opinion Michael has sufficient vision to drive a commercial vehicle." Mr. Sheldon reported that he has driven straight trucks for 22 years, accumulating 220,000 miles, and tractor-trailer combinations for 37 years, accumulating 1.48 million miles. He holds an operator's license from Nebraska. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

*Pedro T. Tellez Alvarez*

Mr. Tellez Alvarez, 26, has a chorioretinal scar in his right eye due to an infection in childhood. The visual acuity in his right eye is 20/125, and in his left eye, 20/25. Following an examination in 2018, his optometrist stated, "However, due to the childhood nature of this visual reduction Mr. Tellez Alvarez should have no difficulties operating a commercial vehicle due to the fact that recent onset visual losses impede drivers significantly more than longstanding vision losses." Mr. Tellez Alvarez reported that he has driven tractor-trailer combinations for three years, accumulating 255,000 miles. He holds a Class A CDL from California. His driving record for the last three years shows no crashes and no convictions for moving violations in a CMV.

#### IV. 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 and material received before the close of business on the closing date indicated in the dates section of the notice.

Issued on: November 21, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2018-25850 Filed 11-26-18; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2018-0203]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to exempt 46 individuals from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with insulin-treated diabetes mellitus (ITDM) from operating a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these individuals with ITDM to operate CMVs in interstate commerce.

**DATES:** The exemptions were applicable on October 11, 2018. The exemptions expire on October 11, 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., 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. Public Participation

###### A. Viewing Documents and Comments

To view comments, as well as any documents mentioned in this notice as being available in the docket, go to <http://www.regulations.gov>. Insert the docket number, FMCSA-2018-0203, in the keyword box, and click "Search." Next, click the "Open Docket Folder" button and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

### B. 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 September 10, 2018, FMCSA published a notice announcing receipt of applications from 46 individuals requesting an exemption from diabetes requirement in 49 CFR 391.41(b)(3) and requested comments from the public (83 FR 45736). The public comment period ended on October 10, 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)(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 one comment in this proceeding. Ms. Johnson stated Minnesota Department of Public Safety is in support of granting the Federal Diabetes exemption to Anthony D. Anderson, Jason R. Miller, and James B. Stevens. In reference to Chad M. Kunkel, Ms. Johnson noted no objection if FMCSA has no issue with the August 2016 crash information on this driver's record. She also noted that FMCSA had previously rescinded this exemption in January 2018. FMCSA requests a Motor Vehicle Record during the diabetes application process and reviews all previous exemption actions to ensure that the necessary equivalent level of safety is achieved to be granted the Federal diabetes exemption. In doing so, FMCSA did not find information that indicates that Mr. Chad M. Kunkel should not be granted this exemption.

### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption for up to five years from the diabetes standard 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. FMCSA grants exemptions from the FMCSRs for a two-year period to align with the maximum duration of a driver's medical certification.

The Agency's decision regarding these exemption applications is based on the program eligibility criteria and an individualized assessment of information submitted by each applicant. The qualifications, experience, and medical condition of each applicant were stated and discussed in detail in the September 10, 2018, **Federal Register** notice (83 FR 45736) and will not be repeated in this notice.

These 46 applicants have had ITDM over a range of 1 to 36 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 (two or more) severe hypoglycemic episodes in the past five 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).

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 are provided to the applicants in the exemption document and includes the following: (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 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) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keeping 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 46 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above:

Anthony D. Anderson (MN)  
 Larry S. Arringdale (IN)  
 Brad M.O. Bennett (OR)  
 Ronald S. Blackwell (ID)  
 Christine Byrd (IA)  
 Garrett T. Cameron (OH)  
 Alfredo Casillas (TX)  
 Guerschom K. Chiwengo (VA)  
 David A. Coltrain (IA)  
 James D. Cosgrove (MA)  
 Jerome Davis, Sr. (AZ)  
 Donald R. DeKruger (CO)  
 Joseph M. Dema (IL)  
 Lynx D. Gardner (NE)  
 Timothy M. Getchius (NY)  
 Jeffrey M. Halida (WI)  
 Corey A. Harell (IL)  
 Donald B. Harwell (SC)  
 John T. Ingin (NY)  
 James M. Kay (IN)  
 Marcus E.M. Killman (KS)  
 Mark R. Kuhn (PA)  
 Chad M. Kunkel (MN)  
 Lawrence J. Lucero (WA)  
 Curtis M. Lyons (IN)  
 Antonia Madrid (NM)  
 Nankishore Mangal (CT)  
 Fernando Martins (NH)  
 Vincent Matthews (SC)  
 Lawrence C. Maughan (UT)  
 Peter M. Meserve (NH)  
 Jason R. Miller (MN)  
 Philips Ng (MA)  
 Don C. Oden (KS)  
 Charles T. Pappas (WA)  
 Stacy S. Patterson (VA)  
 Nathaniel P. Probasco (PA)  
 Mark K. Pugh (PA)  
 Anthony Rivera (NJ)  
 Eddie A. Sellars (NC)  
 James B. Stevens (MN)

Edwinn D. Strong (IL)  
Terelle E. Thomas (VA)  
Harvey S. Vaea (CA)  
Gene A. Vieira (FL)  
Ronald Walker, Sr. (IL)

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(e) and 31315.

Issued on: November 20, 2018.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2016-0128]

#### Pipeline Safety: Meeting of the Voluntary Information-Sharing System Working Group

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces a public meeting of the Voluntary Information-sharing System (VIS) Working Group. The VIS Working Group will convene to discuss proposed recommendations to establish a voluntary information-sharing system.

**DATES:** The public meeting will be held on December 18, 2018 from 9:00 a.m. to 5:00 p.m. ET and December 19, 2018, from 8:30 a.m. to 5:00 p.m. ET. Members of the public who wish to attend in person should register no later than December 11, 2018. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, may notify PHMSA by December 11, 2018. For additional information, see the **ADDRESSES** section.

**ADDRESSES:** The meeting will be held at the U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590. The meeting agenda and additional information will be published on the following VIS Working Group registration page at: <https://>

[www.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=141](https://www.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=141).

The meeting will not be webcast; however, presentations will be available on the meeting website and posted on the E-Gov website, <https://www.regulations.gov>, under docket number PHMSA-2016-0128 within 30 days following the meeting.

**Public Participation:** This meeting will be open to the public. Members of the public who attend in person will also be provided an opportunity to make a statement during the meeting.

**Written Comments:** Persons who wish to submit written comments on the meeting may submit them to the docket in the following ways:

**E-Gov Website:** <https://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

**Fax:** 1-202-493-2251.

**Mail:** Docket Management Facility; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590-0001.

**Hand Delivery:** Room W12-140 on the ground level of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except on Federal holidays.

**Instructions:** Identify the docket number PHMSA-2016-0128 at the beginning of your comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). Therefore, consider reviewing DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (65 FR 19477), or view the Privacy Notice at <https://www.regulations.gov> before submitting comments.

**Docket:** For docket access or to read background documents or comments, go to <https://www.regulations.gov> at any time or to Room W12-140 on the ground level of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: "Comments on PHMSA-

2016-0128." The docket clerk will date stamp the postcard prior to returning it to you via the U.S. mail.

#### Privacy Act Statement

DOT may solicit comments from the public regarding certain general notices. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.dot.gov/privacy>.

#### Services for Individuals With Disabilities

The public meeting will be physically accessible to people with disabilities. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, are asked to notify Dr. Christie Murray at [christie.murray@dot.gov](mailto:christie.murray@dot.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the meeting, contact Dr. Christie Murray by phone at 202-366-4996 or by email at [christie.murray@dot.gov](mailto:christie.murray@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The VIS Working Group is an advisory committee established in accordance with Section 10 of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016 (Pub. L. 114-183), the Federal Advisory Committee Act of 1972 (5 U.S.C., App. 2, as amended), and 41 CFR 102-3.50(a).

##### II. Meeting Details and Agenda

The VIS Working Group agenda will include briefings on topics such as mandate requirements, integrity management, data types and tools, in-line inspection and other direct assessment methods, geographic information system implementation, subcommittee considerations, lessons learned, examples of existing information-sharing systems, safety management systems, and more. As part of its work, the committee will ultimately provide recommendations to the Secretary as required and specifically outlined in Section 10 of Public Law 114-183, addressing:

(a) The need for, and the identification of, a system to ensure that dig verification data are shared with in-line inspection operators to the extent consistent with the need to maintain proprietary and security-sensitive data in a confidential manner to improve pipeline safety and inspection technology;