

Eric D. Ambler (WI)  
 Clay B. Anderson (IL)  
 Gregory C. Bartley (PA)  
 Aaron M. Batts (NC)  
 Nathan R. Batzel (MN)  
 Michael R. Bell (MD)  
 Jerry A. Cox, Sr. (LA)  
 Lloyd F. Cuckow (CO)  
 Kenneth B. Dennard (GA)  
 Eric Q. Dickerson (IN)  
 James P. Dreifuert (WI)  
 Domenic R. Folino (PA)  
 Howard M. Hammel (NJ)  
 Derrick D. Harris (IL)  
 Kevin R. Johnson (MI)  
 David J. Long (PA)  
 David P. Magee (MO)  
 Gary F. Marson (WI)  
 James A. Meridith (MI)  
 Richard A. Moore (PA)  
 Keith B. Muehler (ND)  
 John K. Murray (NY)  
 John D. Pede, Jr. (PA)  
 John F. Prophet (FL)  
 Dominic F. Quartullo (WI)  
 Michael E. Reed (IA)  
 Carlos B. Rodriguez (NY)  
 David J. Sierra (NJ)  
 Roger E. Smith (IA)  
 Terrell W. Smith (PA)  
 Anthony L. Spratto (WI)  
 Timothy R. Stephens (KS)  
 Howard C. Stines (TN)  
 Christopher E. Swanson (CA)  
 Diana C. Tabala (NY)  
 Brewster E. Thurston (VT)  
 Phillip J. Ulmer (LA)  
 Charles A. Walker (IL)  
 John D. Weaver (WY)  
 Leroy D. Yost (IA)

The drivers were included in docket No. FMCSA–2014–0310. Their exemptions are effective as of January 15, 2017, and will expire on January 15, 2019.

As of January 25, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 16 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 70530; 78 FR 5559):

Randle A. Badertscher (WY)  
 Jerol G. Fox (DE)  
 Michael S. Freeman (OR)  
 Harold D. Grimes (MI)  
 Douglas W. Hunderman (MI)  
 Robert L. Johnson, Jr. (VA)  
 George R. Miller III (PA)  
 Ronald G. Monroe (IN)  
 Israel Ramos (NY)  
 Jed Ramsey (ID)  
 Raymond E. Richardson (MD)  
 Craig W. Schafer (DE)  
 Stephen L. Schug (FL)  
 Shawn M. Seeley (CT)  
 Mark S. Shepherd (MA)

L. Everett Stamper (IN)

The drivers were included in docket No. FMCSA–2012–0348. Their exemptions are effective as of January 25, 2017, and will expire on January 25, 2019.

As of January 28, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 9 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 77947; 76 FR 5243):

James T. Bezold (KY)  
 Allen C. Cornelius, Jr. (DE)  
 Eugene M. Johnson (NY)  
 Michael A. McHenry (IN)  
 Gregory S. Myers (PA)  
 Richard D. Peterson, Jr. (MN)  
 Rudolph Q. Redd (IL)  
 Chad A. Sanders (IN)  
 Mark A. Sawyer (IN)

The drivers were included in docket No. FMCSA–2012–0386. Their exemptions are effective as of January 28, 2017, and will expire on January 28, 2019.

As of January 31, 2017, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 49 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 78938; 80 FR 12545):

Joseph L. Allen (TX)  
 Wayne A. Aukes (MN)  
 Freddie W. Bermudez, Jr. (IL)  
 Darrell K. Blanton (NC)  
 Richard A. Boor (VA)  
 Stephen R. Brown (NH)  
 Kenneth E. Chastain (TN)  
 Jeffery C. Colbert (AR)  
 Kenny L. Dickerson (GA)  
 James M. DiClaudio (NJ)  
 Steven A. Dion (NY)  
 Dean R. Duquette (ME)  
 Joseph J. Eckstrom (NY)  
 Morgan D. Hale, Jr. (KY)  
 James J. Hartman (SD)  
 Dale H. Hintz (WI)  
 Benjamin D. Horton (VA)  
 Danny R. Jackson, Jr. (OR)  
 Brian C. Jagdman (MD)  
 Terry J. Johnson (MD)  
 Robert L. Johnson, Jr. (OK)  
 Michael W. Jones (NJ)  
 Carl J. Kern, Jr. (PA)  
 Monte J. Lakosky (MI)  
 Aaron J. Larson (WI)  
 Jeffrey G. Lawrence (AR)  
 Leo D. Maggioli (MA)  
 Ryan M. McClatchey (TN)  
 Carl A. Mears, Jr. (VT)  
 Robert P. Miller (WI)  
 Nicholas M. Palocy (VT)  
 John D. Patterson (OH)

Michael W. Perez (OH)  
 Jerry Platero (NM)  
 Darrell K. Rau (IA)  
 Andrew B. Renninger (PA)  
 Ryan T. Rock (ID)  
 Wilfredo Rodriguez (NY)  
 Mark A. Santana (PA)  
 Donald E. Scovil (NH)  
 David E. Shinen (CA)  
 Patrick A. Shryock (AR)  
 Joshua C. Thompson (AZ)  
 Jeffrey D. Thomson (WI)  
 Marshall L. Wainwright (IL)  
 Glenn P. Whitehouse (PA)  
 Jennifer R. Williams (PA)  
 John E. Yates (IN)  
 Jeffrey S. Zimmer (NH)

The drivers were included in docket No. FMCSA–2012–0386. Their exemptions are effective as of January 31, 2017, and will expire on January 31, 2019.

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: May 26, 2017.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2017–11641 Filed 6–5–17; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2012–0032]

### Commercial Driver's License Standards: Application for Exemption; Daimler Trucks North America (Daimler)

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

**ACTION:** Notice of final disposition; grant of application for exemption.

**SUMMARY:** FMCSA announces its decision to grant Daimler Trucks North America's (Daimler) application for an exemption to allow a Daimler employee to drive commercial motor vehicles (CMV) in the United States without having a commercial driver's license (CDL) issued by one of the States. The driver, Martin Zeilinger, will test-drive

Daimler vehicles on U.S. roads to better understand product requirements for these vehicles in “real world” environments and verify results. He holds a valid German commercial license but lacks the U.S. residency necessary to obtain a CDL issued by one of the States. FMCSA believes that the process for obtaining a German commercial license is comparable to or as effective as the U.S. CDL requirements and ensures that this driver will likely achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained in the absence of the exemption.

**DATES:** This exemption is effective June 6, 2017 and expires June 6, 2022.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 614-942-6477. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Public Participation**

##### *Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov) and insert the docket number, “FMCSA-2012-0032” 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., e.t., Monday through Friday, except Federal holidays.

#### **II. Legal Basis**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments, and determines whether granting the exemption would likely achieve a level

of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reason for the grant or denial, and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must also specify the effective period of the exemption (up to 5 years), and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

#### **III. Daimler Application for Exemption**

Daimler has applied for an exemption renewal for one of its engineers from 49 CFR 383.23, which prescribes licensing requirements for drivers operating CMVs in interstate or intrastate commerce. This driver, Martin Zeilinger, holds a valid German commercial license but is unable to obtain a CDL in any of the U.S. States due to residency requirements. A copy of the application is in Docket No. FMCSA-2012-0032.

FMCSA initially granted an exemption to Mr. Zeilinger on March 27, 2015 (80 FR 16511). This exemption was effective March 27, 2015, and expired March 27, 2017. Detailed information about the qualifications and experience of Mr. Zeilinger was provided by Daimler in its original application, a copy of which is in the docket.

The exemption renewal would allow Mr. Zeilinger to operate CMVs in interstate or intrastate commerce to support Daimler field tests designed to meet future vehicle safety and environmental requirements and to develop improved safety and emission technologies. According to Daimler, Mr. Zeilinger will typically drive for no more than 6 hours per day for 2 consecutive days, and 10 percent of the test driving will be on two-lane State highways, while 90 percent will be on interstate highways. The driving will consist of no more than 200 miles per day, for a total of 400 miles during a two-day period on a quarterly basis. He will in all cases be accompanied by a holder of a U.S. CDL who is familiar with the routes to be traveled. Daimler requests that the exemption cover the maximum allowable duration of 5 years.

Daimler has explained in prior exemption requests that the German knowledge and skills tests and training program ensure that Daimler's drivers operating under the exemption will achieve a level of safety that is equivalent to, or greater than, the level

of safety obtained by complying with the U.S. requirement for a CDL.

#### **IV. Method To Ensure an Equivalent or Greater Level of Safety**

FMCSA has previously determined that the process for obtaining a German commercial license is comparable to, or as effective as, the requirements of part 383, and adequately assesses the driver's ability to operate CMVs in the U.S. Since 2012, FMCSA has granted Daimler drivers similar exemptions [May 25, 2012 (77 FR 31422); July 22, 2014 (79 FR 42626); March 27, 2015 (80 FR 16511); October 5, 2015 (80 FR 60220); December 7, 2015 (80 FR 76059); December 21, 2015 (80 FR 79410); July 12, 2016 (81 FR 45217); July 25, 2016 (81 FR 48496)].

#### **V. Public Comments**

On March 22, 2017, FMCSA published notice of this application and requested public comments (82 FR 14791). One respondent opposed the requested exemption. Mr. Michael Millard wrote, “I feel five years is sufficient for Martin Zeilinger to obtain a US CDL. Please deny Daimler Trucks North America's request.”

#### **VI. FMCSA Decision**

Based upon the merits of this application, including Mr. Zeilinger's extensive driving experience and safety record, FMCSA has concluded that the exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption, in accordance with § 381.305(a).

#### **VII. Terms and Conditions for the Exemption**

*FMCSA grants Daimler and Martin Zeilinger an exemption from the CDL requirement in 49 CFR 383.23 to allow Mr. Zeilinger to drive CMVs in this country without a U.S. State-issued CDL, subject to the following terms and conditions:* (1) The driver and carrier must comply with all other applicable provisions of the FMCSRs (49 CFR parts 350-399); (2) the driver must be in possession of the exemption document and a valid German commercial license; (3) the driver must be employed by and operate the CMV within the scope of his duties for Daimler; (4) at all times while operating a CMV under this exemption, the driver must be accompanied by a holder of a U.S. CDL who is familiar with the routes traveled; (5) Daimler must notify FMCSA in writing within 5 business days of any accident, as defined in 49 CFR 390.5, involving this driver; and (6) Daimler must notify FMCSA in writing if this driver is

convicted of a disqualifying offense under § 383.51 or § 391.15 of the FMCSRs.

In accordance with 49 U.S.C. 31315 and 31136(e), the exemption will be valid for 5 years unless revoked earlier by the FMCSA. The exemption will be revoked if: (1) Mr. Zeilinger fails to comply with the terms and conditions of the exemption; (2) the exemption results in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would be inconsistent with the goals and objectives of 49 U.S.C. 31315 and 31136.

### VIII. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate or intrastate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

Issued on: May 26, 2017.

**Daphne Y. Jefferson,**  
Deputy Administrator.

[FR Doc. 2017-11647 Filed 6-5-17; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2007-27387; FMCSA-2008-0137; FMCSA-2009-0122; FMCSA-2011-0143; FMCSA-2013-0018; FMCSA-2015-0060; FMCSA-2015-0061]

### 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 the exemptions of 134 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. FMCSA has statutory authority to exempt individuals from this rule if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these CMV drivers.

**DATES:** Each group of renewed exemptions are effective from the dates

stated in the discussions below. Comments must be received on or before June 6, 2017.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) numbers: Docket No. FMCSA-2007-27387; FMCSA-2008-0137; FMCSA-2009-0122; FMCSA-2011-0143; FMCSA-2013-0018; FMCSA-2015-0060; FMCSA-2015-0061 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 or Courier:* 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 for this notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

*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 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:* Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

**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 W64-113, Washington, DC 20590-0001. Office hours are from 8 a.m. to 5:30 p.m., e.t., Monday through Friday, except Federal holidays.

### SUPPLEMENTARY INFORMATION:

#### I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from the Federal Motor Carrier Safety Regulations 2-year period 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 2-year period. The 134 individuals listed in this notice have recently become eligible for a renewed exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. The drivers remain in good standing with the Agency, 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 2-year exemption period.

#### II. Exemption Decision

This notice addresses 134 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. These 134 drivers remain in good standing with the Agency, 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 2-year exemption period. Therefore, FMCSA has decided to extend each exemption for a renewable two-year period. Each individual is identified according to the renewal date.

The exemptions are renewed subject to the following conditions: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 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) that each individual submit an annual ophthalmologist's or optometrist's report; and (4) that each