

**DATES:** This AC is effective on October 1, 2015.

**ADDRESSES:** *How to obtain copies:* A copy of this publication may be downloaded from: <http://www.faa.gov/search/?q=ac+187-1>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tish Thompkins, Flight Standards Service, AFS-50, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-0996.

Issued in Washington, DC, on September 16, 2015.

**John Barbagallo,**

*Deputy Director, Flight Standards Service.*

[FR Doc. 2015-24959 Filed 9-30-15; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. 2015-56]

#### Petition for Exemption; Summary of Petition Received; Robert Ponti

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Title 14 of the Code of Federal Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before October 21, 2015.

**ADDRESSES:** Send comments identified by docket number FAA-2015-3493 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.

*Privacy:* 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>.

*Docket:* Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Sandra K. Long, Program Analyst, 202-267-4714, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 *Sandra.long@faa.gov*.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on September 25, 2015.

**Lirio Liu,**

*Director, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2015-3493.

*Petitioner:* Robert J. Ponti.

*Section(s) of 14 CFR Affected:* 14 CFR 61.73(g).

#### Description of Relief Sought

Petitioner seeks relief to obtain a flight instructor certificate and rating based on his U.S. Military documentation as a designated Instructor Co-Pilot.

[FR Doc. 2015-24826 Filed 9-30-15; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA-2015-0062]

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

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

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA confirms its decision to exempt 49 individuals from its rule

prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. The exemptions enable these individuals to operate CMVs in interstate commerce.

**DATES:** The exemptions were effective on August 1, 2015. The exemptions expire on August 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Horan, III, Director, Carrier, Driver and Vehicle Safety Standards, (202) 366-4001, *fmcamedical@dot.gov*, FMCSA, Room W64-224, Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### 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., 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 [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 July 1, 2015, FMCSA published a notice of receipt of Federal diabetes exemption applications from 49 individuals and requested comments from the public (80 FR 37719). The public comment period closed on July 31, 2015, and one comment was received.

FMCSA has evaluated the eligibility of the 49 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).

#### *Diabetes Mellitus and Driving Experience of the Applicants*

The Agency established the current requirement for diabetes in 1970

because several risk studies indicated that drivers with diabetes had a higher rate of crash involvement than the general population. The diabetes rule provides that "A person is physically qualified to drive a commercial motor vehicle if that person has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control" (49 CFR 391.41(b)(3)).

FMCSA established its diabetes exemption program, based on the Agency's July 2000 study entitled "A Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin-Treated Diabetes Mellitus to Operate in Interstate Commerce as Directed by the Transportation Act for the 21st Century." The report concluded that a safe and practicable protocol to allow some drivers with ITDM to operate CMVs is feasible. The September 3, 2003 (68 FR 52441),

**Federal Register** notice in conjunction with the November 8, 2005 (70 FR 67777), **Federal Register** notice provides the current protocol for allowing such drivers to operate CMVs in interstate commerce.

These 49 applicants have had ITDM over a range of one to 44 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 (2 or more) severe hypoglycemic episodes in the past 5 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).

The qualifications and medical condition of each applicant were stated and discussed in detail in the July 1, 2015, **Federal Register** notice and they will not be repeated in this notice.

### III. Discussion of Comments

FMCSA received one comment in this proceeding. The comment is addressed below.

Joel Price stated that the exemptions should be granted if the drivers are able to prove that their conditions are stable and properly monitored.

### IV. Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes requirement 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.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologists' medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

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 will be provided to the applicants in the exemption document and they include the following: (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 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) that each individual 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 certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

### VI. Conclusion

Based upon its evaluation of the 49 exemption applications, FMCSA exempts the following drivers from the diabetes requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above 949 CFR 391.64(b)):

Adele M. Aasen (ND)

Kyle E. Beine (WI)  
Dean B. Bibens, Jr. (CT)  
Joseph M. Blackwell (GA)  
Joseph G. Blastick (SD)  
Gary W. Boninsegna (OH)  
Brian K. Bouma (MI)  
Billy J. Bronson (OR)  
Michael L. Campbell (NC)  
Steven C. Cornell (PA)  
Josiah L. Crestik (MN)  
Richard L. Cunningham (NE)  
Thomas M. Delasko (FL)  
William T. Eason (NC)  
Stefan D. Gall (MI)  
Douglas J. Garrison (IA)  
Charles F. Gollahon (OH)  
Donald E. Gray (FL)  
Daniel W. Gregory (NC)  
Barry L. Grimes, Sr. (MD)  
Dennis J. Grimm (DE)  
Stephen G. Helmer (NE)  
Kenneth P. Henry (WA)  
Marco K. Higgs (OR)  
Jeffrey T. Hunley (NC)  
Colin S. Jackson (WA)  
Dennis J. Klawes (WI)  
John E. Marshall (PA)  
Andrew Milite (NY)  
Peter E. Mizialko (NJ)  
Matthew E. Modlin (NC)  
Michael I. Moore (IN)  
Clyde S. Morgan (MN)  
Richard M. Ohland (MN)  
James D. Parrish (NC)  
Justin D. Redding (MT)  
Alex R. Rumph (MT)  
Kenneth S. Schoenberger (PA)  
Jarred E. Shawles (CA)  
Charles M. Smith (PA)  
Howard L. Smith (IL)  
Jeffrey S. Snyder (PA)  
Jerry L. Stevens (NE)  
Todd Stover (PA)  
Kevin G. Sundquist (MN)  
David N. Tetlak (PA)  
Dennis P. Walker, Jr. (OH)  
Horace V. Watson (GA)  
Jeremy W. Wolfe (MO)

In accordance with 49 U.S.C. 31136(e) and 31315 each exemption is valid for two years 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 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. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: September 25, 2015.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2015-24925 Filed 9-30-15; 8:45 am]

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