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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for three individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on October 22, 2017. The exemptions expire on October 22, 2019.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, 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.

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 November 27, 2017, FMCSA published a notice announcing its decision to renew exemptions for three individuals from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce and requested comments from the public (82 FR 56106). The public comment period ended on December 27, 2017 and zero 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)(8).

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria to assist Medical Examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy: §391.41(b)(8), paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA received zero comments in this preceding.

IV. Conclusion

Based upon its evaluation of the three renewal exemption applications, FMCSA announces its’ decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41 (b)(8): Joshua Abel, (MD); Jeremy H. Fryburg, (PA); and Anthony E. Martens, (SD).

The drivers were included in docket number FMCSA–2015–0118. Their exemptions are applicable as of October 22, 2017, and will expire on October 22, 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: January 24, 2018.
Larry W. Minor, Associate Administrator for Policy.
[FR Doc. 2016–01934 Filed 1–30–18; 8:45 am] BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2015–0118]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for three individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on October 22, 2017. The exemptions expire on October 22, 2019.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, 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.

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 November 27, 2017, FMCSA published a notice announcing its decision to renew exemptions for three individuals from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce and requested comments from the public (82 FR 56106). The public comment period ended on December 27, 2017 and zero 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)(8).

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria to assist Medical Examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy: §391.41(b)(8), paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA received zero comments in this preceding.

IV. Conclusion

Based upon its evaluation of the three renewal exemption applications, FMCSA announces its’ decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41 (b)(8): Joshua Abel, (MD); Jeremy H. Fryburg, (PA); and Anthony E. Martens, (SD).

The drivers were included in docket number FMCSA–2015–0118. Their exemptions are applicable as of October 22, 2017, and will expire on October 22, 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: January 25, 2018.
Larry W. Minor, Associate Administrator for Policy.
[FR Doc. 2018–01935 Filed 1–30–18; 8:45 am] BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2018–0002]

Hours of Service of Drivers: Electronic Logging Devices; Application for Exemption; Old Dominion and Other Motor Carriers Experiencing Problems Integrating PeopleNet ELD System Updates Into Their Fleet Management Systems

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

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA announces that Old Dominion Freight Line Inc. (Old Dominion) has requested an exemption from the electronic logging device (ELD) requirements. Old Dominion request this exemption to allow the company to install ELD devices running on automatic on-board recording device (AOBRD) software in commercial motor vehicles (CMVs) added to the company’s fleet for up to one year from the December 18, 2017, ELD mandate compliance date. If granted, this modified ELD phase-in period will allow Old Dominion’s AOBRD/ELD provider, PeopleNet, to complete the development of the software necessary to integrate ELD data with the company’s fleet management and safety systems to fully meet the ELD mandate. FMCSA considers the request to be on behalf of all motor carriers in similar situations concerning the integration of PeopleNet’s ELD software into fleet management systems.

Issued on: January 24, 2018.
Larry W. Minor, Associate Administrator for Policy.
[FR Doc. 2018–01934 Filed 1–30–18; 8:45 am] BILLING CODE 4910–EX–P
III. Background

Old Dominion, USDOT 90849, reports that it is an interstate motor carrier based in North Carolina with 228 Service Centers located throughout the country. Its operations cover the entire continental United States. The company is one of the largest less-than-truckload carriers in the country, operating a fleet of more than 8,500 power units and employing more than 10,100 CMV drivers.

Old Dominion began equipping its vehicles with PeopleNet AOBRDs in 2010, and by 2011 the entire fleet was equipped with devices which meet the requirements of 49 CFR 395.15. Data from the AOBRDs feed directly into the company’s fleet management and safety systems, enabling its dispatchers to know precisely where each of its drivers is at any given time and how many hours he/she has available under the Federal hours-of-service rules. This functionality is not required by the AOBRD rules under 49 CFR 395.15 or the ELD requirements under Subpart B of 49 CFR art 395.

Currently, the PeopleNet AOBRD software allows carriers to configure certain specifications. If the settings were not adjustable, the PeopleNet AOBRD would be similar to, but not identical to the FMCSA’s ELD technical specifications. Old Dominion has configured its settings in the PeopleNet AOBRDs it uses. However, certain AOBRD software changes must be made by PeopleNet, including:

- Disabling the “skip feature;”
- Limiting the auto-duty status change threshold to 5 miles; and
- Limiting geo-fencing of yard time to 0.5 miles.

When these changes are fully implemented, the PeopleNet system used by Old Dominion would meet the ELD requirements according to Old Dominion.

IV. Request for Exemption

Old Dominion is requesting a one-year exemption to permit the company to install and use ELD hours-of-service recording devices (i.e., hardware) running PeopleNet’s AOBRD software that meets the requirements of 49 CFR 395.15, rather than ELD software that meets the requirements of Subpart B to
part 395, for any truck added to its fleet on or after December 18, 2017, until the company’s full transition to ELDs can be accomplished. Old Dominion explained that the exemption would provide the company time to work with its AOBRD/ELD provider, PeopleNet, to complete the development of the software necessary to integrate ELD data with Old Dominion’s fleet management and safety systems. The integration of the hours-of-service data with the fleet management and safety systems would enable the company to achieve a high level of safety oversight of its drivers.

FMCSA considers the request to be on behalf of all motor carriers in similar situations concerning the integration of PeopleNet’s ELD software into fleet management systems.

Old Dominion explained that all of the PeopleNet AOBRD and ELD hardware currently installed in Old Dominion’s vehicles, and the systems that will be installed in the near future, would satisfy the ELD mandate after the company implements the transition to PeopleNet’s December 15, 2017, release. However, the new PeopleNet release does not include the necessary means to integrate into Old Dominion’s fleet management and safety software.

A copy of Old Dominion’s application for exemption is available for review in the docket for this notice.

Issued on: January 23, 2018.
Larry W. Minor, Associate Administrator for Policy.

[FR Doc. 2018–01939 Filed 1–30–18; 8:45 am]
BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration


Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 10 individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have “no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.” The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on August 13, 2017. The exemptions expire on August 13, 2019.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, 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.

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 November 27, 2017, FMCSA published a notice announcing its decision to renew exemptions for 10 individuals from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce. [49 CFR 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. Epilepsy: § 391.41(b)(8), paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA received zero comments in this preceding.

IV. Conclusion

Based upon its evaluation of the 10 renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8):

- Eric J. Barnwell (MI)
- John W. Boerth (WI)
- Don C. Darbyshire (IA)
- Todd A. Davis (WI)
- Daniel Dellaserra (CA)
- Charles T. Gray (OK)
- Eric A. Hilmer (WI)
- David Kietzman (WI)
- Dennis Klamm (MN)
- Brian J. Wiggins (ID)


The drivers were exempt 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.