

From: Linda Lewis-Pickett <llewis-pickett@aamva.org>
To: marcia.adams@scdmv.net
Date: 4/5/2006 4:37:56 PM
Subject: FMCSA Notice on Diabetes
Attachments: 31706 FMCSA Diabete ANPRM.pdf

<i>AAMVA Legislative/Regulatory Alert</i>

To: Chief Motor Vehicle Administrators
Chief Law Enforcement Officers
FR: Linda Lewis-Pickett, President CEO
DATE: April 5, 2006
RE: FMCSA Notice on Diabetes

On March 17, the Federal Motor Carrier Safety Administration (FMCSA) issued an Advance Notice of Proposed Rulemaking (ANPRM) in the Federal Register to begin re-evaluating the rule that prohibits drivers with insulin-treated diabetes mellitus from operating trucks and buses in interstate commerce. The agency is seeking comments on whether or not to change the standard and to what extent. Currently, drivers with insulin-treated diabetes mellitus may only operate commercial vehicles in interstate commerce if they obtain an exemption from FMCSA. Prior to granting an exemption, the agency must examine each applicant's medical circumstances and publish their names in the Federal Register for comments.

Member jurisdictions are asked to pay special attention to the series of questions posed under the heading "Request for Information and Comments." FMCSA is seeking responses to 13 questions. These questions could have a significant impact upon departments of motor vehicles. For example, item (7) asks questions about who should be responsible for, and who should receive, reports on changes in health condition of drivers with diabetes mellitus. The agency also needs help in evaluating whether the ANPRM meets several federal laws for developing rules. For instance, FMCSA is seeking comments from state and local officials on any federalism issues.

Please provide AAMVA with a copy of your comments by June 1, 2006. Comments may be sent by email to Lori Cohen at lcohen@aamva.org or Pam Richardson Walker at pwalker@aamva.org; or by fax to 703-908-5793. Public comments on this ANPRM may be submitted to the rulemaking docket by visiting the U.S. Department of Transportation's Docket Management System Web site at <http://dms.dot.gov>. The docket number for the ANPRM is FMCSA 2005-23151 and the deadline for submitting comments is June 15, 2006.

Attachment