

relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved without the exemption, pursuant to the standard set forth in 49 CFR 381.305(a). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

Intellistop describes its submission as a "Petition for Reconsideration of the Federal Motor Carrier Safety Administration's October 7, 2022 denial of Intellistop's application for an exemption from the steady-burning stop lamp requirement set forth at 49 C.F.R [section] 393.25(e)."

Pursuant to 49 CFR 381.317, a party may resubmit an application for exemption providing more or different information if the original application is denied. In contrast, petitions for reconsideration under 49 CFR 389.35(a) apply to "rules," not to exemption applications, and in any case must be filed within 30 days after publication of a "rule." FMCSA therefore interprets Intellistop's application as a renewed exemption request, which is allowed under 49 U.S.C. 31315(b)(3), especially when—as here—the applicant has specifically addressed reasons for the denial.

II. Applicant's Request

Current Regulatory Requirements

Section 393.25(e) of the FMCSRs requires that all exterior lamps be steady burning, with certain exceptions not relevant here. Two other provisions of the FMCSRs—section 393.11(a) and section 393.25(c)—mandate that required lamps on CMVs meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 in effect at the time of manufacture. FMVSS No. 108, issued by the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA), includes a requirement that installed brake lamps, whether original or replacement equipment, be steady burning.

Applicant's Request

Intellistop has applied for a 5-year exemption from 49 CFR 393.25(e) to allow motor carriers to operate CMVs equipped with Intellistop's lamp module. When the brakes are applied, the Intellistop module is designed to pulse the rear clearance, identification, and brake lamps from a lower-level lighting intensity to a higher-level lighting intensity 4 times in 2 seconds and then to maintain the original equipment manufacturer's (OEM) level of illumination for those lamps until the brakes are released and reapplied. Intellistop asserts that its module is designed to ensure that if the module ever fails, the clearance, identification, and brake lamps will default to normal OEM function and illumination. Intellistop requests that the exemption be granted to all motor carriers subject to FMCSA's jurisdiction.

Applicant's Equivalent Level of Safety

Intellistop states that while its system modulates the photometric intensity of the required red stop lamps, it preserves the standardized signal characteristics required by FMVSS No. 108, including signal color, lamp location, and activation trigger. Intellistop asserts that because these characteristics remain unchanged, the regulatory meaning of the braking signal is preserved while enhancing its visibility and detectability to following drivers. Accordingly, Intellistop concludes that its technology enhances braking conspicuity without impairing the effectiveness or recognized meaning of required stop lamps.

Intellistop notes that FMCSA has granted exemptions to eight motor carriers to allow them to operate CMVs equipped with Intellistop's module. These motor carriers are: Gemini Motor Transport LP, Meiborg Brothers, Inc., JM Bozeman Enterprises, Inc., DJS Fundraising, Inc., Brent Higgins Trucking, Inc., Encore Flooring & Building Products, Coffeyville Resources Crude Transportation and Casey's Services Company.¹ Intellistop also cites other exemptions that FMCSA has granted, including to Groendyke Transport, Inc.,² and to Grote Industries, LLC,³ for the use of auxiliary brake-activated pulsating lamps, consistent with the results of NHTSA's Enhanced

¹ 89 FR 40529 (May 10, 2024); 89 FR 54151 (June 28, 2024); 89 FR 54136 (June 28, 2024); 89 FR 54131 (June 28, 2024); 89 FR 54125 (June 28, 2024); 89 FR 77575 (September 23, 2024); 90 FR 16062 (April 16, 2025); 90 FR 16067 (April 16, 2025).

² 84 FR 17910 (April 26, 2019); 89 FR 54147 (June 28, 2024); 89 FR 91872 (Nov. 20, 2024).

³ 85 FR 78918 (Dec. 7, 2020); 90 FR 51430 (Nov. 17, 2025).

Rear Lighting and Signaling Systems research program.

V. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Intellistop's application for a 5-year exemption from 49 CFR 393.25(e). All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0424]

Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Atlantic Aviation Orlando, LLC

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

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

SUMMARY: FMCSA grants Atlantic Aviation Orlando, LLC (Atlantic Aviation) an exemption from certain exhaust system requirements to allow four aircraft fuel service trucks to operate with exhaust systems that discharge forward of the cab rather than at or near the rear of the cab. FMCSA has analyzed the exemption application and the public comment and has determined that the exemption, subject to the terms and conditions set forth below, will likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved in the absence of the exemption.

DATES: The exemption is effective April 28, 2026 and expires April 28, 2031.

FOR FURTHER INFORMATION CONTACT: Mr. David Sutula, Chief, FMCSA Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety Standards; (202) 961–1373; MCPSV@dot.gov. If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2025-0424/document> and choose the document to review. To view comments, click this notice, then click "Browse Comments." If you do not have access to the internet, you may view the docket by visiting Dockets Operations in the DOT West Building, 1200 New Jersey Avenue SE, W58-213, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs). 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 the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish the decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt and the effective period and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Section 393.83(e) of the FMCSRs requires the exhaust system of a bus, truck, or truck tractor to discharge to the atmosphere at or near the rear of the cab (*i.e.*, not forward of the cab).

IV. Applicant's Request

The application from Atlantic Aviation was described in detail in a **Federal Register** notice published on November 24, 2025 (90 FR 53046) and

will not be repeated as the facts have not changed.

V. Public Comments

The Agency received one comment in response to Atlantic Aviation's application. Adam Amorose expressed support for the requested exemption. Mr. Amorose stated that Atlantic Aviation's forward-discharge exhaust configuration is necessary to comply with National Fire Protection Association (NFPA) 407 section 6.1.13.4, which prohibits exhaust discharge in locations where fuel vapors may accumulate and create an ignition hazard during aircraft fueling operations. He noted that relocating the exhaust to the rear of the cab, as required by 49 CFR 393.83(e), could place hot exhaust gases near areas where jet fuel vapors are present, thereby increasing the risk of fire or explosion.

Mr. Amorose also cited Atlantic Aviation's in-cab carbon monoxide (CO) testing, which showed 0 parts per million (ppm) CO under idle and top-speed conditions, well below the Occupational Safety and Health Administration's permissible exposure limit of 50 ppm. He concluded that the data demonstrate that the forward-exhaust configuration does not compromise driver safety or cab air quality.

VI. Agency Decision

The purpose of 49 CFR 393.83(e) is to reduce the risk of exhaust gases entering the cab and to mitigate safety hazards related to exhaust discharge. In the unique operating environment of aircraft fueling vehicles, however, rear-discharging exhaust systems create an increased fire hazard by placing hot exhaust gases near aircraft fueling points and areas where flammable jet fuel vapors may be present.

Atlantic Aviation's vehicles were designed to meet NFPA 407, which is an industry consensus standard specifically intended to prevent fuel vapor ignition during aircraft fueling operations. Requiring compliance with 49 CFR 393.83(e) would undermine those fire-prevention protections.

The CO testing submitted by Atlantic Aviation demonstrates that forward exhaust discharge does not result in driver or passenger exposure to unsafe levels of exhaust gases. The measured CO concentration of 0 ppm and 8-hour time-weighted average of 0 ppm provide objective evidence that the exemption will not introduce a cab air-quality risk.

Based on the limited operating area, the short travel distance, the use of escort procedures, compliance with

NFPA 407, and the verified CO exposure data, FMCSA concludes that the exemption, subject to the terms and conditions set forth below, 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 49 U.S.C. 31315(b)(1).

VII. Exemption

A. Applicability of Exemption

FMCSA grants the exemption for a period of 5 years subject to the terms and conditions of this decision. The exemption from the requirements of 49 CFR 393.83(e) is effective April 28, 2026, through April 28, 2031, 11:59 p.m. local time.

During the exemption period, Atlantic Aviation may operate with exhaust systems that discharge forward of the cab rather than at or near the rear of the cab on the four commercial motor vehicles identified in the terms and conditions below. FMCSA recommends that drivers have access to a paper or electronic copy of the exemption while operating under the exemption.

B. Terms and Conditions

During the exemption period, Atlantic Aviation must:

1. Maintain the exhaust systems in their approved forward-discharge configuration in compliance with NFPA 407.
2. Ensure that the exemption applies only to the four approved jet fuel service vehicles (JT-01, JT-03, JT-04, and JT-07).
3. Operate the vehicles only in support of aircraft fueling operations at Orlando International Airport and along the authorized route between the airport fuel farm and Atlantic Aviation's facility at 9245 Tradeport Drive.
4. Maintain the vehicles in a safe operating condition and comply with all other applicable FMCSRs.

C. 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 commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. Florida may, but is not required to, adopt the same exemption with respect to operations in intrastate commerce.

VIII. Termination

The exemption will be revoked if: (1) Atlantic Aviation 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(b).

Derek D. Barrs,

FMCSA Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2025-0085]

Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Yarde Metals, Inc., USDOT No. 299202

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

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

SUMMARY: FMCSA announces its decision to grant Yarde Metals, Inc.'s (Yarde Metals, USDOT No. 299202) application for a limited 5-year exemption to allow the use of an amber, brake-activated, pulsating auxiliary lamp positioned in the rear center outside frame rail of each of its commercial motor vehicles (CMVs) in addition to the steady-burning brake lamps required by the Federal Motor Carrier Safety Regulations (FMCSRs). The Agency has determined that granting the exemption would likely achieve a level of safety equivalent to or greater than the level of safety provided by the regulation.

DATES: The exemption is effective April 28, 2026 and expires April 28, 2031.

FOR FURTHER INFORMATION CONTACT: Mr. David Sutula, Chief, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590-0001; (202) 366-2551; MCPSV@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2025-0085/document> and choose the document to review. To view comments, click this notice, then click "Document Comments." If you do not

have access to the internet, you may view the docket online by visiting Dockets Operations in Room W58-213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. 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 the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews applications, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

Section 393.25(e) of the FMCSRs requires all exterior lamps (both required lamps and any additional lamps) to be steady-burning, except turn signal lamps; hazard warning signal lamps; school bus warning lamps; amber warning lamps or flashing warning lamps on tow trucks and CMVs transporting oversized loads; and warning lamps on emergency and service vehicles authorized by State or local authorities.

Applicant's Request

The application from Yarde Metals was described in detail in a **Federal Register** notice published on April 16, 2025 (90 FR 16422) and will not be repeated as the facts have not changed.

IV. Public Comments

The Agency received one comment from AWM Associates, LLC (AWM), and one comment from an anonymous individual. Both comments opposed the exemption request.

The anonymous individual stated that the "legal regulatory requirements are not in place under this application and the company has no authority to issue this type of request."

AWM asserted that "any exemption is a bad idea." AWM noted that the brake-activated pulsating lamps described in the application are not required under 49 CFR 393.11 and therefore fall outside the scope of the FMCSRs and the National Highway Traffic Safety Administration's (NHTSA) Federal Motor Vehicle Safety Standards (FMVSS). AWM compared the lamp to other non-required lighting, such as "chicken lights" used along vehicle sides, which are generally only subject to State regulations regarding color. AWM further stated that, if such lights are installed professionally and do not interfere with a vehicle's electrical system, they are simply considered supplemental. AWM concluded that because the amber brake-activated pulsating lamp is in addition to—rather than a replacement for—the two required rear brake lights, the application should be denied, as it seeks an exemption for a feature that is not required under 49 CFR 393.11.

V. FMCSA Decision

FMCSA has evaluated Yarde Metals' exemption application materials along with the comments received. The Agency has determined that granting a temporary exemption to allow Yarde Metals to operate CMVs equipped with an amber brake-activated pulsating lamp—positioned on the rear center outside frame rail of each CMV—in addition to the steady-burning brake lamps required by the FMCSRs, would likely achieve a level of safety equivalent to or greater than the level of safety achieved without the exemption.

Rear-end crashes generally account for approximately 30 percent of all crashes. These types of crashes often result from a failure to respond (or delays in responding) to a stopped or decelerating lead vehicle. Data between 2010 and 2016 show that large trucks are consistently three times more likely than other vehicles to be struck in the rear in two-vehicle fatal crashes.^{1 2}

¹ U.S. Department of Transportation, National Highway Traffic Safety Administration (2012), Traffic Safety Facts—2010 Data; Large Trucks, Report No. DOT HS 811 628, Washington, DC (June 2012).