

guidelines for MEs.<sup>2</sup> The MEP performed a comprehensive, systematic literature review, including evidence available at the time. The MEP issued recommended criteria to evaluate whether an individual with a history of epilepsy, a single unprovoked seizure, or a provoked seizure should be allowed to drive a CMV.

On January 15, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding seizures and loss of consciousness in 49 CFR 391.41(b)(8) (78 FR 3069). The Agency considers the medical advisory criteria, the 2007 MEP recommendations, any public comments received, and each individual's medical information and driving record in deciding whether to grant the exemption.

The 12 individuals listed in this notice have requested an exemption from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

#### IV. Qualifications of Applicants

##### *Dylan Bickhart*

Dylan Bickhart is a 28-year-old class C license holder in Pennsylvania. He has a history of remote seizure and has been seizure free since 2002. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2018. His physician states that they are supportive of him receiving an exemption.

##### *Adam Cutler*

Adam Cutler is a 33-year-old class B commercial driver's license (CDL) holder in Maine. He has a history of seizure disorder and has been seizure free since April 2009. He takes an anti-seizure medication with the dosage and frequency remaining the same since April 2009. His physician states that they are supportive of him receiving an exemption.

##### *David Edwards*

David Edwards is a 52-year-old class D license holder in Oklahoma. He has a history of epilepsy and has been seizure free since November 2010. He takes an anti-seizure medication with the dosage and frequency remaining the

same since 2013. His physician states that they are supportive of him receiving an exemption.

##### *John Michael Fernandez*

John Michael Fernandez is a 54-year-old class C license holder in California. He has a history of focal epilepsy and has been seizure free since 2013. He takes an anti-seizure medication with the dosage and frequency remaining the same since June 2021. His physician states that they are supportive of him receiving an exemption.

##### *Branndon Hoch*

Branndon Hoch is a 34-year-old class CM license holder in Pennsylvania. He has a history of focal epilepsy and has been seizure free since October 8, 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since October 2023. His physician states that they are supportive of him receiving an exemption.

##### *Duane Hoefler*

Duane Hoefler is a 62-year-old class O license holder in Nebraska. He has a history of seizure disorder and has been seizure free since August 4, 2015. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2015. His physician states that they are supportive of him receiving an exemption.

##### *Jonathan Jaros*

Jonathan Jaros is a 68-year-old class A CDL holder in Ohio. He has a history of seizure disorder and has been seizure free since January 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since January 2017. His physician states that they are supportive of him receiving an exemption.

##### *Trevor Judd*

Trevor Judd is a 26-year-old class DM license holder in Wisconsin. He has a history of juvenile myoclonic epilepsy and has been seizure free since March 2016. He takes an anti-seizure medication with the dosage and frequency remaining the same since October 2017. His physician states that they are supportive of him receiving an exemption.

##### *Anthony Marino*

Anthony Marino is a 28-year-old class E license holder in Florida. He has a history of generalized epilepsy and has been seizure free since 2008. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2018. His physician states

that they are supportive of him receiving an exemption.

##### *Geethma Perera*

Geethma Perera is a 23-year-old class E license holder in New York. He has a history of single unprovoked seizure and has been seizure free since March 21, 2021. He has been off anti-seizure medication since January 21, 2022. His physician states that they are supportive of him receiving an exemption.

##### *Tyler Westlake*

Tyler Westlake is a 27-year-old class C license holder in Wyoming. He has a history of juvenile myoclonic epilepsy and has been seizure free since 2018. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2019. His physician states that they are supportive of him receiving an exemption.

##### *Joseph Zaehring*

Joseph Zaehring is a 23-year-old class C license holder in Iowa. He has a history of generalized epilepsy and has been seizure free since July 24, 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2018. His physician states that they are supportive of him receiving an exemption.

#### V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

##### **Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2026-10583 Filed 5-27-26; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2011-0389; FMCSA-2014-0381; FMCSA-2015-0119; FMCSA-2020-0047; FMCSA-2023-0036]

#### Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

**ACTION:** Notice of final disposition.

<sup>2</sup> "Expert Panel Recommendations, Seizure Disorders and Commercial Motor Vehicle Driver Safety," Medical Expert Panel (Oct. 15, 2007), available at <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-04/Seizure-Disorders-MEP-Recommendations-v2-prot%2010152007.pdf>.

**SUMMARY:** FMCSA announces its decision to renew exemptions for five 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 November 6, 2025. The exemptions expire on November 6, 2027.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov). Office hours are from 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

#### **SUPPLEMENTARY INFORMATION:**

### **I. Public Participation**

#### *A. Viewing Comments*

To view comments, go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number (FMCSA–2011–0389, FMCSA–2014–0381, FMCSA–2015–0119, FMCSA–2020–0047, or FMCSA–2023–0036, as appropriate) in the keyword box and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “Browse 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. ET 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.

#### *B. Privacy Act*

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, 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 (Federal Docket Management System), which can be reviewed under

the “Department Wide System of Records Notices” link at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

### **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 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 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**

The physical qualification standard for drivers regarding seizures and loss of consciousness provides 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 (49 CFR 391.41(b)(8)). To assist in applying this standard, FMCSA publishes guidance for medical examiners (ME) in the form of medical advisory criteria in Appendix A to 49 CFR part 391.<sup>1</sup> In 2007, FMCSA published recommendations from a Medical Expert Panel (MEP) that FMCSA tasked to review the existing seizure disorder guidelines for MEs.<sup>2</sup> The MEP

<sup>1</sup> Appendix A to Part 391, Title 49, available at [https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix A to Part 391](https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix%20A%20to%20Part%20391).

<sup>2</sup> “Expert Panel Recommendations, Seizure Disorders and Commercial Motor Vehicle Driver Safety,” Medical Expert Panel (Oct. 15, 2007), available at <https://www.fmcsa.dot.gov/sites/>

performed a comprehensive, systematic literature review, including evidence available at the time. The MEP issued recommended criteria to evaluate whether an individual with a history of epilepsy, a single unprovoked seizure, or a provoked seizure should be allowed to drive a CMV.

On January 15, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding seizures and loss of consciousness in 49 CFR 391.41(b)(8) (78 FR 3069). The Agency considers the medical advisory criteria, the 2007 MEP recommendations, any public comments received, and each individual’s medical information and driving record in deciding whether to grant the exemption.

On January 20, 2026, FMCSA published a notice announcing its decision to renew exemptions for five 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 (91 FR 2418). The public comment period ended on February 19, 2026, and no comments were received.

The Agency has evaluated the eligibility and determined that renewing these applicants’ exemptions would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with 49 CFR 391.41(b)(8).

### **IV. Discussion of Comments**

FMCSA received no comments in this proceeding.

### **V. Basis for Renewing Exemptions**

In accordance with 49 U.S.C. 31136(e) and 31315(b), each of the five applicants have satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition. The five drivers in this notice remain in good standing with the Agency, have maintained their 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. In addition, the Agency has reviewed each applicant’s certified driving record from their State Driver’s Licensing Agency (SDLA). The information obtained from each applicant’s driving record provides the Agency with details regarding any moving violations or reported crash data, which demonstrates whether the

driver has a safe driving history and is an indicator of future driving performance. If the driving record revealed a crash, FMCSA requested and reviewed the related police reports and other relevant documents, such as the citation and conviction information. These factors provide an adequate basis for predicting each driver's ability to continue to safely operate a CMV in interstate commerce. Accordingly, FMCSA concludes that extending the exemption for each renewal applicant for a period of 2 years is likely to achieve a level of safety equivalent to or greater than the level of safety that would be achieved without the exemption.

## VI. Terms and Conditions

The exemptions are extended subject to the following conditions: each driver must (1) remain seizure-free, maintain a stable treatment, and report to FMCSA within 24 hours if they experience a seizure during the 2-year exemption period; (2) submit to FMCSA annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) undergo an annual medical examination by a certified medical examiner, as defined by 49 CFR 390.5T; (4) provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in their driver's qualification file if they are self-employed; (5) report to FMCSA the date, time, and location of any crashes, as defined in 49 CFR 390.5T, within 7 days of the crash; (6) report to FMCSA any citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391 within 7 days of the citation and conviction; and (7) submit to FMCSA annual certified driving records from their SDLA. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local law enforcement official. In addition, the driver must meet all the applicable commercial driver's license testing requirements.

## VII. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

## VIII. Conclusion

Based on its evaluation of the five renewal exemption applications and supporting materials, and no comments received, FMCSA announces its decision to grant a 2-year exemption to

each of the following drivers from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8).

As of November 6, 2025, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following five individuals have satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers:

Brian Bommer (OH)  
Alex Hunter (SD)  
David Kietzman (WI)  
Marion Franklin Legg (MD)  
William Rainer (TX)

The drivers were included in docket numbers FMCSA–2011–0389, FMCSA–2014–0381, FMCSA–2015–0119, FMCSA–2020–0047, or FMCSA–2023–0036. Their exemptions were applicable as of November 6, 2025, and will expire on November 6, 2027.

In accordance with 49 U.S.C. 31315(b), and FMCSA's policy of issuing medical exemptions for a 2-year period to correspond with the medical certificate, each exemption will be valid for 2 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, as set forth in the initial renewal notice (*see* 91 FR 2418) and incorporated herein; (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 Title 49, chapter 313 or section 31136.

Larry W. Minor,

*Associate Administrator for Policy.*

[FR Doc. 2026–10580 Filed 5–27–26; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0039]

### Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

**ACTION:** Notice of applications for exemption; request for comments.

**SUMMARY:** FMCSA announces receipt of applications from 11 individuals for an exemption from the prohibition in the Federal Motor Carrier Safety

Regulations (FMCSRs) against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a commercial motor vehicle (CMV) to drive in interstate commerce. If granted, the exemptions would enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

**DATES:** Comments must be received on or before June 29, 2026.

**ADDRESSES:** You may submit comments identified by Docket No. FMCSA–2026–0039 using any of the following methods:

- *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov), insert the docket number (FMCSA–2026–0039) in the keyword box and click “Search.” Next, choose the only notice listed, and click on the “Comment” button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 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.

- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the “Public Participation” portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001;

[fmcamedical@dot.gov](mailto:fmcamedical@dot.gov). Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

## SUPPLEMENTARY INFORMATION:

### I. Public Participation

#### A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0039), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use