

<https://www.regulations.gov>, insert FMCSA–2026–1387 in the keyword box, select the document tab 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 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.

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 its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision(s) from which the exempted party 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. Applicant’s Request

Current Regulatory Requirements

Driving time is defined in 49 CFR 395.2 as all time spent at the driving controls of a CMV in operation. On-duty time is defined in 49 CFR 395.2 as all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work, excluding time spent behind the wheel operating the vehicle. On-duty time includes activities such as yard moves, loading/unloading, inspections, maintenance, and waiting for dispatch.

A yard move is a special status in the driver’s electronic logging device (ELD) for moving a CMV on private property

(for example, shippers, receivers, or terminal yards) without using the driver’s available 11 driving hours. The ELD logs this time as on-duty (not driving).

Applicant’s Request

CCS operates in interstate commerce and seeks a five-year exemption from the driving time limits of 49 CFR 395.3(a)(2), as “driving time” is defined in 49 CFR 395.2. CCS wants to record short-distance CMV movements on its drivers’ ELDs as on-duty (not driving) yard moves during brief travel on local public roadways separating two of CCS’s facilities/locations. CCS employs 130 drivers, has 128 CMVs, and operates two adjacent properties in Conway, Arkansas that are 1.3 miles apart and are used for low-speed equipment repositioning, trailer spotting, and tractor transfers. These movements do not involve interstate travel, highway speed operation, or linehaul transportation. The requested exemption would permit these specific movements to be logged as “yard moves” or as on-duty (not driving) time on the drivers’ ELDs despite brief travel on local public roadways separating the two locations. Without an exemption, CCS’s drivers are required to log these short, operationally necessary movements as driving time, which according to the applicant, inaccurately represents the nature of the work and consumes hours of service (HOS) in a manner inconsistent with the intent of those regulations. According to the applicant, the requested relief would allow accurate HOS duty status recording for movements that are functionally identical to yard jockey activity and confined terminal operations. Conversely, CCS indicates that denial of the exemption would result in continued misclassification of yard-type movements as driving time, inefficient use of driver hours, increased administrative burden, and reduced operational flexibility—without a corresponding safety benefit.

Applicant’s Equivalent Level of Safety

CCS believes the exemption will not diminish safety and will likely enhance compliance by improving log accuracy. The vehicle movements occur at low speed (less than or equal to 25 mph); are limited to a predefined local route; involve experienced commercial driver’s license (CDL) holders; do not involve public passenger transport; and are governed by a written company standard operating procedure (SOP). This SOP applies to all drivers conducting yard moves between designated adjacent facilities, all

tractors and trailers used solely for these operations, and all supervisors, dispatchers, and safety personnel overseeing these activities. Additional SOP safeguards include driver training, speed restrictions, daylight operation where feasible, ELD annotations, and tracking of all yard move time. CCS states that the SOP does not authorize public highway operations beyond the defined route and demonstrates that safety performance under the requested exemption will be equivalent to or greater than compliance with existing FMCSRs.

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

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on CCS’s application for an exemption from the proper logging of the definition of “driving time” in 49 CFR 395.2 in which all time spent at the driving controls of a CMV on a public road be classified that way. 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. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator of Policy.

[FR Doc. 2026–14395 Filed 7–16–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0015]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of denials.

SUMMARY: FMCSA announces its decision to deny applications from 18

individuals who requested an exemption from the Federal Motor Carrier Safety Regulations (FMCSRs) prohibiting 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 operate a commercial motor vehicle (CMV) from operating CMVs in interstate commerce.

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. 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. Insert the docket number, (FMCSA-2025-0015) in the keyword box and click "Search." Next, choose the only 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 requests. DOT posts these comments, including any personal information the commenter provides, to 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 of safety 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 (MEs) in the form of medical advisory criteria in Appendix A to 49 CFR part 391.¹ In 2007, FMCSA published recommendations from a Medical Expert Panel (MEP) that FMCSA tasked to review the existing seizure disorder guidelines for MEs.² 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, and each individual's medical information and driving record in deciding whether to grant the exemption.

On February 23, 2026, FMCSA published a notice announcing receipt of applications from 20 individuals requesting an exemption from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8) and requested comments from the public (91 FR 8571). The public comment period ended on March 25, 2026, and no comments were received. Two of the individuals' applications from the original notice have been published in different notices as they have since become eligible to be considered for a Federal seizure exemption and will not be included in this notice of denials.

IV. Discussion of Comments

FMCSA received no comments in this proceeding.

V. Basis for Exemption Determination

The Agency conducted an individualized assessment of each applicant's medical information, including the root cause of the respective seizure(s) and medical information about the applicant's seizure history, the length of time that has elapsed since the individual's last seizure, the stability of each individual's treatment regimen and the duration of time on or off of anti-seizure medication. In addition, the Agency reviewed the treating clinician's medical opinion related to the ability of the driver to safely operate a CMV with a seizure history and 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. A summary of each applicant's seizure history was discussed in the February 23, 2026, **Federal Register** notice (91 FR 8571) and will not be repeated in this notice.

As part of the decision-making process, FMCSA received updated information from two applicants listed

¹ Appendix A to Part 391, Title 49, available at <https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix A to Part 391>.

² "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>.

in the initial notice, Jacob McNally (CT) and Ryan Moore (NC). Mr. McNally's application was republished in the **Federal Register** notice issued on March 17, 2026 (91 FR 12900) in docket FMCSA–2026–0035. Mr. Moore's application was republished in the **Federal Register** notice issued on March 2, 2026 (91 FR 10184) under the docket number FMCSA–2019–0031. FMCSA therefore considers the publication of Mr. McNally's and Mr. Moore's applications in this docket to be moot and will address these applications as part of the above dockets.

VI. Conclusion

Based upon its evaluation of the 18 remaining exemption applications, FMCSA determined that these applicants do not satisfy the eligibility criteria or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to, or greater than, the level of safety that would be obtained by complying with 49 CFR 391.41(b)(8). Therefore, these 18 have been denied exemptions from the physical qualification standards in 49 CFR 391.41(b)(8).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final action by the Agency. This notice summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by publishing names and reasons for denial.

The following 18 applicants do not meet the minimum time requirement for being seizure-free, either on or off anti-seizure medication:

Coby Alexander (MO)
Nathan Bauer (PA)
Robert Calvert (WY)
Daniel Diaz-Gonzalez (TX)
Muhammad Elbaba (MN)
Daniel Hernandez (AZ)
Adam Humlick (CA)
Jagpi Irish (NY)
Christopher Johnson (PA)
Kevin Lay (MT)
Daniel Lopez-Miranda (OK)
John R. Moore (TN)
Dwayne Paul (IN)
Camille Poindexter (MI)
Joel Tapper (WI)
Matthew Toy (MD)
Geordarius Tucker (MS)
Shannon Watkins (GA)

The following two applications were republished in other dockets and are being considered as part of those dockets: Jacob McNally (CT) (docket

FMCSA–2026–0035) and Ryan Moore (NC) (docket FMCSA–2019–0031).

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–14415 Filed 7–16–26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0524]

Commercial Driver's License; Electronic Logging Device Requirements: Diamond Excursions Ladies Edition d/b/a Project GAP; Application for Exemptions

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

ACTION: Notice of final disposition; denial of application for exemptions.

SUMMARY: FMCSA announces its decision to deny the application from Diamond Excursions Ladies Edition, doing business as Project GAP (Project GAP), for exemptions from the commercial driver's license (CDL) and electronic logging device (ELD) regulations. FMCSA analyzed the application and public comments and determined that the exemptions would not achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemptions.

FOR FURTHER INFORMATION CONTACT:

Pearlie Robinson, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; (202) 913–0704; or pearlie.robinson@dot.gov. If you have questions on viewing or submitting material to the docket, contact 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-2025-0524/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 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 Federal Motor Carrier Safety Regulations. 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.

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III. Background

Current Regulatory Requirements

Under 49 CFR 383.23(a)(1), no person shall operate a commercial motor vehicle (CMV) without having taken and passed both knowledge and driving skills tests for a commercial learner's permit or CDL that meet the Federal standards contained in subparts F, G, and H of Part 383 for the CMV that person operates or expects to operate. Under 49 CFR 395.8(a)(1)(i), drivers required to prepare records of duty status must do so using ELDs. However, 49 CFR 395.8(a)(1)(ii)(A)(1) states a motor carrier may allow its drivers to record their duty status manually, rather than use an ELD, if the driver is operating a CMV “[i]n a manner requiring completion of a record of duty status on not more than 8 days within any 30-day period.”

Applicant's Request

Project GAP's application for exemption was described in detail in a **Federal Register** notice on November