DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2024–0063]

Commercial Driver's License Standards: Landair Transport LLC d/b/a Covenant Logistics Application for Exemption

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 final decision to renew the exemption granted to Landair Transport LLC d/b/a Covenant Logistics (Covenant Logistics) from the requirement that a commercial driver's license (CDL) holder with the proper class and endorsements be seated in the front seat of the commercial motor vehicle (CMV) at all times while the commercial learner's permit (CLP) holder is engaged in behind-the-wheel training on public roads or highways, but only after the CLP holder has passed the CDL skills test. FMCSA has analyzed the exemption application and public comments and determined that the exemption, subject to the terms and conditions set forth below, is likely to achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

DATES: The exemption is effective July 30, 2026, and expires July 30, 2031.

FOR FURTHER INFORMATION CONTACT: Ms. Bernadette Walker, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; *Bernadette.Walker@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (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-2024-0063/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 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 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. Background

Current Regulatory Requirements

Under 49 CFR 383.25(a)(1), a CLP holder operating a CMV must be accompanied by a CDL holder with the proper CDL class and endorsements necessary to operate the CMV. The CDL holder must be physically present at all times in the front seat of the CMV next to the CLP holder and must have the CLP holder under observation and direct supervision.

Applicant's Request

Covenant Logistics' application for an exemption renewal was described in detail in a **Federal Register** notice published on April 21, 2026 (91 FR 21366) and will not be repeated as the facts have not changed.

IV. Public Comments

The Agency received ten comments. Eight comments opposed the exemption. The Truck Safety Coalition (TSC) filed a joint comment with Citizens for Reliable and Safe Highways and Parents Against Tired Truckers and said, ''All carriers should be willing and prepared to meet the cost that minimal safety compliance requires. TSC calls on FMCSA to demonstrate its unwavering commitment to safety and to deny this inadequately justified exemption application for renewal.''

Sid Abma said about new truck drivers, ''The little bit of driving they do at a driving school does not give them real world experience.''

Maureen Shumway said, ''With a CLP you are PROHIBITED from hauling freight. Therefore, your training has been 100% with an empty trailer. Empty, roughly 30,000 lbs vs loaded up to 80,000 lbs are 2 vastly different experiences and requires training and supervision. I beg you not to allow this to continue. Not with Covenant. Not with Landstar. Not with ANY company.''

Starla Dubose said, ''Truck driving schools only teach the most basic skills required to perform the job. While the U.S. government classifies this profession as 'unskilled,' reality is that it is anything but that. While the majority of those skills are learned by practical application, driving in a large city to make deliveries is a reckless place to hone a driver's skills, especially without a trainer to assist them.''

One comment was neither for nor against the exemption. Ricky Sowder, General Manager of NuTech Transportation Services, Inc., said, ''Not sure about Covenant's true attitude about this request. But, I can tell you their brokerage division operates with very little respect for carrier relationships and general goodwill.''

The Truckload Carriers Association (TCA) submitted the only comment in support of the exemption. TCA said, ''The drivers covered under this exemption have already successfully completed all required knowledge and skills tests and are otherwise fully qualified to hold a CDL. Granting this limited exemption solely to allow the CLP holder to return to their state of domicile to obtain the physical CDL document would preserve safety while reducing unnecessary logistical limitations on motor carriers and drivers alike.''

V. FMCSA Decision

FMCSA has evaluated Covenant Logistics' application for an exemption and the public comments and believes that Covenant Logistics will likely maintain a level of safety under the exemption that is equivalent to, or greater than, the level of safety achieved without the exemption. The premise of comments opposing the exemption is that CLP holders lack experience and are safer drivers when directly observed by a CDL holder who is on duty and in the front seat of the vehicle. However, CLP holders who have passed the CDL skills test are eligible to obtain a CDL without further training. Because these drivers have passed the CDL skills test, the only necessary step to begin driving a CMV without any on-board supervision is to retrieve the physical CDL from the State Drivers Licensing Agency (SDLA) in the driver's State of domicile. If these CLP holders had obtained their training and CLPs in their State of domicile, they could immediately obtain their CDL at the in-State SDLA and immediately begin driving a CMV without any on-board supervision. In contrast, under the exemption, the CDL holder will remain in the CMV while the CLP holder (who has passed the skills test and is eligible to retrieve their CDL document from the SDLA) is operating the CMV.

FMCSA is unaware of any evidence of a degradation of safety attributable to the current exemption for Covenant Logistics drivers. Furthermore, the Agency has granted the same exemption to other applicants.[1] FMCSA clarifies in the terms and conditions below that the CLP holder may operate for no more than 30 days after passing the CDL skills test without a CDL holder present in the front passenger seat. This allows the CLP holder time to travel to his or her State of domicile to retrieve the CDL document.

FMCSA concludes that the exemption, subject to the terms and conditions set forth in section VI, 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).

VI. Exemption

A. Grant of Exemption

FMCSA renews the exemption from the requirement in 49 CFR 383.25(a)(1), that a valid CDL holder be in the front seat of the vehicle next to the CLP holder, for a period of five years subject to the terms and conditions of this decision.

B. Applicability of Exemption

This exemption from 49 CFR 383.25(a)(1) permits Covenant Logistics' drivers who hold a CLP and have successfully passed a CDL skills test to drive a CMV without a CDL holder being present in the front seat of the vehicle, but remains present in the CMV, for no more than 30 days after the CLP holder has passed the CDL skills test.

C. Terms and Conditions

When operating under this exemption, Covenant Logistics and its drivers are subject to the following terms and conditions:

(1) Covenant Logistics and its drivers must comply with all other applicable Federal Motor Carrier Safety Regulations (49 CFR parts 350–399);

(2) A CLP holder may operate under the exemption for no more than 30 days after passing the CDL skills test;

(3) The drivers must be in possession of a valid State driver's license, CLP with the required endorsements, and documentation that they have passed the CDL skills test;

(4) The drivers must not be subject to any out-of-service order or suspension of driving privileges;

(5) The accompanying CDL holder must have the proper CDL class and endorsements necessary to operate the CMV operated by the CLP holder; and

(6) The drivers must provide this exemption document upon demand to enforcement officials.

D. 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. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

E. Notification to FMCSA

Covenant Logistics must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5T), involving any of the motor carrier's CMVs operating under the terms of this exemption. The notification must include the following information:

1. *Identifier of the Exemption:* ''Covenant Logistics''
2. Name of operating carrier and USDOT number;
3. Date of the accident;
4. City or town, and State, in which the accident occurred, or closest to the accident scene;
5. Driver's name and license number;
6. Co-driver's name (if any) and license number;
7. Vehicle number and State license number;
8. Number of individuals suffering physical injury;
9. Number of fatalities;
10. The police-reported cause of the crash, if provided by the enforcement agency;
11. Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations; and
12. The total on-duty time accumulated during the 7 consecutive days prior to the date of the crash, and the total on-duty time and driving time in the work shift prior to the crash.

Reports filed under this provision shall be emailed to *MCPSD@DOT.GOV* with ''Covenant Logistics FMCSA–2024–0063'' in the subject line.

VII. Termination

FMCSA does not believe the drivers covered by this exemption will experience any deterioration of their safety record. However, the exemption will be revoked if: (1) Covenant Logistics' or the drivers operating under the exemption fail 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 Title 49, chapter 313 or section 31136.

Derek Barrs,

Administrator.

[FR Doc. 2026–17878 Filed 8–31–26; 8:45 am]

BILLING CODE 4910–EX–P

[1] To CRST Expedited [83 FR 53149, Sept. 23, 2018 (original) and 89 FR 42055, Sept. 24, 2023 (renewal)]; to New PRIME [82 FR 29143, June 27, 2017 (original) and 87 FR 38449, June 28, 2022 (renewal)]; to C.R. England [80 FR 33329, June 11, 2015 (original), 82 FR 26975, June 12, 2017 (renewal), 82 FR 48889, Oct. 20, 2017 (renewal), and 87 FR 36360, June 16, 2022 (renewal)]; to Wilson Logistics [86 FR 11050, Feb. 23, 2021 (original) and 91 FR 9914, Feb. 27, 2026 (renewal)]; and to Werner Enterprises, Inc. [87 FR 18855, Mar. 31, 2022].

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2026–1684]

Notice of Petition for Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that CSX Transportation Inc. (CSXT) petitioned FRA for relief from certain regulations concerning inspections performed by qualified mechanical inspectors (QMIs).