

JetBlue goes further than prior exemptions in which FAA did not attach any restrictions on the transfer of purchased slots.¹³ FAA's position is that restricting the transfer of these slots and requiring JetBlue to operate these slots through April 2028 is sufficient to ensure that the traveling public will receive the benefits of the service and price competition provided by JetBlue.¹⁴ Regardless, any slot transferred under this exemption will be subject to the Order and any extensions thereof. Under the Order, any trade or lease of a slot is subject to FAA approval and JetBlue would remain the holder of the slots. If JetBlue seeks to transfer the slots beyond the duration of the Order and any extension(s) thereof, FAA would evaluate whether the transfer is in the public interest, which would likely include an evaluation of the transfer's impact on competition and the need for divestiture.

FAA also received several comments that are outside the scope of this exemption. ACI-NA and the Port, which did not oppose the transfer, advocated that FAA consider rulemaking. The Port advocated for rulemaking to provide "more predictable outcomes in the future and allow for slots to be distributed based on policy goals such as competition and market access rather than simply by which airline is willing to pay the most." ACI-NA called for a rulemaking, in part, to (1) ensure slots and facilities are decoupled, (2) prevent the bankruptcy process from circumventing criteria FAA otherwise considers, (3) ensure "[a] high bid is not a public-interest proxy", and (4) to avoid bypassing the established internationally used slot-allocation framework.

FAA appreciates ACI-NA's and the Port's comments and will take into consideration the issues they raised, to the extent practicable, when implementing or revising the slot regulatory scheme. With regard to the commenters' specific concerns about the auction process and slots going to the highest bidder, FAA did consider fares, market entry, and robust competition when tentatively finding the transfer was in the public interest, as discussed in detail above and in the Notice.

Although JetBlue was the "Successful Bidder" at the auction, the bid amount was not relevant to FAA's determination.

Finally, Exhaustless argued that the entire transfer was impermissible. To the extent that Exhaustless questions FAA's authority to manage slots and facilitate schedules or seek to supersede this proceeding entirely by encouraging the federal government to establish broader aviation industry recovery policies and/or change the regulatory policy landscape for managing slots and schedule facilitation in the United States, such comments are deemed to be outside the scope of this proceeding.

However, FAA nevertheless reiterates that the FAA Administrator is required to "develop plans and policy for the use of the navigable airspace and assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace," and to issue regulations for "using the navigable airspace efficiently." 49 U.S.C. 40103(b). FAA's administration of the runway slot program is adopted under the Administrator's mandate to efficiently manage the NAS.

Summary of Findings and Conditions

FAA finds that the proposed transfer does not impact aviation safety and offers important benefits to the public. Air traffic control procedures ensure the safety of operations conducted at LGA regardless of the number or operator of slots authorized and the transfer of the 22 slots would not increase the number of operations at LGA. Moreover, approving the transfer of the slots beyond the duration of the Order and any extension(s) thereof of Spirit's 22 slots to JetBlue ensures that scarce public airspace resources are returned to active commercial service under a proven low-fare business model. Accordingly, FAA has found that relief should be granted, subject to the condition set forth below.

The relief from the Order's prohibition on transferring the slots beyond the duration of the Order and any extension(s) thereof, contained in this exemption terminates when the subject slot transfer to JetBlue is completed. The Order and any extensions thereof, will control any future transfers, including the prohibition on sale or purchase. As such, any transferred slot remains subject to FAA's authority, superior interest, and absolute control, and the Order, and any extension(s) thereof, including FAA's ability to withdraw the slots for non-usage or when it is in the public interest.

FAA finds that as a condition of this relief, JetBlue is precluded from trading or leasing the slots to any carrier until after April 2028. While JetBlue may thereafter trade or lease these slots subject to the terms of the Order and any extension(s) thereof, including the requirement to obtain FAA approval of a transfer, JetBlue is precluded from further sale of these slots unless proper relief is obtained pursuant 49 U.S.C. 40109.

Finally, while these slots will be subject to the minimum usage requirements contained in the Order and any extension(s) thereof, FAA grants a waiver from the use-or-lose requirements through April 2027 in order for JetBlue to start up service at new markets or add service to existing markets.

Issued in Washington, DC.

Brett T. Daee,

Principal Deputy Chief Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-0265]

Qualification of Drivers; Commercial Vehicle Safety Alliance; Application for Exemption

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

ACTION: Notice of provisional renewal of exemption; request for comments.

SUMMARY: FMCSA announces its decision to renew provisionally for one year an exemption to allow drivers with a commercial learner's permit (CLP) or commercial driver's license (CDL) issued by the State of Alaska, and their employers, to rely on a paper copy of the medical examiner's certificate (MEC) as proof of the driver's medical certification for up to 60 days after the MEC was issued. Alaska is the only State that has not implemented the Medical Examiner's Certification Integration (NR11) final rule. Drivers licensed in all other States and the District of Columbia, and their employers, may no longer rely on the paper MEC as proof of the driver's medical certification for any period of time as of October 12, 2026. The provisional exemption renewal for the State of Alaska is limited to one year.

¹³ Letter from Lorelei Peter, Assistant Chief Counsel for Regulations, Federal Aviation Administration, to Christopher Walker, Delta Airlines granting relief (May 4, 2017). *See also*, Grant of Waiver (Feb. 10, 2014), Docket No. FAA-2014-0074; Grant of Waiver (Dec. 2, 2013), Docket No. FAA-2013-1011

¹⁴ While 14 CFR part 93 is not controlling at LGA, the operating requirements/restrictions on transfers contained in 14 CFR 93.221(a)(5) are analogous here and show that the outermost limit FAA imposes is 24 months.

DATES: The exemption is effective October 12, 2026 and expires October 12, 2027.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2026–0265 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the Public Participation and Request for Comments section below for further information.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, West Building, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE, W58–213, West Building, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251. Each submission must include the Agency name and the docket number (FMCSA–2026–0265) for this notice. Note that DOT posts all comments received without change to www.regulations.gov, including any personal information included in a comment. Please see the Privacy Act heading below.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. 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 (FDMS)), which can be reviewed 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.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; fmcamedical@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0265), indicate the specific section of this document to which the comment applies, and provide a reason for your suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means.

FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2026-0265/document>, click on this notice, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at brian.g.dahlin@dot.gov. At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, insert FMCSA–2026–0265 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 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.

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.

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

Current Regulatory Requirements

FMCSA published the NRII final rule in 2015 (80 FR 22790, Apr. 23, 2015). The Agency extended the original compliance date several times, most recently on June 22, 2021 (86 FR 32643), with compliance ultimately being required as of June 23, 2025. The NRII rule modernizes how driver medical certification is shared, replacing the outdated paper-based process with a secure, electronic transmission system. The NRII rule mandates that certified medical examiners use specific forms to document physical qualification examinations and issue medical certificates to qualified commercial motor vehicle drivers. Among other changes that were implemented on June 23, 2025, medical examiners are no longer required to issue the original, paper MEC, Form MCSA–5876, to

commercial learner's permit (CLP) holders and commercial driver's license (CDL) holders. CLP holders and CDL holders are no longer required to submit a paper MEC to their State Driver's Licensing Agency (SDLA) (49 CFR 391.43(g)(2)(ii)). Instead, FMCSA electronically transmits examination results and medical variance information for CLP holders and CDL holders from the National Registry to the SDLAs. SDLAs post the driver's information on the Commercial Driver's License Information System (CDLIS) driver motor vehicle record (49 CFR 383.71(h)(1)(ii) and (h)(3)(ii); 49 CFR 383.73(a)(7)(ii) and (b)(5)(ii)).

In addition, the provisions allowing motor carriers and drivers to rely on paper copies of the MEC for up to 15 days after the certificate was issued expired as of June 22, 2025. 49 CFR 391.23(m)(2)(iii) and (m)(3)(i)(C); 49 CFR 391.41(a)(2)(i)(A) and (a)(2)(ii); 49 CFR 391.51(b)(6)(ii).

On July 14, 2025, FMCSA granted a waiver to interstate CDL and CLP holders and to motor carriers to allow them to continue to rely on a paper copy of the MEC as proof of the driver's medical certification for up to 15 days after the date the MEC was issued. On August 21, 2025, FMCSA modified the waiver to allow CDL holders, CLP holders, and motor carriers to rely on the paper copy of the MEC as proof of the driver's medical certification for up to 60 days after the date the MEC was issued. FMCSA subsequently re-issued the waiver effective October 13, 2025, and January 11, 2026.

As of the date of this notice, 49 States and the District of Columbia have implemented NRII. The State of Alaska is the only State that has not yet implemented NRII and continues to rely on the paper MEC.

Initial Request for, and Grant of, Exemption

FMCSA initially granted a six-month exemption in response to a request from the Commercial Vehicle Safety Alliance (CVSA) on April 14, 2026 (91 FR 19255). CVSA requested that FMCSA provide relief until all issues associated with NRII implementation were resolved. The exemption allowed motor carriers and drivers in all States and the District of Columbia to rely on a paper copy of the MEC as proof of the driver's medical certification for up to 60 days after the MEC was issued. The purpose of the exemption was to ensure that drivers with valid medical certification and their employers were not penalized for delays outside of their control as States implemented NRII.

Need for Renewal

As of this date, Alaska is the only remaining State that has not implemented NRII. To ensure that drivers licensed in Alaska with valid medical certification can continue to operate, FMCSA determined that the existing exemption should be renewed only for these drivers and their motor carrier employers. At this time, all other States and the District of Columbia have implemented NRII and are transmitting medical certificates electronically, in compliance with the regulations. Therefore, FMCSA determined that the exemption was not necessary for drivers licensed in compliant jurisdictions and is narrowing the scope accordingly.

IV. Grant of Provisional Renewal of Exemption

FMCSA previously determined that the exemption, subject to the terms and conditions imposed, would likely achieve a level of safety that is equivalent to the level of safety that would be achieved absent the exemption. The exemption does not alter the requirement that a person may not operate a commercial motor vehicle unless he or she is certified by a medical examiner as physically qualified to do so and does not alter any physical qualification requirements for drivers. Further, the provisional renewal of the exemption is limited to drivers licensed in the State of Alaska.

A. Applicability of Exemption

This exemption covers CDL holders and CLP holders whose CDL or CLP was issued by the State of Alaska and their motor carrier employers for the period beginning at 12:00 a.m. on October 12, 2026 through 11:59 p.m. on October 12, 2027. This exemption:

1. Extends until October 12, 2027, the ability of a motor carrier to continue to use a copy of the MEC as proof of the driver's medical certification for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.23(m)(2)(iii) and 49 CFR 391.23(m)(3)(i)(C).

2. Extends until October 12, 2027, the ability of a driver to continue to use a copy of the MEC carried on his or her person as proof of the driver's medical certification for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.41(a)(2)(i)(A) and 49 CFR 391.41(a)(2)(ii).

3. Extends until October 12, 2027, the ability of a motor carrier to continue to use a copy of the MEC in the driver

qualification file for up to 60 days from the date of the medical certification by waiving the end date of June 22, 2025, and the 15-day time period in 49 CFR 391.51(b)(6)(ii).

B. Terms and Conditions

1. This exemption does not apply to a driver if the driver does not have a copy of his or her current, valid, MEC on his or her person that was issued by a certified medical examiner within the prior 60 days.

2. This exemption does not apply to a motor carrier if the motor carrier does not have a copy of the driver's current, valid, MEC that was issued by a certified medical examiner within the prior 60 days.

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

V. Termination

FMCSA does not believe the motor carriers and drivers covered by this exemption will experience any deterioration of their safety record. However, the exemption will be revoked if the exemption has resulted in a lower level of safety than was maintained before it was granted or continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136.

Derek D. Barrs,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–1652]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V AK–6447–AX

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.