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 March 17, 2026, FMCSA published a notice announcing receipt of applications from 17 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 12893). The public comment period ended on April 16, 2026, and five comments were received.

IV. Discussion of Comments

FMCSA received five comments on these exemption applications. One commenter advocated balanced and individualized regulations that prioritize both public safety and the equal opportunity for individuals to drive when their seizures are well-managed. In response to this comment, FMCSA finds that its seizure exemption process adequately balances the Agency's mission of improving public safety on the nation's roadways with the opportunity for otherwise ineligible individuals to present evidence of why they should nonetheless be permitted to drive CMVs.

Two comments were in support of granting an exemption to Mr. Sparkman and one comment was in support of granting an exemption to Donte Watkins, both listed in this notice. Although FMCSA received comments in support of Mr. Sparkman's and Mr. Watkins' Federal seizure exemption applications, FMCSA evaluates each application considering the medical advisory criteria, the 2007 MEP recommendations, and each individual's medical information and driving record in deciding whether to grant the exemption as stated above. In both cases, the information provided in the comments did not alter FMCSA's evaluation of the medical evidence the individuals submitted with their applications.

The last comment was out of scope for this notice.

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 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 March 17, 2026, **Federal Register** notice (91 FR 12893) and will not be repeated in this notice.

VI. Conclusion

Based upon its evaluation of the 17 exemption applications, FMCSA has determined that the following 16 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, the 16 applicants in this notice 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 or 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)(6)(c) by publishing names and reasons for denial.

The following 16 applicants do not meet the minimum time requirement for being seizure-free, either on or off anti-seizure medication:

Andrew Barker (NC)
Kyle Benner (PA)
Devin Brockington (MD)
Wendy Cook (OR)
Caedmon Cunningham (KS)
Steven Ernest (ME)
Chauncy Gibson (GA)
Matthew Heller (NY)
Michael S. Miller (CA)
Michael George Murray (NY)
Brandon Petruzzi (MA)
Scott Pontious (OH)
Anthony Sanders (MO)
Ryen Seyfried (NY)
Jeffrey Sparkman (KY)
Donte Watkins (NC)

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–22829 Filed 11–6–26; 8:45 am]

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[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.*

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Applications for New Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: List of applications for special permits.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

DATES: Comments must be received on or before December 9, 2026.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Director, Office of Hazardous Materials Safety Special Permits Program, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–6, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

SUPPLEMENTARY INFORMATION: Each mode of transportation for which a particular special permit is requested is indicated by a number in the ''Nature of Application'' portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vessel, (4) Cargo aircraft only, (5) Passenger-carrying aircraft.

Copies of the applications are available for inspection in the Records Center, East Building, PHH–6, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on November 2, 2026.

Donald P. Burger,

Director, Special Permits Program.

SPECIAL PERMITS DATA

Application No.	Applicant	Regulation(s) Affected	Nature of the special permits thereof
22420–N	Eastman Chemical Company	172.203(a), 172.302(c), 173.31(d)(1)(ii).	To authorize the transportation in commerce of tank cars in which the manway cover gasket has been subjected to the leak detection method(s) in lieu of a visual inspection. (mode 2)
22422–N	Busek Co., Inc	173.301(f)(1), 178.35(e)	To authorize the transportation in commerce of non-DOT specification cylinders containing xenon, compressed within the Hall Effect Thruster propulsion system (satellite component). (modes 1, 2, 3, 4, 5)
22424–N	EVE Energy Malaysia Sdn. Bhd.	173.185(b)(3)(i), 173.185(b)(6).	To authorize the transportation in commerce by motor vehicle, rail freight, and cargo vessel of lithium ion cells packaged within a UN50G fiberboard Large Packaging. (modes 1, 2, 3)
22425–N	The Battery Network, Inc	173.185(f)(1)	To authorize the manufacture, mark, sale and use of UN1A2 PGI drums containing granular thermal suppressant material for the transportation in commerce of damaged, defective, or recalled cells and batteries including those contained in or packed in equipment. (mode 1 and 2)
22428–N	Xona Space Systems Inc	171.23(a)(1), 171.23(a)(3), 172.101(j)(1), 173.301(f), 173.302a(a)(1), 173.304a(a)(2).	To authorize the transportation in commerce of spacecraft (satellite) or components of spacecraft containing toxic gas (anhydrous ammonia) in non-DOT specification containers (heat pipes), non-flammable, non-toxic gas (xenon) in non-DOT specification aluminum lined composite overwrapped pressure vessels and low production lithium ion batteries transported in a Satellite Transport Container (STC). (modes 1, 3, 4)
22429–N	LDJ Manufacturing, Inc	177.834(h), 178.705(d)	To authorize the manufacture, mark, sale and use of non-specification IBCs having a capacity less than 119 gallons which may be discharged without being removed from the vehicle. (mode 1)
22430–N	U.S. Bureau of Customs and Border Protection.	172.200, 172.300, 172.400, 173.25, 175.75(b).	To authorize the transportation in commerce of certain radiation survey devices containing Division 2.2 gases aboard commercial passenger aircraft. (mode 5)
22438–N	BIC Indiana	173.185(a)(1)	To authorize the transportation in commerce of prototype lithium ion batteries for lab testing. (mode 4)
22439–N	DGM Italia Srl	172.101(j)	To authorize the transportation in commerce of lithium ion batteries packed with equipment that exceed 35 kg net weight aboard cargo-only aircraft. (mode 4)
22443–N	Hawkeye Helicopter LLC	172.101(j), 172.101(j)(1), 172.200, 172.204(c)(3), 172.301(c), 173.27(b)(2), 175.30, 175.30(a)(1), 175.75.	To authorize the transportation in commerce of hazardous materials by rotorcraft external load in amounts that exceed the maximum net quantity in the HMR with additional hazard communication, specification packaging, and stowage exceptions. (mode 4)
22447–N	Max Wagner GmbH	107.807, 173.301(f), 173.302a(a)(1), 173.304a(a)(1), 178.35.	To authorize the manufacture, mark, sale and use of non-DOT specification composite overwrapped pressure vessels (COPV) for the transportation in commerce of compressed gases. (modes 1, 2, 3, 4, 5)

Application No.	Applicant	Regulation(s) Affected	Nature of the special permits thereof
22448–N	Luoyang Sunrui Special Equipment Co., Ltd.	180.205(g)(1)	To authorize the requalification of DOT 3AA, 3AAX, 3T cylinder or UN/ISO 11120 cylinders by utilizing 100% Ultrasonic Examination (UE) in lieu of the internal visual inspection and the hydrostatic pressure test. (modes 1, 2, 3)

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

Hazardous Materials: Notice of Actions on Special Permits

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of actions on special permit applications.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has granted or denied the application described herein.

DATES: Comments must be received on or before December 9, 2026.

ADDRESSES: Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

FOR FURTHER INFORMATION CONTACT: Donald Burger, Director, Office of Hazardous Materials Safety Special Permits Program, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–6, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

SUPPLEMENTARY INFORMATION: Copies of the applications are available for inspection in the Records Center, East Building, PHH–6, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on November 2, 2026.

Donald P. Burger,

Director, Special Permits Program.

Application No.	Applicant	Regulation(s) affected	Nature of the special ermits thereof
SPECIAL PERMITS DATA—Granted			
7573–M	Department of Defense (Military Surface Deployment & Distribution Command).	49 CFR Parts 172, 175	To modify the special permit to add a safety control measure to the special permit.
12532–M	Mission Systems Orchard Park Inc.	173.302a(a)	To modify the special permit to clarify the proof testing pressure when a cylinder is inspected and to update the heat treatment call out to reflect the drawing from H1025 to H1000.
15493–M	Mission Systems Orchard Park Inc.	173.302a	To modify the special permit to update the heat treatment used on the drawing from H1025 to H1000.
15493–M	Mission Systems Orchard Park Inc.	173.302a	To modify the special permit to update a drawing and to authorize each cylinder to be refilled up to five times.
21706–M	The Battery Network, Inc	172.102(c)(1), 172.303(a), 172.401(a), 173.159(f), 173.159a(c)(2), 173.159a(d)(1).	To modify the special permit to authorize cargo and ferry vessels as additional modes of transportation.
22203–N	Toyota Motor Engineering & Manufacturing North America, Inc.	173.301(a)(1), 173.302(a)(1), 178.70.	To authorize the manufacture, mark, sale and use of non-DOT specification cylinders designed, manufactured, tested and type approved in accordance with the UN Global Technical Regulation (GTR) No. 13 and UN Regulation No. 134 that are installed in a hydrogen storage module for transportation.
22206–N	Versum Materials US, LLC	171.23(a)(3), 171.23(b)(10)(ii)	To authorize the transportation in commerce of non-DOT specification pressure drums (aka: Tonners) containing anhydrous hydrogen chloride.
22246–N	Western Digital Technologies, Inc.	172.101(b)(4), 173.232(g)(3)	To authorize the transportation in commerce of certain hazardous materials in non-DOT specification packaging aboard motor vehicle, cargo vessel and cargo-only aircraft.
22290–N	Ningbo ZhengXin Fire-Fighting Equipment Co., Ltd.	173.309(c)(2), 173.309(c)(4)	To authorize the transportation in commerce of non-specification fire extinguishers that do not meet the requirements of 49 CFR 173.309(c)(2) and (4).
22319–N	Mission Systems Orchard Park Inc.	173.302(a)	To authorize the manufacture, mark, sale and use of non-DOT specification cylinders.