

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 395.3(a), a property carrying commercial motor vehicle (CMV) driver may not drive without first taking 10 consecutive hours off duty. Additionally, the driver may only drive a total of 11 hours during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty. Under 49 CFR 395.3(a)(3)(ii), driving is not permitted if more than 8 hours of driving time have passed without at least a consecutive 30-minute interruption in driving status. The 30-minute break may be taken as off-duty, on-duty/not-driving, or sleeper-berth time, or any combination thereof. Under 49 CFR 395.3(b), no motor carrier shall permit or require a driver of a property-carrying CMV to drive, nor shall any driver drive a property-carrying CMV, regardless of the number of motor carriers using the driver's services, for any period after having been on duty 60 hours in any period of 7 consecutive days or having been on duty 70 hours in any period of 8 consecutive days.

The HOS regulations contain an exception for drivers of utility service vehicles in 49 CFR 391.1(n). Utility service vehicles are defined in 49 CFR 395.2 to include any CMV used to support the repair, maintenance, or operation of structures and physical facilities necessary for the delivery of public utility services.

#### *Applicant's Request*

Northern Clearing's application for exemption was described in detail in a **Federal Register** notice on May 12, 2025, (90 FR 20204) and will not be repeated, as the facts have not changed.

### IV. Public Comments

The Agency received two comments. Michael Millard opposed granting the exemption and wrote, "Based on the applicants' CSA scores there are some issues with safety management; therefore, I am requesting the application from Part § 395 be denied." Kelly Moore submitted comments that were unrelated to the exemption application.

### V. FMCSA Decision

FMCSA evaluated Northern Clearing's application and public comments and denies the exemption request. The applicant wants relief from the HOS regulations to provide support for the restoration, clean-up, and re-construction of areas affected by

Hurricane Helene. Although Northern Clearing stated its intent is to "mirror Utility Services Exemption requirements," it did not explain why it should be treated the same as the utility service vehicle drivers or how its operations would likely achieve an equivalent level of safety with the applicable HOS rules. Utility service vehicles, as defined in the note to 49 U.S.C. 31136 and 49 CFR 395.2, are provided statutory relief from the HOS regulations, and Northern Clearing has not demonstrated that it would achieve the equivalent level of safety simply by comparing itself to such vehicles. Based on the application Northern Clearing submitted, FMCSA lacks information to conclude that the requested exemption would likely achieve a level of safety equivalent to, or greater than, the level achieved under current regulations.

The Agency issued an Emergency Declaration from October 4, 2024, to October 27, 2024, to address the immediate needs of the areas affected by Hurricane Helene. Though the emergency relief was extended for certain States, it expired for all affected areas by December 26, 2024. After the expiration of the declaration, motor carriers engaged in the long-term recovery of these communities are expected to comply with the HOS rules.

For the above reasons, the Northern Clearing's exemption application is denied.

**Derek Barrs,**  
*Administrator.*

[FR Doc. 2025-22362 Filed 12-8-25; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2025-1050]

#### 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 the National Railroad Passenger Corporation (Amtrak) petitioned FRA for relief from certain regulations concerning passenger equipment exterior side doors.

**DATES:** FRA must receive comments on the petition by January 8, 2026. FRA will consider comments received after that date to the extent practicable.

**ADDRESSES:**

**Comments:** Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

**Docket:** For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

#### **FOR FURTHER INFORMATION CONTACT:**

Harold Weisinger, Railroad Safety Specialist, FRA Motive Power & Equipment Division, telephone: 202-493-0036, email: [harold.weisinger@dot.gov](mailto:harold.weisinger@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letters dated November 8, 2024 and December 3, 2025, Amtrak petitioned FRA for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 238 (Passenger Equipment Safety Standards). The relevant Docket Number is FRA-2025-1050.

Specifically, Amtrak requests relief from § 238.131(b)(4), *Safety system for manual and powered exterior side doors*, which states that if a door is equipped with a by-pass device, the by-pass device must function "only when activated from the operating cab of the train." Amtrak, with Siemens, has been developing the Airo intercity trainsets, which, in addition to the standard door summary circuit and sealed door by-pass device located in the operating cab, includes a "local sealed by-pass device . . . in the trainset." In its petition, Amtrak states that the device "allow[s] for [a] single car to be by-passed if an issue arises enroute[,] while preserving the remaining door summary circuit for the trainset." Amtrak adds that the switch allows a conductor to by-pass the exterior doors on the single passenger vehicle without by-passing the entire door summary circuit.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](https://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by January 8, 2026 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

#### Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](https://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

[FR Doc. 2025-22371 Filed 12-8-25; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2009-0078]

#### Notice of Petition for Amendment of Waiver of Compliance

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

**ACTION:** Notice.

**SUMMARY:** This document provides the public notice that the American Short Line and Regional Railroad Association (ASLRRA) petitioned FRA to amend an existing waiver of certain regulations related to hours of service.

**DATES:** FRA must receive comments on the petition by January 8, 2026. FRA

will consider comments received after that date to the extent practicable.

#### ADDRESSES:

*Comments:* Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

*Docket:* For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

#### FOR FURTHER INFORMATION CONTACT:

William Smith, Railroad Safety Specialist, FRA Operating Practices Division, telephone: 682-305-6709, email: [William.Smith@dot.gov](mailto:William.Smith@dot.gov).

**SUPPLEMENTARY INFORMATION:** Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated September 10, 2025 ASLRRA petitioned FRA for an amendment of a waiver of compliance from certain provisions of the Federal hours of service (HOS) laws contained at 49 U.S.C. 21103(a)(4). The relevant Docket Number is FRA-2009-0078.

Specifically, ASLRRA seeks to amend its existing waiver by adding 6 railroads to the list of railroad participants in the original waiver. ASLRRA stated the following railroads expressed a desire to participate in the waiver and maintain at each of their headquarters supporting documentation of employee support, as required:

- East Penn Railroad
- Kansas City Intermodal Terminal
- New England Southern Railroad
- New Hampshire Central Railroad
- Port Bienville Railroad
- Semo Port Railroad/Motive Rail

ASLRRA states it conducts training multiple times annually for waiver participants to clarify the requirements of the waiver.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](https://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate

scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by January 8, 2026 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

#### Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](https://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety, Chief Safety Officer.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2025-0590]

#### 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 Canadian National Railway Company (CN) petitioned FRA for relief from certain regulations concerning multiple air-source braking technology.

**DATES:** FRA must receive comments on the petition by January 8, 2026. FRA will consider comments received after that date to the extent practicable.

**ADDRESSES:**