

59650). The public comment period ended on January 20, 2026, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting exemptions to these individuals would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved by complying with 49 CFR 391.41(b)(11).

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)).

IV. Discussion of Comments

FMCSA received no comments in this proceeding.

V. Basis for Exemption Determination

The Agency's decision regarding these exemption applications is based on relevant scientific information and literature, and the 2008 Evidence Report, "Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety."¹ The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies were identified that examined the relationship between hearing loss and crash risk exclusively among CMV drivers; and (2) evidence from studies of the private driver's license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash. In addition, the Agency reviewed 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 used as 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. Each applicant's record demonstrated a safe driving history. Based on an individual assessment of each applicant that focused on whether an equivalent or greater level of safety would likely be achieved by permitting each of these drivers to drive in interstate commerce, the Agency did not find any evidence that the drivers granted this exemption pose a risk to public safety.

Consequently, FMCSA further finds that in each case, exempting these applicants from the hearing standard in 49 CFR 391.41(b)(11) would likely achieve a level of safety equivalent to or greater than the level of safety that would be achieved without the exemption, consistent with the applicable standard in 49 U.S.C. 31315(b)(1).

VI. Terms and Conditions

The terms and conditions of the exemption are provided to the applicants in the exemption document and include the following: each driver (1) must report to FMCSA the date, location, and time of any crashes, as defined in 49 CFR 390.5T, within 7 days of the crash; (2) must report to FMCSA any citations and convictions for disqualifying offenses under 49 CFR parts 383 and 391 within 7 days of the citations and convictions; (3) must submit to FMCSA annual certified driving records from their SDLA; and (4) is prohibited from operating a motorcoach or bus with passengers in interstate commerce. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local law enforcement official. In addition, the driver must meet all applicable commercial driver's license testing requirements.

VII. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VIII. Conclusion

Based upon its evaluation of the 18 exemption applications, FMCSA exempts the following drivers from the hearing standard in 49 CFR 391.41(b)(11), subject to the requirements cited above:

Dahrien Beasley (GA)
Cody Blackwood (OK)
Kenneth Bowman (TN)
David Brown (CO)
Earl Edwards (CA)
Jeffrey Furlano (WI)
Micheal Giordano (NC)
Adam Haren (OH)
Jack Helveston (PA)
Diana Hernandez (CA)
Jonathan Holdridge (TX)
Arman Ladio (CA)
Viktor Lisnichenko (WA)
Steven Mayfield (OH)
Avery Montgomery (MD)
Augustine Quiah (PA)
Samuel Stokes (OK)
Jack Werff (OH)

In accordance with 49 U.S.C. 31315(b), and FMCSA's policy of issuing medical exemptions for a 2-year period to correspond with the medical certificate, each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) the person fails to comply with the terms and conditions of the exemption as set forth above; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of Title 49, chapter 313 or section 31136.

Larry W. Minor,

Associate Administrator for Policy.

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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 final disposition; grant of application for exemption.

SUMMARY: FMCSA announces its decision to grant a six-month exemption to allow motor carriers and drivers in all States and the District of Columbia 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. FMCSA has analyzed the request from the Commercial Vehicle Safety Alliance

¹ <https://www.fmcsa.dot.gov/regulations/medical/hearing-vestibular-function-and-commercial-motor-vehicle-driver-safety-executive>.

(CVSA) and the public comments and has 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 in the absence of the exemption. The purpose of the exemption is to ensure that drivers with valid medical certification and their employers are not penalized for delays outside of their control as five remaining States implement the Medical Examiner's Certification Integration final rule (NRII). FMCSA does not anticipate granting additional, nationwide NRII waivers or exemptions after the six-month duration of this exemption.

DATES: The exemption is effective April 11, 2026 and expires October 11, 2026.

FOR FURTHER INFORMATION CONTACT: Ms. Evangela Hollowell; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; fmcamedical@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-2026-0265/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 on the ground floor of 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. 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, 45 States and the District of Columbia have implemented NRII. The States of Alaska, California, Kentucky, Louisiana, and New Hampshire have not yet implemented NRII and are continuing to rely on the paper MEC.

Applicant's Request

CVSA's request was described in detail in a **Federal Register** notice published on February 6, 2026 (91 FR 5551) and will not be repeated as the facts have not changed.

IV. Public Comments

FMCSA received nine comments to the docket, one of which was unrelated to CVSA's request. Of the eight relevant comments submitted, six commenters supported granting the exemption, including Crane Cartage LLC, who said "As long as states are not compliant, paper med cards should continue to be allowed as proof of certification." Tim Watson commented that the exemption should extend for an additional year after all States implement NRII to ensure that all States are "actually" compliant. The Owner-Operator Independent Drivers Association expressed that "No driver who has been medically cleared should be forced off the road due to external processing errors."

CVSA neither supported nor opposed the exemption but commented that the need for a full-year exemption, as opposed to a short-term waiver, depends on the timeline for the remaining five States to implement NRII and the impact to the motor carriers operating in those States. CVSA noted that since it submitted its request, States have made NRII implementation progress and "many of the data exchange issues have been resolved." CVSA encouraged FMCSA to continue monitoring implementation of the NRII and, if necessary, to rescind any exemption when all States become compliant.

The American Trucking Associations (ATA) opposed granting a long-term exemption, noting that many technical issues have been resolved since the summer and fall of 2025. ATA stated

that rather than granting an exemption, FMCSA should continue to issue short-term waivers.

V. FMCSA Decision

FMCSA has evaluated CVSA's request and the public comments and grants the exemption for a period of six months while the remaining five States implement NRII. The exemption provides the same regulatory relief as the waivers provided. Accordingly, FMCSA has determined that the exemption is likely to achieve a level of safety that is equivalent to the level of safety that would be achieved absent the exemption for the same reasons that supported the granting of the waivers. 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 length of the exemption is for a limited period of six months to enable most of the remaining States to fully implement NRII.

In response to ATA's comment that FMCSA should continue to re-issue waivers, rather than granting a long-term exemption, FMCSA agrees that a long-term exemption of up to five years is unnecessary. The Agency believes that a shorter-term exemption of six months allows sufficient time for most of the remaining States to implement NRII and reduces any uncertainty as to the expected duration of the regulatory relief. States, motor carriers, and drivers should not expect additional nationwide waivers or exemptions beyond the six-month duration of this exemption.

VI. Exemption

A. Applicability of Exemption

This exemption covers CDL holders, CLP holders, and motor carriers for the period beginning at 12:00 a.m. on April 11, 2026 through 11:59 p.m. on October 11, 2026. This exemption:

1. Extends until October 11, 2026, 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 11, 2026, 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 11, 2026, 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.

VII. 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 Barrs,

Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2025-0025]

Qualification of Drivers; Exemption Applications; Hearing

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 12 individuals from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. The exemptions enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: The exemptions were applicable on January 25, 2026. The exemptions expire on January 25, 2028.

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; fmcamedical@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-2025-0025) 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