the Commercial Motor Vehicle Safety Enhancement Act, enacted as a part of the Moving Ahead for Progress in the 21st Century Act (MAP–21) (Pub. L. 112–141, July 6, 2012, 126 Stat 405, 765), mandated that the Secretary adopt regulations requiring that CMVs involved in interstate commerce operated by drivers who are required to keep RODS be equipped with ELDs. The Agency is therefore bound by this Congressional mandate and cannot grant a blanket exemption for any driver or carrier that wishes to be exempt.

FMCSA further concludes that FOPT's application does not provide information establishing that the requested exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. FOPT indicated that it would educate its members to ensure accuracy in paper log completion, that participating carriers would conduct random internal audits, and that violations of HOS limits by paper log users would result in exclusion from the exemption program. However, FOPT proposed that the exemption would apply to all drivers who wanted to use the exemption, not just to FOPT members. FOPT does not explain how its proposed safety countermeasures would apply to an unknown population of drivers or how violators would be excluded from the exemption program.

For the above reasons, the FOPT exemption application is denied.

Derek D. Barrs,

Administrator.

[FR Doc. 2026–20043 Filed 9–29–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0050]

Hours of Service of Drivers; Parts and Accessories Necessary for Safe Operation; Exemption Renewal for Cleveland-Cliffs Steel LLC

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 provisionally renew and consolidate two exemptions previously granted to Cleveland-Cliffs Steel LLC (Cliffs), formerly ArcelorMittal Indiana Harbor, LLC, from certain hours-of-service (HOS) and parts and accessories requirements of the Federal Motor Carrier Safety Regulations (FMCSRs). The provisional renewal allows Cliffs' employee-drivers with commercial driver's licenses (CDLs) who transport steel coils or scrap metal between the company's production and shipping locations to work up to 16 consecutive hours in a duty period and return to work following at least 8 hours off duty when necessary. The exemption also allows Cliffs to continue using certain specialized coil carrier commercial motor vehicles (CMVs) that do not meet the definition of a ''heavy hauler trailer,'' the requirements concerning the height of rear side marker lamps, tire loading restrictions, and the commodity-specific cargo securement requirements for metal coils. The relief from the requirements of 49 CFR part 393 applies only to Cliffs' specialized coil carrier CMVs; the scrap trucks remain subject to the applicable parts and accessories requirements. FMCSA requests public comment on the provisional renewal and consolidation of the exemptions.

DATES: This exemption is effective September 23, 2026, through March 23, 2027, 11:59 p.m. local time, unless revoked earlier. Comments must be received on or before October 30, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2016–0050 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–2016–0050) 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: Mr. David Sutula, Chief, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA; *MCPSV@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages interested persons to participate in this proceeding by submitting comments and related materials regarding Cliffs' application for renewal and consolidation of its exemptions.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2016–0050), 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-2016-0050/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–2016–0050 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 (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 395.3(a), drivers of property-carrying CMVs may not drive after having been on duty for a period of 14 consecutive hours until they have been off duty for a minimum of 10 consecutive hours, or the equivalent of at least 10 consecutive hours off duty. Section 393.5 defines the term ''heavy hauler trailer.'' Section 393.11, Table 1—Footnote 4, specifies requirements concerning the mounting height of rear side marker lamps. Section 393.75(f) establishes tire loading restrictions. Section 393.120 establishes commodity-specific cargo securement requirements for metal coils.

Prior Exemptions

Cliffs operates a steel plant at 3001 Dickey Road in East Chicago, Indiana. Public roads pass through portions of the facility, requiring Cliffs to cross public roadways when moving steel coils and scrap metal between areas of the plant for further processing or shipment.

A. Steel Coils

Cliffs uses specialized tractor-trailer combinations designed to transport steel coils within the facility. The trailers are designed with cradles that hold between one and five steel coils. According to Cliffs, the tractor-trailer combinations have an unloaded gross combination weight of approximately 77,000 pounds and may weigh as much as 263,171 pounds when fully loaded. The vehicles have a maximum speed of approximately 30 to 33 miles per hour and operate at approximately 15 miles per hour when fully loaded. The trailers also use off-road tires necessary for the surface conditions and loads encountered within the facility.

The coil carriers cross public roadways at two locations. The first crossing is at Riley Road and is approximately 80 feet in length. The second is at Dickey Road and 129th Street and involves approximately 0.2 mile of travel on a public roadway. Cliffs states that both crossings are controlled intersections and that it currently averages approximately 32 crossings per day at each location.

FMCSA originally granted the steel-coil exemptions in 2016 (81 FR 65574). The Agency renewed the exemptions effective September 23, 2021, through September 23, 2026 (86 FR 54285). The HOS exemption permits covered employee-drivers to work up to 16 consecutive hours in a duty period and return to work following at least 8 hours off duty when necessary. The part 393 exemption is limited to Cliffs' coil carrier CMVs and provides relief from §§ 393.5; 393.11, Table 1—Footnote 4; 393.75(f); and 393.120. The vehicles may use the exemption only at the Riley Road and Dickey Road/129th Street crossings.

B. Scrap-Truck Exemption

Cliffs also operates two trucks that transport scrap metal across the same two public-roadway crossings used by the coil carriers. On May 11, 2022, FMCSA granted Cliffs a separate exemption from the HOS requirements in 49 CFR part 395 for the drivers of these scrap trucks (87 FR 28860). The exemption is effective through May 11, 2027.

Under that exemption, Cliffs' scrap-truck drivers may work up to 16 consecutive hours in a duty period and return to work following at least 8 hours off duty when necessary. The exemption is limited to the same Riley Road and Dickey Road/129th Street crossings. Unlike the specialized coil carriers, the scrap trucks are not exempt from the requirements of §§ 393.5, 393.11, 393.75(f), or 393.120 and must comply with all applicable requirements in part 393.

Cliffs states that the scrap-truck drivers work the same schedules and are subject to the same safety controls as the coil-carrier drivers. Cliffs also states that each scrap truck is weighed before movement to ensure that it does not exceed 80,000 pounds.

Application for Renewal and Consolidation of Exemptions

On July 21, 2026, Cliffs applied for a 5-year renewal of both the steel coil and scrap metal exemptions and requested that FMCSA consolidate them into a single exemption. Cliffs states that both exemptions arise from the same plant operation, involve the same two public-roadway crossings, and impose the same HOS terms and safety controls. Cliffs therefore requested that the Agency administer the relief under a single effective period.

Cliffs states that driving constitutes approximately 10 percent of the covered employees' workday and that employees

do not work more than 16 hours per day, with a 16-hour workday being the exception rather than the rule. Cliffs explained that its drivers generally work an 8-hour shift plus overtime while the production and shipping areas operate 12-hour shifts. Without the exemption, the difference in schedules creates a potential gap in the movement of coils and scrap between portions of the facility.

Cliffs also states that there have been no safety-related incidents or accidents attributable to operations under the exemptions during the past 10 years and that its operations remain substantially the same as when FMCSA granted the existing exemptions.

IV. Equivalent Level of Safety Analysis

FMCSA is not aware of any evidence showing that Cliffs' operations in accordance with the terms and conditions of the existing exemptions have resulted in a degradation in safety.

The exemptions continue to apply under limited operating conditions. The covered CMVs travel only short distances on public roads within or immediately adjacent to Cliffs' East Chicago facility. The crossings occur at controlled intersections. The coil carriers operate at low speeds when loaded, and Cliffs marks and flags the vehicles as oversize loads and uses conspicuity tape to increase their visibility to other motorists. Covered drivers hold CDLs and remain subject to all other applicable FMCSRs. These considerations formed part of FMCSA's safety determination when the Agency originally granted and subsequently renewed the steel-coil exemption.

The scrap-truck exemption involves the same HOS relief, routes, and short public-road exposure. When FMCSA granted that exemption in 2022, the Agency determined that Cliffs' overall safety performance, together with the short distances and low speeds involved in the operation, would provide a level of safety equivalent to or greater than compliance with the otherwise applicable requirements.

Cliffs reports that these operating conditions and safety controls remain substantially unchanged and that no safety-related incidents or accidents have been attributable to operations under the exemptions. Therefore, for the reasons discussed above and in FMCSA's previous decisions, FMCSA concludes that provisionally renewing and consolidating the exemptions for an additional 5 years, subject to the terms and conditions below, would likely maintain a level of safety equivalent to, or greater than, the level of safety achieved without the exemptions.

V. Exemption Decision

A. Grant of Exemption

FMCSA provisionally renews and consolidates Cliffs' two existing exemptions for six months, subject to the terms and conditions of this decision and the absence of adverse public comments that would cause the Agency to revoke the exemption. The consolidated exemption is effective September 23, 2026, through March 23, 2027, 11:59 p.m. local time, unless revoked earlier.

Effective September 23, 2026, this consolidated exemption supersedes the steel-coil exemption renewed effective September 23, 2021, and the separate scrap-truck exemption granted effective May 11, 2022.

B. Applicability of Exemption

The exemption from the requirements of 49 CFR 395.3(a) is restricted to Cliffs' employee-drivers with CDLs who transport steel coils or scrap metal between the production and shipping locations identified in Cliffs' application. Drivers utilizing the exemption may work up to 16 consecutive hours in a duty period and return to work following at least 8 hours off duty when necessary.

The exemption from §§ 393.5; 393.11, Table 1—Footnote 4; 393.75(f); and 393.120 is restricted exclusively to Cliffs' specialized CMVs used to transport steel coils. Cliffs' scrap trucks are not covered by the exemptions from these provisions and must comply with all applicable requirements of part 393.

CMVs operating under this exemption may use the public roadways only at Riley Road, where the vehicles travel approximately 80 feet, and at the intersection of Dickey Road and 129th Street, where the vehicles travel approximately 0.2 mile, and only for the purpose of moving steel coils or scrap metal between portions of Cliffs' facility.

All drivers operating under this exemption must hold CDLs. Drivers and vehicles must comply with all other applicable provisions of the FMCSRs. Cliffs must maintain any oversize or overweight permits required by State or local authorities.

C. Notification to FMCSA

Cliffs must notify FMCSA within 5 business days of any accident, as defined in 49 CFR 390.5, involving a CMV operating pursuant to this exemption. The notification must be submitted to *MCPSV@dot.gov* and include the following information:

1. Exemption identifier: ''Cleveland-Cliffs Steel LLC'';
2. Name and USDOT number of the motor carrier;
3. Date of the accident;
4. City or town, and State, in which the accident occurred, or which is closest to the scene of the accident;
5. Driver's name and driver's license number;
6. Vehicle number and State license number;
7. Number of individuals suffering physical injury;
8. Number of fatalities;
9. The police-reported cause of the accident;
10. Whether the driver was cited for violation of any traffic laws or motor carrier safety regulations; and
11. The total driving time and total on-duty time of the CMV driver at the time of the accident.

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 that conflicts with or is inconsistent with this exemption with respect to a person operating under the exemption. States may, but are not required to, adopt the same exemption with respect to operations in intrastate commerce.

E. Revocation

The exemption will be valid for 5 years as provided in section V.A., unless revoked earlier by FMCSA. FMCSA does not believe that Cliffs, its drivers, or the CMVs operating under this exemption will experience any deterioration in their safety record. However, should this occur, FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption without prior notice.

FMCSA will immediately revoke the exemption if: (1) Cliffs, its drivers, or CMVs fail to comply with the terms and conditions of the exemption; (2) the exemption results 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 49 U.S.C. 31136 or chapter 313.

VI. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Cliffs' application to renew and consolidate its existing exemptions. FMCSA specifically requests information concerning the safety performance of Cliffs' drivers and CMVs operating under the exemption and whether the consolidated exemption

would maintain the requisite statutory level of safety.

All comments received before the close of business on the comment closing date of this notice will be considered and will be available for examination in the docket. Comments received after the comment closing date will be filed in the public docket and considered to the extent practicable.

Derek D. Barrs,

Administrator.

[FR Doc. 2026–20048 Filed 9–29–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0226]

Commercial Driver's License Standards: Application for Exemption; Agri-Tech Aviation

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

ACTION: Notice of final disposition; denial of application for exemption.

SUMMARY: FMCSA announces its decision to deny the application from Agri-Tech Aviation requesting an exemption to allow its commercial learner's permit (CLP) holders who have passed the commercial driver's license (CDL) skills test but not yet obtained a CDL license to drive its commercial motor vehicles (CMV) without being accompanied by a CDL holder in the passenger seat. FMCSA analyzed the application and public comments and determined there is insufficient basis to conclude the exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

FOR FURTHER INFORMATION CONTACT: Ms. Bernadette Walker, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; (202) 507–0363; *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-2025-0226/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 room W58–213 of the DOT West Building, 1200 New Jersey Avenue, 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 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

Section 383.25(a)(1) of the FMCSRs requires a CDL holder with the proper CDL class and endorsements necessary to operate the CMV to accompany a CLP holder and be physically present in the front seat of the CMV next to the CLP holder at all times or, in a commercial passenger vehicle, directly behind or in the front row behind the driver and must have the CLP holder under observation and direct supervision.

Applicant's Request

Agri-Tech Aviation's application for exemption was described in detail in a **Federal Register** notice on November 24, 2025 (90 FR 53049) and will not be repeated as the facts have not changed.

IV. Public Comments

The Agency received 38 comments. None of the comments supported granting the exemption. The main theme of all opposing comments highlighted concerns about safety while urging FMCSA to adhere to all existing regulations without exceptions.

Allen Taylor commented, ''The safety of the American citizen demands that those who manage the most dangerous equipment on the roadway MUST be tested and licensed. There cannot be an exemption for heavy trucks just because an untested, incapable driver wishes to do a good deed. As an equivalent, I personally should not be licensed to fly a commercial aircraft just because I may wish to bring food to Zimbabwe. The intention is NOT the critical factor—the ability to manage ALL aspects heavy trucks is. The safety of our roadways demands nothing less.'' Michael Hinchley commented, ''As a CDL A driver, absolutely NOT. School & test requirements are REQUIRED by law for many reasons. Understanding & speaking English also needs to be required, otherwise citizens are at a very serious risk. Moving freight is expensive & no reason to allow unqualified people operating 30,000+ lb vehicles with proper qualifications.'' Neil Lemerise commented, ''Student driver's need to have an experienced CDL holder in the passenger seat to adequately mentor them. Do not give an exemption to the current regulations.'' Dale Richards commented, ''This seems to be adding a lot of risk to the general public without any rewards. I would urge the FMCSA to not allow this exemption.''

V. FMCSA Decision

FMCSA evaluated Agri-Tech Aviation's application and public comments and denies the exemption request. The request from Agri-Tech Aviation raises safety concerns because of multiple complicating factors identified in the application, including the potential use of CLP holders to transport hazardous materials (HM).

Agri-Tech Aviation's exemption application states that it transports between 500 to 900 gallons of jet fuel and 1350 gallons of crop protection products, some of which require placarding. The applicant does not address any safety countermeasures relating to the transportation of HM under the exemption. In addition, 49 CFR 383.93(b) provides that all drivers of vehicles that require an HM placard must have an HM CDL endorsement