



DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-1156]

Parts and Accessories Necessary for Safe Operation; Intellistop, Inc.; Application for Exemption

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

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA requests public comment on Intellistop, Inc.'s (Intellistop) application for a 5-year exemption to allow motor carriers to operate commercial motor vehicles (CMVs) equipped with Intellistop's lamp module. The Intellistop module pulses the required rear clearance, identification, and brake lamps from a lower-level lighting intensity to a higher-level intensity 4 times in 2 seconds when the brakes are applied, and then returns the lights to a steady-burning state while the brakes remain engaged.

FMCSA is required by statute to publish a notice explaining each exemption request and such notice does not indicate what decision FMCSA will ultimately reach on the request. After reviewing the application, safety analyses, and public comments submitted, FMCSA will grant or deny the exemption.

DATES: Comments must be received on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: You may submit comments identified by Docket Number FMCSA-2026-1156 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-2026-1156) 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. Jose Cestero, FMCSA Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety; (202)-366-5541 or MCPSV@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 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-2026-1156), indicate the specific section of this document to which your

comment applies, and provide a reason for each suggestion or recommendation. 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-2026-1156/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-2026-1156 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 Docket 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., 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 without the exemption, pursuant to the standard set forth in 49 CFR 381.305(a). 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)).

Intellistop describes its submission as a “Petition for Reconsideration of the Federal Motor Carrier Safety Administration’s October 7, 2022 denial of Intellistop’s application for an exemption from the steady-burning stop lamp requirement set forth at 49 C.F.R [section] 393.25(e).”

Pursuant to 49 CFR 381.317, a party may resubmit an application for exemption providing more or different information if the original application is denied. In contrast, petitions for reconsideration under 49 CFR 389.35(a) apply to “rules,” not to exemption applications, and in any case must be filed within 30 days after publication of a “rule.” FMCSA therefore interprets Intellistop’s application as a renewed exemption request, which is allowed under 49 U.S.C. 31315(b)(3), especially when – as here – the applicant has specifically addressed reasons for the denial.

II. Applicant’s Request

Current Regulatory Requirements

Section 393.25(e) of the FMCSRs requires that all exterior lamps be steady burning, with certain exceptions not relevant here. Two other provisions of the FMCSRs – section 393.11(a) and section 393.25(c) – mandate that required lamps on CMVs meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 in effect at the time of manufacture. FMVSS No. 108, issued by the U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA), includes a requirement that installed brake lamps, whether original or replacement equipment, be steady burning.

Applicant’s Request

Intellistop has applied for a 5-year exemption from 49 CFR 393.25(e) to allow motor carriers to operate CMVs equipped with Intellistop's lamp module. When the brakes are applied, the Intellistop module is designed to pulse the rear clearance, identification, and brake lamps from a lower-level lighting intensity to a higher-level lighting intensity 4 times in 2 seconds and then to maintain the original equipment manufacturer's (OEM) level of illumination for those lamps until the brakes are released and reapplied. Intellistop asserts that its module is designed to ensure that if the module ever fails, the clearance, identification, and brake lamps will default to normal OEM function and illumination. Intellistop requests that the exemption be granted to all motor carriers subject to FMCSA's jurisdiction.

Applicant's Equivalent Level of Safety

Intellistop states that while its system modulates the photometric intensity of the required red stop lamps, it preserves the standardized signal characteristics required by FMVSS No. 108, including signal color, lamp location, and activation trigger. Intellistop asserts that because these characteristics remain unchanged, the regulatory meaning of the braking signal is preserved while enhancing its visibility and detectability to following drivers. Accordingly, Intellistop concludes that its technology enhances braking conspicuity without impairing the effectiveness or recognized meaning of required stop lamps.

Intellistop notes that FMCSA has granted exemptions to eight motor carriers to allow them to operate CMVs equipped with Intellistop's module. These motor carriers are: Gemini Motor Transport LP, Meiborg Brothers, Inc., JM Bozeman Enterprises, Inc., DJS Fundraising, Inc., Brent Higgins Trucking, Inc., Encore Flooring & Building Products, Coffeyville Resources Crude Transportation and Casey's Services Company.¹

¹ 89 FR 40529 (May 10, 2024); 89 FR 54151 (June 28, 2024); 89 FR 54136 (June 28, 2024); 89 FR 54131 (June 28, 2024); 89 FR 54125 (June 28, 2024); 89 FR 77575 (September 23, 2024); 90 FR 16062 (April 16, 2025); 90 FR 16067 (April 16, 2025).

Intellistop also cites other exemptions that FMCSA has granted, including to Groendyke Transport, Inc.,² and to Grote Industries, LLC,³ for the use of auxiliary brake-activated pulsating lamps, consistent with the results of NHTSA's Enhanced Rear Lighting and Signaling Systems research program.

V. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Intellistop's application for a 5-year exemption from 49 CFR 393.25(e). All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice.

Larry W. Minor,

Associate Administrator for Policy.

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² 84 FR 17910 (April 26, 2019); 89 FR 54147 (June 28, 2024); 89 FR 91872 (Nov. 20, 2024).

³ 85 FR 78918 (Dec. 7, 2020); 90 FR 51430 (Nov. 17, 2025).