



DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-1387]

Hours of Service: CCS Transportation, 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 CCS Transportation, Inc.'s (CCS) application for an exemption from certain provisions in the hours-of-service (HOS) regulations. The applicant requests an exemption to permit short-distance commercial motor vehicle (CMV) movements to be logged as on-duty (not driving) yard moves on its drivers' electronic logging devices (ELD) during brief travel on local public roadways separating two CCS facilities. FMCSA is required by statute to publish a notice explaining each exemption request. This 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-2026-1387 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-2026-1387) 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. Richard Clemente, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; richard.clemente@dot.gov.

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-2026-1387), 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-2026-1387\)/document](https://www.regulations.gov/docket/FMCSA-2026-1387)/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-2026-1387 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 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.

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. Applicant's Request

Current Regulatory Requirements

Driving time is defined in 49 CFR 395.2 as all time spent at the driving controls of a CMV in operation. On-duty time is defined in 49 CFR 395.2 as all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work, excluding time spent behind the wheel operating the vehicle. On-duty time includes activities such as yard moves, loading/unloading, inspections, maintenance, and waiting for dispatch.

A yard move is a special status in the driver's electronic logging device (ELD) for moving a CMV on private property (for example, shippers, receivers, or terminal yards) without using the driver's available 11 driving hours. The ELD logs this time as on-duty (not driving).

Applicant's Request

CCS operates in interstate commerce and seeks a five-year exemption from the driving time limits of 49 CFR 395.3(a)(2), as "driving time" is defined in 49 CFR 395.2. CCS wants to record short-distance CMV movements on its drivers' ELDs as on-duty (not driving) yard moves during brief travel on local public roadways separating two of CCS's facilities/locations. CCS employs 130 drivers, has 128 CMVs, and operates two adjacent properties in Conway, Arkansas that are 1.3 miles apart and are used for low-speed equipment repositioning, trailer spotting, and tractor transfers. These movements do not involve interstate travel, highway speed operation, or linehaul transportation. The requested exemption would permit these specific movements to be logged as "yard moves" or as on-duty (not driving) time on the drivers' ELDs despite brief travel on local public roadways separating the two locations. Without an exemption, CCS's drivers are

required to log these short, operationally necessary movements as driving time, which according to the applicant, inaccurately represents the nature of the work and consumes hours of service (HOS) in a manner inconsistent with the intent of those regulations. According to the applicant, the requested relief would allow accurate HOS duty status recording for movements that are functionally identical to yard jockey activity and confined terminal operations. Conversely, CCS indicates that denial of the exemption would result in continued misclassification of yard-type movements as driving time, inefficient use of driver hours, increased administrative burden, and reduced operational flexibility—without a corresponding safety benefit.

Applicant's Equivalent Level of Safety

CCS believes the exemption will not diminish safety and will likely enhance compliance by improving log accuracy. The vehicle movements occur at low speed (less than or equal to 25 mph); are limited to a predefined local route; involve experienced commercial driver's license (CDL) holders; do not involve public passenger transport; and are governed by a written company standard operating procedure (SOP). This SOP applies to all drivers conducting yard moves between designated adjacent facilities, all tractors and trailers used solely for these operations, and all supervisors, dispatchers, and safety personnel overseeing these activities. Additional SOP safeguards include driver training, speed restrictions, daylight operation where feasible, ELD annotations, and tracking of all yard move time. CCS states that the SOP does not authorize public highway operations beyond the defined route and demonstrates that safety performance under the requested exemption will be equivalent to or greater than compliance with existing FMCSRs.

A copy of CCS's application for exemption is available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on CCS's application for an exemption from the proper logging of the definition of "driving time" in 49 CFR 395.2 in which all time spent at the driving controls of a CMV on a public road be classified that way. 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. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,
Associate Administrator of Policy.

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