This document is scheduled to be published in the Federal Register on 2026-11-20 and available online at https://www.federalregister.gov/d/2026-23715, and on https://govinfo.gov

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2021-0052]

Hours of Service (HOS) of Drivers; American Pyrotechnics Association (APA); Request to Include an Additional Member Company to Current APA HOS Exemptions

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

ACTION: Notice of final disposition; grant of application for exemptions.

SUMMARY: FMCSA announces its decision to grant the American Pyrotechnics Association's (APA) application to add new member company North Star Fireworks LLC (North Star) to the APA's existing exemptions during the designated Independence Day periods. The exemptions allow drivers to exclude off-duty and sleeper berth time of any length from the calculation of the 14-hour limit and to use paper records of duty status (RODS) in lieu of electronic logging devices (ELDs). FMCSA has determined that the exemptions, subject to the terms and conditions set forth below, are likely to achieve a level of safety that is equivalent to, or greater than, the level of safety that would be achieved in the absence of the exemptions.

DATES: The exemptions are effective for the period June 28 through July 8, at 11:59 p.m. local time, each year through 2029.

FOR FURTHER INFORMATION CONTACT: Ms. Pearlie Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; pearlie.robinson@dot.gov

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-2021-0052/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 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 comments 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

The HOS regulation in 49 CFR 395.3(a)(2) prohibits the driver of a property-carrying commercial motor vehicle (CMV) from driving after the 14th hour after coming on duty following 10 consecutive hours off duty. Drivers required to prepare RODS must do so using ELDs under 49 CFR 395.8(a)(1)(i). However, under 49 CFR 395.8(a)(1)(ii)(A)(*1*), a motor carrier may allow its drivers to record their duty status manually, rather than use an ELD, if the driver is operating a CMV "[i]n a manner requiring completion of a record of duty status on not more than 8 days within any 30-day period."

Applicant's Request

APA's application for exemptions on behalf of North Star was described in detail in a Federal Register notice published on June 18, 2026 (91 FR 36937) and will not be repeated as the facts have not changed. The comment period closed on July 20, 2026.

On June 22, 2026, FMCSA granted a waiver to APA on behalf of North Star to cover the 2026 Independence Day period. The waiver provided the Agency time to complete the exemption process.

IV. Public Comments

The Agency did not receive comments in response to APA's request for exemptions.

V. FMCSA Decision

FMCSA has determined that granting exemptions to North Star under the existing APA exemptions will likely achieve a level of safety that is equivalent to, or greater than, the level of safety that would be achieved absent such exemptions. Prior to publishing the Federal Register notice announcing receipt of APA's application to add North Star to the current list of carriers operating under the exemptions, FMCSA reviewed North Star's records to ensure the carrier possesses an active USDOT

registration, minimum required levels of insurance, and is not subject to any "imminent hazard" or other operational out-of-service (OOS) orders.

In addition, as part of its usual annual review of APA members operating under APA's exemption, the Agency also conducted a comprehensive review of the safety performance history on each of the motor carriers listed in the appendix table during the review process. As part of this process, FMCSA reviewed its Motor Carrier Management Information System safety records, including inspection and crash reports submitted to FMCSA by State agencies. The motor carriers have "satisfactory" safety ratings issued by FMCSA and valid Hazardous Materials Safety Permits. In addition, the Pipeline and Hazardous Materials Safety Administration reviewed its investigative records and found no adverse data.

Because FMCSA is limited by statute to granting an exemption for no longer than five years (49 U.S.C. § 31315(b)(2)), and North Star is being added to APA's existing exemption (90 FR 27372), North Star's exemption will be valid for the remaining duration of APA's exemption, which started on June 28, 2025, and ends July 8, 2029.

VI. Exemption

The exemptions for North Star from the requirements of 49 CFR 395.3(a)(2) and 49 CFR 395.8(a)(1)(i) are effective for the period June 28 through July 8 each year from 2027 through 2029.

A. Applicability of Exemption

These exemptions are restricted to drivers employed by the 44 member carriers identified by APA, specifically, the 43 motor carriers previously covered by the exemptions, and drivers employed by North Star. At the request of APA, Vermont Fireworks Co, dba North Star Fireworks Company, DOT number 310632 was removed from the HOS and ELD exemptions. North Star is identified by an asterisk in the

appendix table of this notice. Drivers covered by these exemptions will be able to exclude off-duty and sleeper-berth time of any length from the calculation of the 14-hour limit during the covered window of time each year. Drivers will be able to use paper RODs in lieu of ELDs to record their HOS.

B. Terms and Conditions

When operating under these exemptions motor carriers and drivers are subject to the following terms and conditions:

1. Drivers must not drive more than 11 hours after accumulating 14 hours on duty prior to beginning a new driving period.

2. Drivers must have 10 consecutive hours off duty following 14 hours on duty prior to beginning a new driving period.

3. Drivers must use paper RODS and supporting documents, maintain RODS and supporting documents for 6 months from the date the record is prepared, and make RODS and supporting documents accessible to law enforcement upon request.

4. Drivers and carriers subject to the ELD requirements before June 28 must continue to use ELDs and comply with all ELD requirements, including maintaining ELD data for 6 months from the date the electronic record is generated and making ELD data accessible to law enforcement upon request.

5. Drivers must maintain a valid CDL with a hazardous materials endorsement and not be subject to an out-of-service order or loss of driving privileges.

6. Motor carriers must maintain a Hazardous Materials Safety Permit and Satisfactory safety rating assigned by FMCSA under the procedures in 49 CFR part 385.

7. Motor carriers must ensure their CMVs are properly marked as required by 49 CFR 390.21.

8. Motor carriers must ensure they comply with the requirements for shipping papers, package marking, labeling, and placarding in 49 CFR part 172.

9. Drivers and motor carriers covered by the exemptions must comply with all other applicable provisions of the FMCSRs (49 CFR parts 350-399) and Hazardous Materials Regulations (49 CFR parts 105-180) (HMRs).

10. Prior to the beginning of each Independence Day period while these exemptions are in effect, FMCSA will ensure that each motor carrier possesses an active USDOT registration, minimum required levels of insurance, and was not subject to any "imminent hazard" or other OOS orders. FMCSA will also conduct a comprehensive review of the safety performance history on each of the motor carriers listed in the appendix table during the review process. As part of this process, FMCSA will review its Motor Carrier Management Information System safety records, including inspection and crash reports submitted to FMCSA by State agencies.

11. Motor carriers may be investigated to evaluate compliance with the terms and conditions of these exemptions, in addition to the FMCSRs and HMRs.

12. Motor carriers using exempt drivers must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMVs operating under the terms of these exemptions. The notification must include the following information:

a. Identifier of the Exemptions "APA";

b. Name of operating carrier and USDOT number;

c. Date of the accident;

d. City or town, and State, in which the accident occurred, or closest to the accident scene;

e. Driver's name and license number;

f. Co-driver's name (if any) and license number;

g. Vehicle number and State license number;

h. Number of individuals suffering physical injury;

i. Number of fatalities;

j. The police-reported cause of the crash, if provided by the enforcement agency;

k. Whether the driver was cited for violation of any traffic laws or motor carrier safety regulations; and

l. The total on-duty time accumulated during the 7 consecutive days prior to the date of the crash, and the total on-duty time and driving time in the work shift prior to the crash. The motor carrier must provide a copy of the driver's records of duty status for the day of the crash and the prior 7 days upon request.

Reports filed under this provision shall be emailed to MCPSD@DOT.GOV with APA's name and the docket number FMCSA-2021-0052 in the subject line.

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 drivers covered by these exemptions will experience any deterioration of their safety record. However, the exemption will be revoked if: (1) motor carriers or the drivers operating under the exemptions fail to comply with the terms and conditions of the exemptions; (2) the exemptions have resulted in a lower level of safety than was maintained before it was granted; (3) continuation of the exemptions

would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Derek D. Barrs,
Administrator.

Appendix to Notice of Applications for APA Exemptions From the 14-Hour and ELD HOS Rules for Independence Day Periods June 28, 2027 Through July 8, 2029 for 44 Motor Carriers

	Motor carrier	Street address	City, state, zip code	DOT No.
1	American Fireworks Display, LLC	105 County Route 7	McDonough, NY 13801	2115608
2	AM Pyrotechnics, LLC	2429 East 535th Rd.	Buffalo, MO 65622	1034961
3	Arthur Rozzi Pyrotechnics	6607 Red Hawk Ct.	Maineville, OH 45039	2008107
4	Artisan Pyrotechnics, Inc.	82 Grace Road	Wiggins, MS 39577	1898096
5	Celebration Fireworks, Inc.	7911 7th Street	Slatington, PA 18080	1527687
6	CP Transport, LLC	6377 Hwy. 62 NE	Lanesville, IN 47136	3076205
7	Extreme Logistics, LLC	26926 Hardy Run	Boerne, TX 78015	1971328
8	Falcon Fireworks	3411 Courthouse Road	Guyton, GA 31312	1037954
9	Fireworks & Stage FX America	12650 Hwy 67S. Suite B	Lakeside, CA 92040	908304
10	Fireworks by Grucci, Inc.	20 Pinehurst Drive	Bellport, NY 11713	324490
11	Aluminum King Mfg., Ltd. dba Flashing Thunder Fireworks	700 E Van Buren Street	Mitchell, IA 50461	420413
12	Great Lakes Fireworks	24805 Marine	Eastpointe, MI 48021	1011216
13	Hamburg Fireworks Display, Inc.	2240 Horns Mill SE	Lancaster, OH	395079
14	Hawaii Explosives & Pyrotechnics,	PO Box 1244	Keaau, HI 96749	1375918
15	Herbie's Famous Fireworks	1406 Cherokee Falls Rd.	Blacksburg, SC 29702	0112743
16	J&J Computing dba Fireworks	174 Route 17 North	Rochelle Park, NJ 07662	2064141
17	J&M Displays, Inc.	18064 170th Ave	Yarmouth, IA 52660	377461
18	JPI Pyrotechnics LLC	10 Bartlett St	Allenstown, NH 03275	2783896
19	Johnny Rockets Fireworks Display	3240 Love Rock	Steger, IL 60475	1263181
20	Las Vegas Display Fireworks, Inc.	4325 West Reno Ave.	Las Vegas, NV 89118	3060878
21	Legion Fireworks Co., Inc.	10 Legion Lane	Wappingers Falls, NY 12590	554391
22	Magic in the Sky, LLC	27002 Campbellton Road	San Antonio, TX 78264	2134163
23	Miand Inc. dba Planet Productions	PO Box 294, 3999 Hupp Road	Kingsbury, IN 46345	777176
24	*North Star Fireworks, LLC	701 Charles Street	Brainerd, MN 56401	3753525
25	Pyro Productions Inc.	2083 Helms Road	Rehobeth, AL 36301	3723192
26	Pyro Shows, East Coast	4652 Catawba River Road	Catawba, SC 29704	3709087
27	Pyro Shows of Alabama, Inc.	3325 Poplar Lane	Adamsville, AL 35005	2859710
28	Pyro Shows of Texas, Inc.	6601 9 Mile Azle Rd.	Fort Worth, TX 76135	2432196
29	Pyro Spectaculars, Inc.	3196 N Locust Ave	Rialto, CA 92376	029329
30	Pyro Spectaculars North, Inc.	5301 Lang Avenue	McClellan, CA 95652	1671438
31	Pyrotecnico Fireworks Inc..	299 Wilson Rd.	New Castle, PA 16105	526749
32	Rainbow Fireworks, Inc.	76 Plum Ave.	Inman, KS 67546	1139643
33	RES Specialty Pyrotechnics dba RES	21595 286th St	Belle Plaine, MN 56011	523981
34	RKM Fireworks Company	27383 May St.	Edwardsburg, MI 49112	1273436
35	Rozzi's Famous Fireworks, Inc.	118 Karl Brown Way	Loveland, OH 45140	0483686
36	Santore's World Famous Fireworks,	846 Stillwater Bridge Road	Schaghticoke, NY 12154	2574135
37	Southern Sky Fireworks, LLC	6181 Denham Rd.	Sycamore, GA 31790-2603	3168056
38	Spielbauer Fireworks Co, Inc.	1976 Lane Road	Green Bay, WI 54311	046479
39	Special FX Wizard, Inc.	Box 266	Mastick Beach, NY 11951	3442905
41	Starfire Corporation	682 Cole Road	Carrolltown, PA 15722	554645
42	Western Display Fireworks, Ltd.	10946 S. New Era Rd.	Canby, OR 97013	498941
43	Wolverine Fireworks Display, Inc	205 W Seidlers	Kawkawlin, MI	376857
43	Young Explosives Corp.	2165 New Michigan Rd.	Canandaigua, NY 14618	450304
44	Zambelli Fireworks MFG, Co., Inc.	120 Marshall Drive	Warrendale, PA 15086	033167

[FR Doc. 2026-23715 Filed: 11/19/2026 8:45 am; Publication Date: 11/20/2026]