

did not include data on drivers under the age of 21; it thus does not provide information on the individuals who would be covered by CHS's requested exemption. In addition, a separate study entitled, Commercial Driver Safety Risk Factors,<sup>1</sup> dated June 7, 2020, also conducted by VTTI, evaluated driver and situational factors affecting CMV safety in over 21,000 truck drivers and found that younger and less experienced truck drivers were more likely to be involved in crashes or moving violations compared to their older and more experienced counterparts. The study defined the younger driver age group as ages 20–33. Granting CHS's request for an exemption would allow drivers who are both young and inexperienced to operate CMVs, and the available data do not support a determination that such an exemption would likely achieve a level of safety equivalent to that achieved by following the existing regulations.

FMCSA confirmed that Maine issues CLPs and CDLs to drivers as young as 16, pursuant to a provision in the Consolidated Appropriations Act of 2016,<sup>2</sup> codified as a note to 49 U.S.C. 31308. The note provides that FMCSA may not use funds made available under that appropriations act or future acts to enforce any regulation prohibiting a State from issuing a CLP to drivers under the age of 18 if the State had a law authorizing the issuance of CLPs to under-18 drivers as of May 9, 2011. This note effectively prevents FMCSA from requiring Maine to comply with the age restriction in 49 CFR 383.25(a)(4), but it does not support granting CHS's application. CHS did not reference a comparable Washington law in effect as of May 9, 2011, however, and FMCSA has not identified one. The statutory flexibility effectively granted under the Consolidated Appropriations Act of 2016 therefore does not apply to Washington.

For the reasons stated, CHS's exemption application is denied.

**Sue Lawless,**

*Assistant Administrator.*

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**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2024–0253]

#### Entry-Level Driver Training: Application for Exemption; Albert Farley, Jr.

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

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

**SUMMARY:** FMCSA announces its decision to deny Albert Farley, Jr.'s request for an exemption from the theory and behind-the-wheel (BTW) instructor requirements contained in the entry-level driver training (ELDT) regulations for himself as a prospective training instructor. Mr. Farley sought an exemption from the requirement that instructors have at least two years of driving experience of the same or higher class and/or the same endorsement level as the commercial motor vehicle (CMV) to be operated. This exemption would have allowed Mr. Farley to serve as an ELDT instructor for students seeking Class A CDLs without having the required two years of experience driving Class A CDLs. FMCSA analyzed the application and public comments and determined that granting the exemption would not 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:** Mr. Richard Clemente, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; 202–366–2722; [richard.clemente@dot.gov](mailto:richard.clemente@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Public Participation

###### *Viewing Comments and Documents*

To view comments, go to [www.regulations.gov](http://www.regulations.gov), insert the docket number “FMCSA–2024–0253” in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “View Related Comments.”

To view documents mentioned in this notice as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov), insert the docket number “FMCSA–2024–0253” in the keyword box, click “Search,” and chose the document to review.

If you do not have access to the internet, you may view the docket by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE,

Washington, DC 20590, 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.

##### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from 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 safety analyses submitted by the applicant. The Agency must provide an opportunity for public comment on the request.

The Agency reviews 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 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)). If granted, the exemption may be renewed (49 CFR 381.300(b)).

##### III. Background

###### *Current Regulatory Requirements*

The ELDT regulations, implemented on February 7, 2022, established minimum training standards for individuals applying for certain commercial driver's licenses (CDLs) and defined curriculum standards for theory and behind-the-wheel (BTW) training. They also established an online training provider registry (TPR), eligibility requirements for providers to be listed on the TPR, and qualification requirements for instructors. Under 49 CFR 380.703(a)(4) and 380.713, in order to be eligible for listing on the TRP, a training provider must use instructors who meet the definitions of “theory instructors” and “BTW instructors” in 49 CFR 380.605. To meet the definitions of “theory instructor” and “BTW instructor” in 49 CFR 380.605, instructors must hold a CDL of the same (or higher) class, with all endorsements necessary to operate the CMV for which training is to be provided, and have either: (1) a minimum of two years of

<sup>1</sup> Commercial Driver Safety Risk Factors <https://rosap.ntl.bts.gov/view/dot/49620>.

<sup>2</sup> Public Law 114–113, div. L, title I, § 132, Dec. 18, 2015, 129 Stat. 2850.

experience driving a CMV requiring a CDL of the same or higher class and/or the same endorsement; or (2) at least two years of experience as a BTW CMV instructor.

#### *Applicant's Request*

The exemption application was described in detail in a **Federal Register** notice published on December 9, 2024, (89 FR 97700) and will not be repeated here as the facts have not changed.

#### **IV. Public Comments**

In response to the request for public comment, FMCSA received one set of jointly filed comments in opposition to the exemption request from the Truck Safety Coalition, Citizens for Reliable and Safe Highways, and Parents Against Tired Truckers.

The joint commenters noted that a committee of stakeholders developed the ELDT rule to ensure all CDL applicants receive standardized training in order to improve safety outcomes. They further commented that Mr. Farley lacked experience driving logging trucks, which are widely acknowledged to be among the most challenging to operate safely. They emphasized the importance of firsthand experience operating large trucks and of training provided by verified, qualified instructors.

#### **V. FMCSA Safety Analysis and Decision**

FMCSA has evaluated Mr. Farley's application and the public comments and denies the exemption request. Based on the information provided by the applicant and commenters, the Agency is unable to determine that the exemption would likely achieve a level of safety equivalent to, or greater than, the level obtained by complying with the regulation. Mr. Farley wishes to be a BTW CMV instructor for students seeking Class A CDLs. While he has held a Class B CDL and operated Class B CMVs for many years, he does not have two years of experience operating Class A vehicles. When the Agency established the ELDT regulations, it set two years of experience driving a CMV at the same or higher class or as a BTW CMV instructor as the minimum instructor qualification standard. This determination reflected the opinion of numerous commenters to the ELDT Notice of Proposed Rulemaking, as well as the committee of industry stakeholders that established the "framework" for the ELDT regulations. The Agency firmly believes that allowing an individual instructor to provide ELDT without the required driving experience could lead to similar

exemption requests on a widespread basis. Such a result would be inconsistent with a primary goal of the ELDT regulations, which was to improve highway safety by establishing a uniform Federal minimum ELDT standard.

Furthermore, in a prior December 22, 2022, **Federal Register** Notice [87 FR 78762] the Agency announced its decision to deny a similar exemption application request from the Western Area Career and Technology Center.

For the above reasons, the Albert Farley, Jr. exemption application is denied.

**Sue Lawless,**

*Assistant Administrator.*

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#### **DEPARTMENT OF TRANSPORTATION**

##### **Federal Railroad Administration**

**[Docket Number FRA-2010-0029]**

##### **Amtrak's Request To Amend Its Positive Train Control System**

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on April 16, 2025, the National Railroad Passenger Corporation (Amtrak) submitted a request for amendment (RFA) to one of its FRA-certified positive train control (PTC) systems to temporarily disable the system for a period of one to two hours in support of the installation and testing of a new Back Office Subsystem environment upgrade. FRA is publishing this notice and inviting public comment on the railroad's RFA. **DATES:** FRA will consider comments received by May 19, 2025. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

##### **ADDRESSES:**

*Comments:* Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0029. For convenience, all active PTC dockets

are hyperlinked on FRA's website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

##### **FOR FURTHER INFORMATION CONTACT:**

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** In general, Title 49 United States Code (U.S.C.) Section 20157(h) requires FRA to certify that a host railroad's PTC system complies with Title 49 Code of Federal Regulations (CFR) Part 236, Subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTC Safety Plan (PTCSP), a host railroad must submit, and obtain FRA's approval of, an RFA to its PTC system or PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification or discontinuance of a signal or train control system. Accordingly, this notice informs the public that, on April 16, 2025, Amtrak submitted an RFA to its Interoperable Electronic Train Management System (I-ETMS). Amtrak seeks FRA's approval to disable its I-ETMS temporarily, for one to two hours, to support the installation and testing of a new Back Office Subsystem environment upgrade in June 2025. Amtrak asserts that this new environment will support improved I-ETMS operations reliability. That RFA is available in Docket No. FRA-2010-0029.

Interested parties are invited to comment on Amtrak's RFA by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA at FRA's sole discretion.