

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

INTELLISTOP INC.,

Petitioner,

v.

Case No. 22-\_\_\_\_\_

UNITED STATES DEPARTMENT OF  
TRANSPORTATION; PETE BUTTIGIEG, in his  
official capacity as Secretary of Transportation;  
FEDERAL MOTOR CARRIER SAFETY  
ADMINISTRATION; ROBIN HUTCHESON, in  
her official capacity as Administrator of the Federal  
Motor Carrier Safety Administration;  
and UNITED STATES OF AMERICA,

Respondents.

**PETITION FOR REVIEW**

Pursuant to Federal Rule of Appellate Procedure 15(a) and 28 U.S.C. §§ 2342(3)(A) and 2344, Intellistop Inc. hereby petitions the Court for review of the attached final order of the Federal Motor Carrier Safety Administration captioned *Parts and Accessories Necessary for Safe Operation; Application for an Exemption from Intellistop, Inc.*, Docket No. FMCSA–2021–0048, and published in the Federal Register on October 7, 2022.

In the order, the Federal Motor Carrier Safety Administration denies Intellistop’s application for an exemption that would allow motor carriers to

operate commercial motor vehicles equipped with Intellistop's module. When brakes are applied, the module pulses the required rear clearance, identification, and brake lamps from a lower-level lighting intensity to a higher-level lighting intensity, alerting trailing drivers and preventing rear-end collisions. Intellistop prays that the Court hold unlawful and set aside the final order because it is arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law. 5 U.S.C. §706.

Venue is proper in this Court under 28 U.S.C. § 2343.

Respectfully submitted,

/s/ **DRAFT**

Stephen J. Obermeier  
*Counsel of Record*

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*Counsel for Petitioner*

Dated: October 7, 2022

## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Intellistop Inc. states as follows:

Intellistop Inc. is a privately held corporation that has no parent company, and no publicly held company has a 10% or greater ownership interest in Intellistop Inc.

Respectfully Submitted,

By: **s/ DRAFT**  
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## CERTIFICATE OF SERVICE

I, Stephen J. Obermeier, certify that on this 7<sup>th</sup> day of October, 2022, I caused this Petition to be served via first-class mail on:

Pete Buttigieg, Secretary  
United States Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

John E. Putnam, General Counsel  
United States Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

Robin Hutcheson, Administrator  
Federal Motor Carrier Safety Administration  
1200 New Jersey Ave, SE  
Washington, DC 20590

Merrick B. Garland, Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

By: s/ DRAFT  
Stephen J. Obermeier