

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2006-25756]

**Commercial Driver's License (CDL) Standards; Volvo Trucks North America, Inc.'s Exemption Application****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA previously announced its decision to renew Volvo Trucks North America, Inc.'s (Volvo) exemption for seven of its drivers to enable them to test-drive commercial motor vehicles (CMVs) in the United States without a commercial driver's license (CDL) issued by one of the States. FMCSA requested comment on the renewal of the exemption, but received no comments.

**DATES:** This exemption is effective from April 23, 2009 through April 23, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Clemente, Driver and Carrier Operations Division (MC-PSD), Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: 202-366-4325. E-mail: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:****Background**

Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant or renew an exemption from the CDL requirements in 49 CFR 383.23 for a maximum two-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption." FMCSA evaluated Volvo's application on its merits and decided to grant the renewal of the exemption for seven of Volvo's engineers and technicians for a two-year period, effective April 23, 2009, as previously announced in the **Federal Register** (74 FR 6204, February 5, 2009).

**Comments**

The Agency received no response to its request for public comments published in the **Federal Register** on February 5, 2009 (74 FR 6204).

**Terms and Conditions for the Exemption**

Based upon evaluation of the application for an exemption, FMCSA granted Volvo a renewal of the exemption from the Federal CDL requirement in 49 CFR 383.23 for seven drivers (Peter Hofsten, Thorbjorn Ohlund, Freddy Blixt, Johnny

Adolfsson, Goran Alsen, Kjell Jansson, and Lars Svensson) to test-drive CMVs within the United States, subject to the following terms and conditions: (1) That these drivers are subject to drug and alcohol regulations, including testing, as provided in 49 CFR part 382, (2) that these drivers are subject to the same driver disqualification rules under 49 CFR parts 383 and 391 that apply to other CMV drivers in the U.S., (3) that these drivers keep a copy of the exemption in the vehicle they are driving at all times, (4) that Volvo notify FMCSA in writing of any accident, as defined in 49 CFR 390.5, involving one of the exempted drivers, and (5) that Volvo notify FMCSA in writing if any driver is convicted of a disqualifying offense described in section 383.51 or 391.15 of the FMCSRs.

*The exemption will be revoked if:* (1) The drivers for Volvo fail to comply with the terms and conditions of the exemption, (2) the exemption has resulted in a lower level of safety than was maintained before it was granted, or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31315 and 31136.

Issued on: April 28, 2009.

**Larry W. Minor,**

Associate Administrator for Policy and Program Development.

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**BILLING CODE 4910-EX-P****DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2006-26367]

**Motor Carrier Safety Advisory Committee Public Meeting****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of Motor Carrier Safety Advisory Committee Meeting.

**SUMMARY:** FMCSA announces that the Motor Carrier Safety Advisory Committee (MCSAC) will hold a committee meeting. The meeting is open to the public.

**DATES:** The MCSAC will hold two public sessions at its May meeting. The first will be held on Monday, May 18, 2009, from 10-11 a.m. (EDT), and will include a discussion between FMCSA management and the MCSAC committee on Task 09-02. This task was assigned at the MCSAC meeting on March 18 and asked the committee for suggestions on implementing a new cross-border trucking program between the United

States and Mexico. The meeting will be held via conference call. Should you wish to participate, please contact Shannon L. Watson at (202) 385-2395 or via e-mail at [shannon.watson@dot.gov](mailto:shannon.watson@dot.gov), by Wednesday, May 13, to receive information on how to access the call.

The May 20, 2009, public meeting will be held from 1-4 p.m. (EDT).

**ADDRESSES:** The May 20 meeting will be held at the U.S. Department of Transportation, Media Center, West Building, Ground Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey K. Miller, Chief, Strategic Planning and Program Evaluation Division, Office of Policy Plans and Regulation, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366-5370, [mcsac@dot.gov](mailto:mcsac@dot.gov).

**SUPPLEMENTARY INFORMATION:****I. Background**

Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59) required the Secretary of the U.S. Department of Transportation to establish a Motor Carrier Safety Advisory Committee in FMCSA. The advisory committee provides advice and recommendations to the FMCSA Administrator on motor carrier safety programs and motor carrier safety regulations. The advisory committee operates in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2). The Committee is comprised of 15 members appointed by the Administrator.

**II. Meeting Participation**

Both meetings are open to the public. FMCSA invites participation by all interested parties, including motor carriers, drivers, and representatives of motor carrier associations. Please note that attendees for the May 20, 2009, meeting will need to be pre-cleared in advance of the meeting in order to expedite entry into the building. By May 13, 2009, please e-mail [mcsac@dot.gov](mailto:mcsac@dot.gov) if you plan to attend the meeting to facilitate the pre-clearance security process. For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, please e-mail [mcsac@dot.gov](mailto:mcsac@dot.gov) by May 13, 2009.

As a general matter, the Committee will allocate one hour for public comments on, May 20, 2009, from 3 p.m. to 4 p.m.. Individuals wishing to address the committee should send an