

cease operations if their ability to safely operate a CMV is impaired by illness or fatigue.

FMCSA and the U.S. Department of Labor are responsible for implementing Federal statutes and regulations providing protection for drivers; any driver operating under the exemption would have the right to seek assistance, if needed.

#### FMCSA Decision

FMCSA grants the exemption because it would provide needed flexibility without compromising highway safety; the terms and conditions of the exemption would achieve the requisite level of safety.

#### VI. Terms and Conditions of the Exemption

A. This exemption is restricted to individuals employed by the Companies while driving CMVs to the site of an “unplanned event” which includes the following:

- A derailment;
- a rail failure or other report of a dangerous track condition;
- a track occupancy light;
- a disruption to the electric propulsion system; a bridge-strike;
- a disabled vehicle on the train tracks;
- a train collision;
- weather- and storm-related events including, fallen trees and other debris on the tracks, snow, extreme cold or heat, rock and mud slides, track washouts, and earthquakes;
- a matter concerning national security or public safety, including a blocked grade crossing.

B. When operating under this exemption, drivers and carriers:

- a. May extend the 14-hour duty period in § 395.3(a)(2) to no more than 17 hours;
- b. May not exceed 11 hours of driving time, following 10 consecutive hours off duty;
- c. May extend the 60- and 70-hour rule in § 395.3(b) by no more than 6 hours;
- d. May not travel more than 300 air miles from the normal work-reporting location or terminal.

C. Drivers must comply with the applicable HOS limits after arriving at the site—drivers must record all time working to restore rail service as on duty, not driving.

D. Drivers may take advantage of the Agency’s personal conveyance regulatory guidance travelling between the unplanned event work site and nearby lodging or dining facilities (June 7, 2018; 83 FR 26377). If that guidance is not applicable to the trip, CMV

drivers who have reached the HOS limits must be transported from the work site by an individual who is not subject to HOS restrictions or use a vehicle that does not meet FMCSA’s definition of a CMV (49 CFR 390.5) when they leave the site.

E. Drivers must complete the Driver Education Module 3 and the Driver Sleep Disorders and Management Module 8 of the North American Fatigue Management Program (NAFMP) ([www.nafmp.org](http://www.nafmp.org)) prior to operating under the exemption; and

F. Motor carriers and drivers must comply with all other provisions of the Federal Motor Carrier Safety Regulations.

#### Preemption

In accordance with 49 U.S.C. 31313(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.

#### Notification to FMCSA

Under the exemption, the Companies 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 this exemption. The notification must include the following information:

- a. Identifier of the Exemption: “The Companies and NRC,”
- 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 accident, if provided by the enforcement agency,
- k. Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations, and
- l. The total on-duty time accumulated during the 7 consecutive days prior to the date of the accident, and the total on-duty time and driving time in the work shift prior to the accident.

#### VII. Termination

The FMCSA does not believe the motor carriers and drivers covered by this exemption will experience any deterioration of their safety record. However, should this occur, FMCSA will take all steps necessary to protect the public interest, including revocation of the exemption. The FMCSA will immediately revoke the exemption for failure to comply with its terms and conditions.

Issued on: February 27, 2020.

**Jim Mullen,**

*Acting Administrator.*

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**BILLING CODE 4910-EX-P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2020–0076]

#### Trucking Safety Summit; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** FMCSA announces a public meeting, “The FMCSA 2020 Trucking Safety Summit” on March 19, 2020, to solicit information on improving safe operation of property-carrying commercial motor vehicles on our Nation’s roadways. The formal conference will provide invited-stakeholders—including motor carriers, drivers, safety technology developers and users, Federal and State partners, and safety advocacy groups—as well as members of the public an opportunity to share their ideas on improving trucking safety. The event will be held at the U.S. Department of Transportation headquarters building in Washington, DC. A full agenda of the meeting is available on line at <http://www.fmcsa.dot.gov>.

**DATES:** The conference will be held Thursday, March 19, 2020, from 9:00 a.m. to 4:30 p.m., EDT, with registration from 8:00 a.m. to 8:50 a.m.

**Public Comment:** The formal conference will include a brief public comment period in the mid to late afternoon. All persons wishing to speak must register in advance at the email address in the **FOR FURTHER INFORMATION CONTACT** section below and note that they wish to provide oral comments. Please limit oral public comments to 2 to 3 minutes. If all interested participants have had an opportunity to comment, the public comment period

may conclude early. Due to seating limitations, advanced registration by March 10 is required; FMCSA will cap registration at 200 persons. Persons wishing to propose questions for panelists may do so by emailing the address in the **FOR FURTHER INFORMATION CONTACT** section below. Those wishing to submit written comments, data or analysis on trucking safety may do so here: FMCSA-2020-0076.

**ADDRESSES:** The public meeting will be held in the U.S. Department of Transportation headquarters building at 1200 New Jersey Avenue SE, Washington, DC 20590. Participation in the public meeting is free, but advanced registration is required. You may register at the email address in the **FOR FURTHER INFORMATION CONTACT** section below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janet tarose L. Greene, (202) 366-1927, [FMCSA-PIO@dot.gov](mailto:FMCSA-PIO@dot.gov), Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

*Services for Individuals with Disabilities:* FMCSA is committed to providing equal access to this meeting for all participants. For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, please contact Ms. Greene at the number or email address above by March 6, 2020.

**SUPPLEMENTARY INFORMATION:**

**Background**

Data and analysis released by the National Highway Traffic Safety Administration shows that over the last several years there has been an increase in fatalities occurring as a result of crashes involving large trucks. See, for example, Large Truck Traffic Safety Fact Sheet (DOT HS # 812-663, available at <https://crashstats.nhtsa.dot.gov/#/>). To respond to this trend, FMCSA continues to work with State entities, industry and others to identify new approaches to safety. These approaches can involve technology, company management practices, enforcement, outreach and education, and other techniques—encompassing a holistic approach to truck safety.

FMCSA plans to convene a formal conference, “The FMCSA 2020 Trucking Safety Summit,” on March 19, 2020, to solicit information on improving safe operation of property-carrying commercial motor vehicles on our Nation’s roadways. This event will provide diverse stakeholders—including motor carriers, drivers, safety technology developers and users,

Federal and State partners, and safety advocacy groups—as well as members of the public an opportunity to share their ideas on improving trucking safety. The sessions are intentionally structured to facilitate an exchange between experienced players in the trucking space, people who might not otherwise meet face-to-face to collaborate. Senior FMCSA personnel will facilitate every session, selecting and posing questions to promote a productive discussion. FMCSA intends to record the session and will follow up with a record of proceedings or Safety Action Plan in the weeks following the event.

The program will include panel presentations from industry, technology innovators, State and FMCSA enforcement personnel and others. Participants in the panels will be announced later. In addition, during and after the panel presentations, conference attendees will have an opportunity to provide oral and written comments.

**Meeting Participation**

FMCSA will present and solicit information during five panel discussions. FMCSA will provide a live streaming video of the Trucking Safety Summit for interested part to share in the information being presented. Additionally, the Agency will provide an opportunity for the public to participate remotely in the public comment session. The Agency will provide the public with all relevant details for participating in this meeting in advance at: <http://www.fmcsa.dot.gov>.

Meeting participants will need to register to participate and to gain access to the headquarters building at 1200 New Jersey Avenue SE, in Washington, DC.

Oral comments from the public will be heard during the meeting. Members of the public may also submit written comments to public docket referenced at the beginning of this notice using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC, between 9 a.m. and 5 p.m., E.T. Monday through Friday, except Federal holidays.

Issued on: February 27, 2020.

**Jim Mullen,**

*Acting Administrator.*

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

[Docket No. NHTSA-2019-0104]

**Denial of Motor Vehicle Defect Petition**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Denial of petition for a defect investigation.

**SUMMARY:** This notice sets forth the reasons for the denial of a petition submitted on May 9, 2018, by Mr. J. Kevin Byrne (the petitioner) to NHTSA’s Office of Defects Investigation (ODI). The petition requests that the Agency “undertake a defects investigation” into “rust-related fuel tank detachment of Isuzu Rodeo fuel tanks.” The petitioner bases his request upon a partial fuel tank detachment he experienced on his vehicle, a model year (MY) 2004 Isuzu Rodeo, and another complaint he found in NHTSA’s online complaint database involving a MY 2001 Isuzu Rodeo. The petitioner also asserts that the partial fuel tank detachment is covered by NHTSA Recall Number 13V-547.

On May 23, 2018, ODI opened Defect Petition (DP) 18-001 to evaluate the petitioner’s concerns. After reviewing the information provided by the petitioner and field data regarding fuel tank detachment in MY 2001 through 2004 Isuzu Rodeos and similarly equipped vehicles, NHTSA has concluded that the issues raised by the petition do not warrant a defect investigation. Accordingly, the Agency has denied the petition.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Martens, Vehicle Defects Division-D, Office of Defects Investigation, NHTSA, 1200 New Jersey Avenue SE, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

**Introduction**

Pursuant to 49 CFR 552.1, interested persons may petition NHTSA requesting that the Agency initiate an investigation to determine whether a motor vehicle or an item of replacement motor vehicle equipment fails to comply with applicable motor vehicle safety standards or contains a defect that relates to motor vehicle safety. Upon receipt of a properly filed petition, the