

comment into the text box in the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. FMCSA will consider all comments and material received during the comment period and may continue this exemption or not based on your comments.

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. 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 any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and the public comments, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reason for the grant or denial, and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which exemption is granted. The notice must also specify the effective period of the exemption (up to 5 years), and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

III. Background

From 2013 to 2015, DOE held a limited exemption from the mandatory 30-minute rest break requirement of 49 CFR 395.3(a)(3)(ii) that allowed DOE contract carriers and their drivers transporting security-sensitive radioactive materials to be treated the same as drivers transporting explosives pursuant to § 395.1(q). As that exemption neared expiration, DOE applied for its renewal. FMCSA reviewed DOE's request and the public comments and reaffirmed its previous conclusion that allowing these drivers to count on-duty time "attending" their

CMVs toward the required 30-minute break, would provide a level of safety equivalent to what would be achieved by the break. The notice renewing the DOE exemption was published on June 22, 2015 (80 FR 35703).

On July 25, 2016 (81 FR 48495), FMCSA announced the extension of the DOE exemption notice that was published on June 22, 2015. The Agency extended the expiration date of the exemption to June 29, 2020 in response to section 5206(b)(2)(A) of the "Fixing America's Surface Transportation Act" (FAST Act). That section extends the expiration date of all HOS exemptions in effect on the date of enactment to five years from the date of issuance of the exemptions.

DOE has now requested a renewal of the exemption that would be effective from June 30, 2020 through June 29, 2025. A copy of DOE's request is in the docket referenced at the beginning of this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b)(6), FMCSA requests public comment from all interested persons on DOE's request for a renewal of its exemption from the 30-minute rest break rule. All comments received before the close of business on the comment closing date indicated at the beginning of this notice will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2008-0362]

Meetings: Medical Review Board; Revision of Notice

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

ACTION: Notice of partially closed meeting, revision.

SUMMARY: This notice announces that the Medical Review Board Advisory Committee (MRB) meeting announced on March 17, 2020, will take place via WebEx videoconference rather than in-person.

DATES: The meeting will be held on Monday and Tuesday, April 27–28, 2020, from 9:15 a.m. to 4:30 p.m. The meeting will be closed to the public on Monday, April 27 but open to the public on Tuesday, April 28. The second day of the meeting will be open to the public for its entirety. No advance registration is required for public participation on the second day.

ADDRESSES: The meeting will be held via WebEx videoconference. Those members of the public who would like to participate should go to <https://www.fmcsa.dot.gov/advisory-committees/mrb/meeting-fmcsa-medical-review-board-advisory-committee-mrb> to access the meeting. No advance registration is required. There will be an opportunity for participants to seek recognition to ask questions or comment during the meeting, subject to recognition by the chair. Copies of the task statement and an agenda for the entire meeting will be made available at www.fmcsa.dot.gov/mrb at least one week in advance of the meeting. Copies of the meeting minutes will be available at the website following the meeting. You may visit the MRB website at www.fmcsa.dot.gov/mrb for further information on the committee and its activities.

FOR FURTHER INFORMATION CONTACT: Ms. Shannon L. Watson, Senior Advisor to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, (202) 366-5221, mrb@dot.gov. Any committee-related request should be sent to the person listed in this section.

SUPPLEMENTARY INFORMATION:

I. Background

The MRB was created under the Federal Advisory Committee Act (FACA) in accordance with section 4116 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA-LU, Public Law 109-59 (2005) (codified as amended at 49 U.S.C. 31149) to establish, review, and revise "medical standards for operators of commercial motor vehicles that will ensure that the physical condition of operators of commercial motor vehicles is adequate

to enable them to operate the vehicles safely.” The MRB operates in accordance with FACA under the terms of the MRB charter, filed November 25, 2019.

On March 17, 2020 (85 FR 15250), the Agency published a notice announcing the April 27–28, 2020, meeting in accordance with the FACA requirements. The notice announced that the meeting would be held at the U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC. Subsequently, the Agency has decided to hold the entire meeting via WebEx videoconference.

II. Agenda

The agenda will cover the following topics:

- Monday, April 27 (Closed Session): Review test questions used to determine eligibility of healthcare professionals for inclusion in the National Registry of Certified Medical Examiners (CMEs).

- Tuesday, April 28 (Public Session):

1. Finalize recommendations from the MRB’s June 2019 meeting on updates to the Medical Examiner’s Handbook;

2. Consider changes to the seizure standard for CMV drivers.

III. Public Participation

The first day of the meeting will be closed to the public due to the discussion of specific test questions, which are not available for release to the public. Premature disclosure of secure test information would compromise the integrity of the examination and therefore exemption 9(B) of section 552b(c) of Title 5 of the United States Code justifies closing this portion of the meeting pursuant to 41 CFR 102–3.155(a). The second day of the meeting will be open to the public via WebEx videoconference. Those members of the public who would like to participate should go to <https://www.fmcsa.dot.gov/advisory-committees/mrb/meeting-fmcsas-medical-review-board-advisory-committee-mrb> to access the meeting. There will be an opportunity for participants to seek recognition to ask questions or comment during the meeting, subject to recognition by the chair. There is no need for advance registration.

Larry W. Minor,

Associate Administrator for Policy.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2018–0049]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on April 15, 2020, BNSF Railway (BNSF) petitioned the Federal Railroad Administration (FRA) for an expansion of its waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR 232.15, 232.213, and 232.103(f). On April 12, 2019, FRA granted BNSF a test waiver to conduct a pilot program on a segment of their system to “demonstrate that the use of wheel temperature detectors to prove brake health effectiveness (BHE) will improve safety, reduce risks to employees, and provide cost savings to the industry.” FRA assigned the petition Docket Number FRA–2018–0049.

BNSF states the test waiver committee for BHE has been actively reviewing the data generated by BNSF over the past 6 months, and during that time BNSF has tested more than 600 trains. In building on the test success of the Southern Transcon trains between Chicago, IL, and California, BNSF requests FRA approval of two expansion initiatives which were each reviewed and approved by the test waiver committee: (1) The addition of additional origin/destination Southern Transcon locations; and (2) expansion to the BNSF Northern Intermodal route through Havre, MT.

BNSF requests adding the following locations to its test waiver on the Southern Transcon to increase the braking improvements on the intermodal equipment, increase the number of waiver trains, and enable more locations to complete the automatic single car tests (ASCT). These locations may be an origination or destination point for an intermodal train that qualifies under conditions of the waiver and will pass through the existing test detector sites on either side of Belen, NM; Phoenix, AZ; Alliance, TX; Houston, TX; Logistics Park, Kansas City, KS; Memphis, TN; Atlanta, GA; St. Louis, MO; Omaha, NE; Amarillo, TX; Lubbock, TX; and Albuquerque, NM. These locations would be subject to the same requirements for the training completion of all related work groups and would not be “turned on” until the training records are provided to the test waiver committee.

BNSF has installed and is currently testing new detectors with its proven technology on BNSF’s Northern

Intermodal route. These detectors were installed to continue the BHE testing in a cold weather climate. BNSF proposes that the processes and parameters would follow all conditions of the Southern Transcon BHE Program.

BNSF states the expansion of the test waiver for both the Southern and Northern proposals would accomplish all the following:

1. Validation of braking performance of trains on BNSF’s Northern Transcon Route;

2. Improve the braking performance of individual cars identified with cold or hot wheels;

3. Increase the testing of car brake systems with ASCT devices;

4. Increase the removal of poor performing brake valves identified by the ASCT;

5. Generate important data on air brake valve performance in a cold weather environment which cannot be done on the Southern Transcon Intermodal testing; and

6. Begin the process of associating brake valve age with BHE data performance from both the test site and the point/location when the ASCT is completed.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov and in person at the U.S. Department of Transportation’s (DOT) Docket Operations Facility, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 202–493–2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, W12–140, Washington, DC 20590.