

must be served on the parties' representative, James E. Howard, 57 Via Buena Vista, Monterey, CA 93940.

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: June 15, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

**Tammy Lowery,**  
Clearance Clerk.

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BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Solicitation of Nominations for Appointment to the Drone Advisory Committee

**AGENCY:** Federal Aviation Administration, U.S. Department of Transportation.

**ACTION:** Solicitation of Nominations for Appointment to the Drone Advisory Committee (DAC).

**SUMMARY:** The FAA is issuing this notice to solicit nominations for membership on the Drone Advisory Committee (DAC).

**DATES:** Nominations must be received no later than 6:00 a.m. Eastern Time on August 18, 2020. Nominations received after the above due date may be retained for evaluation for future DAC vacancies after all other nominations received by the due date have been evaluated and considered.

**ADDRESSES:** Nominations can be submitted electronically (by email) to Khurram Abbas in the FAA's UAS Integration Office, at [khurram.abbas@faa.gov](mailto:khurram.abbas@faa.gov). The subject line should state "2020 DAC Nomination." The body of the email must contain content or attachments that address all requirements as specified in the below "Materials to Submit" section. Incomplete/partial submittals as well as those that exceed the specified document length may not be considered for evaluation. An email confirmation from the FAA will be sent upon receipt of all complete nominations that meet the criteria in the "Materials to Submit" section. Anyone wishing to submit an application by paper may do so by contacting Khurram Abbas at [khurram.abbas@faa.gov](mailto:khurram.abbas@faa.gov) or 202-267-8345. The FAA will notify those appointed by the Secretary to serve on the DAC in writing.

**FOR FURTHER INFORMATION CONTACT:** Contact Khurram Abbas at [khurram.abbas@faa.gov](mailto:khurram.abbas@faa.gov) or 202-267-

8345. Additional information on the DAC, including the current roster, charter, and previous meeting minutes can be found at: [https://www.faa.gov/uas/programs\\_partnerships/drone\\_advisory\\_committee/](https://www.faa.gov/uas/programs_partnerships/drone_advisory_committee/).

#### SUPPLEMENTARY INFORMATION:

##### Background

The DAC is an advisory committee established under DOT's authority, in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, Public Law 92-463, 5 U.S.C. App. 2. The objective of the DAC is to provide independent advice and recommendations to the FAA and in response to specific taskings received directly from the FAA. The advice and recommendations work toward improving the efficiency and safety of integrating Unmanned Aircraft Systems (UAS) into the National Airspace System (NAS). In response to FAA requests, the DAC may provide the FAA with information that may be used for tactical and strategic planning purposes.

This notice seeks to fill current and future vacancies on the DAC and does not affect the status of current DAC members' terms.

##### Description of Duties

The DAC acts solely in an advisory capacity and does not exercise program management responsibilities. Decisions directly affecting implementation of transportation policy will remain with the FAA Administrator and the Secretary of Transportation. The DAC duties include:

a. Undertaking tasks only assigned by the FAA.

b. Deliberating on and approving recommendations for assigned tasks in meetings that are open to the public.

c. Responding to ad hoc informational requests from the FAA and/or providing input to the FAA on the overall DAC structure (including structure of the subcommittees and or task groups).

**Membership:** The FAA will submit recommendations for membership to the Secretary of Transportation, who will appoint members to the DAC. The membership must be fairly balanced in terms of points of view represented and the functions performed. The stakeholder groups represented on the DAC include the following:

- a. Airports and Airport Communities
- b. Labor (controllers, pilots)
- c. Local Government
- d. Navigation, Communication, Surveillance, and Air Traffic Management Capability Providers
- e. Research, Development, and Academia

- f. Traditional Manned Aviation Operators
- g. UAS Hardware Component Manufacturers
- h. UAS Manufacturers
- i. UAS Operators
- j. UAS Software Application Manufacturers
- k. Other

All DAC members serve at the pleasure of the Secretary of Transportation. The DAC will have no more than 35 members. Other membership criteria include:

- a. An appointment of up to two years.
- b. Service without charge and without government compensation. Representation of a particular interest of employment, education, experience, or affiliation with a specific aviation related organization.

c. Ability to attend all DAC meetings (estimated three meetings per year).

**Qualifications:** Candidates must be in good public standing and currently serve as a member of their organization's core senior leadership team with the ability to make UAS-related decisions. In rare circumstances, membership will be granted to uniquely qualified individuals who do not meet this latter requirement. Members appointed solely for their individual expertise serve as Special Government Employees.

**Materials to Submit:** Candidates are required to submit, in full, the following materials to be considered for DAC membership. Failure to submit the required information may disqualify a candidate from the review process.

a. A short biography of the nominee, including professional and academic credentials.

b. A résumé or curriculum vitae, which must include relevant job experience, qualifications, as well as contact information (email, telephone, and mailing address).

c. A one-page statement describing how the candidate will benefit the DAC, considering current membership and the candidate's unique perspective that will advance the conversation. This statement must also identify a primary and secondary interest to which the candidate's expertise best aligns. Finally, candidates should state their previous experience on Federal Advisory Committees and/or Aviation Rulemaking Committees (if any), their level of knowledge in their above stakeholder groups, and the size of their constituency they represent or are able to reach.

Up to three letters of recommendation may be submitted, but are not required. Each letter may be no longer than one

page. Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation. Evaluations will be based on the materials submitted.

**Erik W. Amend,**

Manager, Executive Office, AUS-10, UAS Integration Office, Federal Aviation Administration.

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0180]

#### Hours of Service of Drivers: Application for Exemption From the 14-Hour Rule During Independence Day Celebrations for Illumination Fireworks Partners, LP, and ACE Pyro, LLC

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to grant Illumination Fireworks Partners, LP, and ACE Pyro, LLC (Applicants), an exemption from the requirements that drivers of commercial motor vehicles (CMVs) must not drive following the 14th hour after coming on duty. The exemption will apply solely to the drivers of 60 CMVs employed by the applicants in conjunction with staging fireworks shows in celebration of Independence Day during the period of June 28–July 8, for the next five years (2020–2024) inclusive. During this period, the CMV drivers employed by the applicants would be allowed to exclude off-duty and sleeper-berth time of any length from the calculation of the 14 hours. These drivers will not be allowed to drive after accumulating a total of 14 hours of on-duty time, following 10 consecutive hours off duty, and will continue to be subject to the 11-hour driving-time limit, and the 60 and 70-hour on-duty limits. FMCSA has determined that the terms and conditions of the exemption will likely achieve a level of safety equivalent to, or greater than, the level of safety achieved without the exemption.

**DATES:** This exemption is effective June 18, 2020 and expires June 18, 2025.

**ADDRESSES:**

*Docket:* For access to the docket to read background documents or

comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the U.S. Department of Transportation 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. The on-line Federal Docket Management System (FDMS) is available 24 hours a day, 365 days a year.

*Privacy Act:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:** Ms. Pearlie Robinson, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver, and Vehicle Safety Standards; telephone: 202-366-4325. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

**SUPPLEMENTARY INFORMATION:**

#### I. Public Participation

##### *Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov), insert the docket number, “FMCSA-2019-0180” in the “Keyword” box, and click “Search.” Next, click the “Open Docket Folder” button and choose the document to review. If you do not have access to the internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 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.

#### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain parts of 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)) including the reason for the grant or denial; the specific person or class of persons receiving the exemption, if granted; and the regulatory provision or provisions from which exemption is granted. The notice must also specify the effective period of the exemption (up to five years), and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

#### III. Request for Exemption

The Hours of Service (HOS) rule in 49 CFR 395.3(a)(2) prohibits a property-carrying CMV driver from driving a CMV after the 14th hour after coming on duty following 10 consecutive hours off duty. Illumination Fireworks Partners, LP (USDOT 3247742), and ACE Pyro, LLC (USDOT 1352892) (Applicants), are fireworks display companies that employ CMV drivers who hold Commercial Driver’s Licenses (CDLs) with hazardous materials endorsements. The drivers transport Division 1.3G and 1.4G fireworks and setup materials for fireworks shows at Independence Day celebrations. The applicants seek an exemption from the 14-hour rule in 49 CFR 395.3(a)(2) to permit their drivers to exclude off-duty and sleeper-berth time of any length from the calculation of the 14 hours. The applicants state that the basis for the request is the existing FMCSA exemption granted to Illumination Fireworks, LLC, and ACE Pyro, LLC, under Docket No. FMCSA-2014-0111. They are seeking the HOS exemption because compliance with the 14-hour rule would impose economic hardship on cities, municipalities, and themselves. Complying with the existing regulation means that most shows would require two drivers, significantly increasing the cost of a fireworks display.

The applicants assert that without this exemption safety would decline, as fireworks drivers would be unable to return to their home base following each show, should they have fireworks remaining after a display. Drivers would be forced to park the CMVs carrying Division 1.3G and 1.4G products in areas less secure than the motor carrier’s home base.