

expectations, and have completed training programs from both the North American Fatigue Management Program and the Commercial Vehicle Training Alliance. Matrix states that Mobile Team Leads drive less than one-sixth of their work day. The rest of their day is spent performing non-clinical, management, and administrative services. A copy of Matrix's application is available for review in the docket for this notice.

## V. Public Comments

On October 31, 2019, FMCSA published notice of this application and requested public comment (84 FR 58447). Two comments were submitted. Mr. Michael Millard wrote, "I appreciate the issues that DPN USA, LLC faces, however, poor prior planning and neglecting to develop an adequate business plan to fulfill its mission is not an excuse to ask for leniency in complying with the HOS after the fact. DPN USA, LLC's request presents multiple hazards to the public and should be denied." The Commercial Vehicle Safety Alliance (CVSA) stated:

If this exemption is granted, CVSA recommends that, as a condition of the exemption, all drivers, managers, dispatchers and relevant staff be required to complete the North American Fatigue Management Program training developed in partnership by FMCSA, Transport Canada and industry stakeholders as a comprehensive approach for managing fatigue. Required participation in the program by all relevant staff will help mitigate the impact on safety the additional exposure to fatigue causes.

## VI. FMCSA Decision

The HOS regulations limit when and how long an individual may drive to ensure that drivers stay awake and alert and to help reduce the possibility of driver fatigue. The Agency reaffirmed the "core" HOS provisions in the HOS final rule published on June 1, 2020 [85 FR 33396] increasing flexibility without changing the 10-hour off-duty rule or the 14-hour driving window (except during "adverse driving conditions"). FMCSA has reviewed the application and the public comments and determined that it would be inappropriate to grant the exemption. Matrix did not demonstrate how its CMV operations under such an exemption would achieve a level of safety equivalent to, or greater than, the level of safety obtained in the absence of the exemption [49 CFR 381.305(a)]. The applicant did not provide data to support that 8 hours off duty following a 16-hour driving window would give a driver enough time to avoid cumulative

fatigue. The exemption application is denied.

**James W. Deck,**

*Deputy Administrator.*

[FR Doc. 2020-22560 Filed 10-9-20; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2020-0190]

#### Property Carrier Broker Listening Session; Public Meeting

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

**ACTION:** Notice of public listening session.

**SUMMARY:** FMCSA announces that it will host a listening session pertaining to property carrier brokers. FMCSA would like to hear from members of the public on their views on the regulation of property carrier brokers in general, and on three pending petitions concerning specific property carrier broker regulation issues. This meeting does not pertain to broker or freight forwarder minimum financial responsibility matters. The session will be held via videoconference and will be accessible to the public for its entirety. Individuals with diverse experience and perspectives are encouraged to attend.

**DATES:** The session will be held on Wednesday, October 28, 2020, from 1:00 p.m. to 2:30 p.m., Eastern Time (ET). The session will be held via videoconference only, with registration required at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) in advance of the meeting. FMCSA encourages early registration.

**Public Comment:** The virtual session will allow members of the public to make brief statements to the panel. If all interested participants have had an opportunity to comment, the session may conclude early.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janet L. Greene, (202) 366-5694, [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 the listening session. For accommodations for persons with disabilities, please email [FMCSA-PIO@dot.gov](mailto:FMCSA-PIO@dot.gov) at least 1 week in advance of the meeting to allow time to make appropriate arrangements. FMCSA

will provide closed captioning of the session.

#### SUPPLEMENTARY INFORMATION:

#### I. Public Participation and Request for Comments

FMCSA encourages participation in the session and the submission of comments and related materials. Members of the public may submit written comments to the public docket referenced at the beginning of this notice. Please submit documents recommended for discussion to the docket at least 7 business days in advance of the session using any of the following methods:

##### A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2020-0190). You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these methods. FMCSA recommends that you include your name, email address, or a phone number in the body of your document.

To submit your comment online, go to <http://www.regulations.gov>, enter the docket number, "FMCSA-2020-0190" in the "Keyword" box, and click "Search." When the new screen appears, click on the "Comment Now!" button and type your 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, then submit.

##### B. Viewing Comments and Documents

To view comments, go to <http://www.regulations.gov> and insert the docket number, "FMCSA-2020-0190" in the "Keyword" box and click "Search." Next, click the "Open Docket Folder" button and choose the document listed to review. If you have questions on viewing or submitting materials to the docket, contact Docket Operations at (202) 366-9826. Business hours are from 8:00 a.m. to 4:30 p.m. ET, Monday through Friday, except Federal holidays. For hand delivery of materials, please call (202) 366-9317 or (202) 366-9826 before visiting Docket Operations.

#### II. Background

FMCSA has received petitions for rulemaking from the Owner-Operator Independent Drivers Association (OOIDA) and the Small Business in Transportation Coalition (SBTC) to amend certain requirements for property carrier brokers. FMCSA published a notice in the **Federal Register** on August

19, 2020 (85 FR 51145), requesting public comment on the petitions.

OIDA requests that FMCSA require property carrier brokers to provide an electronic copy of each transaction record automatically within 48 hours after the contractual service has been completed, and explicitly prohibit brokers from including any provision in their contracts that requires a motor carrier to waive its rights to access the transaction records. SBTC requests that FMCSA prohibit brokers from coercing or otherwise requiring parties to brokers' transactions to waive their right to review the record of the transaction as a condition for doing business. SBTC also requests that FMCSA adopt regulatory language indicating that brokers' contracts may not include a stipulation or clause exempting the broker from having to comply with the transparency requirement. The comment period for the notice is open through October 19, 2020.

On August 5, 2020, FMCSA received a petition for rulemaking from the Transportation Intermediaries Association (TIA), asking FMCSA to eliminate the requirements of 49 CFR 371.3(c) and to develop guidance on what legally constitutes a "dispatch service." TIA's petition asserts that its proposed modifications and clarifications would eliminate an outdated regulation that no longer applies to the current marketplace. TIA's request includes the promulgation of guidance to the public on what constitutes a legitimate "dispatch service" to remove, in its words, "unethical and unscrupulous actors from the marketplace" and eliminate an administrative burden on FMCSA to enforce outdated and unnecessary regulations. FMCSA is currently reviewing the petition before determining an appropriate course of action. A copy of the TIA petition has been placed in the docket referenced at the beginning of this notice.

Given that the TIA petition expresses a different perspective than those expressed in the OIDA and SBTC petitions, FMCSA would like to hear from members of the public on their views on the regulation of property carrier brokers in general, and on the three petitions, specifically.

**James W. Deck,**  
Deputy Administrator.

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## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT-OST-2020-0084]

### Information Collection; Improving Customer Experience (OMB Circular A-11, Section 280 Implementation)

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice; request for comment.

**SUMMARY:** The Department of Transportation (DOT) has under OMB review the following proposed Information Collection Request "Improving Customer Experience (OMB Circular A-11, Section 280 Implementation)" for approval under the Paperwork Reduction Act (PRA).

**DATES:** Submit comments on or before: November 12, 2020.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. Please provide a copy of your comments to Claire Barrett, Departmental Chief Privacy and Information Governance Officer, 1200 New Jersey Ave. SE, Washington, DC 20590; or by email to [PRA@dot.gov](mailto:PRA@dot.gov). Please reference OMB Control Number 2105-NEW, Improving Customer Experience (OMB Circular A-11, Section 280 Implementation) in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Amira Boland, Office of Management and Budget, 725 17th St. NW, Washington, DC 20006, (202) 881-9453, or via email to [amira.c.boland@omb.eop.gov](mailto:amira.c.boland@omb.eop.gov).

#### SUPPLEMENTARY INFORMATION:

**Title:** Improving Customer Experience (OMB Circular A-11, Section 280 Implementation).

**Abstract:** A modern, streamlined and responsive customer experience means: Raising government-wide customer experience to the average of the private sector service industry; developing indicators for high-impact Federal programs to monitor progress towards excellent customer experience and mature digital services; and providing the structure (including increasing transparency) and resources to ensure customer experience is a focal point for agency leadership.

This proposed information collection activity provides a means to garner customer and stakeholder feedback in

an efficient, timely manner in accordance with the Administration's commitment to improving customer service delivery as discussed in Section 280 of OMB Circular A-11 at <https://www.performance.gov/cx/a11-280.pdf>.

As discussed in OMB guidance, agencies should identify their highest-impact customer journeys (using customer volume, annual program cost, and/or knowledge of customer priority as weighting factors) and select touchpoints/transactions within those journeys to collect feedback.

These results will be used to improve the delivery of Federal services and programs. It will also provide government-wide data on customer experience that can be displayed on [www.performance.gov](http://www.performance.gov) to help build transparency and accountability of Federal programs to the customers they serve.

As a general matter, these information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. DOT will only submit collections if they meet the following criteria.

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered is intended to be used for general service improvement and program management purposes
- Upon agreement between OMB and the agency all or a subset of information may be released as part of A-11, Section 280 requirements only on [performance.gov](http://www.performance.gov). Summaries of customer research and user testing activities may be included in public-facing customer journey maps or summaries.
- Additional release of data must be done coordinated with OMB.

These collections will allow for ongoing, collaborative and actionable communications between the Agency, its customers and stakeholders, and