

## § 381.315

### **§ 381.315 What will the FMCSA do after the agency receives my application for an exemption?**

(a) The Federal Motor Carrier Safety Administration will review your application and prepare, for the Administrator's signature, a FEDERAL REGISTER notice requesting public comment on your application for an exemption. The notice will give the public an opportunity to review your request and your safety assessment or analysis (required by § 381.310) and any other relevant information known to the agency.

(b) After a review of the comments received in response to the FEDERAL REGISTER notice described in paragraph (a) of this section, the Federal Motor Carrier Safety Administration will make a recommendation(s) to the Administrator to either to grant or deny the exemption. Notice of the Administrator's decision will be published in the FEDERAL REGISTER.

(c)(1) If the exemption is granted, the notice will identify the provisions of the FMCSRs from which you will be exempt, the effective period, and all terms and conditions of the exemption.

(2) If the exemption is denied, the notice will explain the reason for the denial.

(d) A copy of your application for an exemption and all comments received in response to the FEDERAL REGISTER notice will be included in a public docket and be available for review by interested parties.

(1) Interested parties may view the information contained in the docket by visiting the Department of Transportation, Docket Management Facility, 1200 New Jersey Ave., SE., Washington, DC 20590-0001. All information in the exemption docket will be available for examination at this address from 10 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

(2) Internet users can access all information received by the Department of Transportation, Docket Management Facility by using the Federal Docket Management System using the uniform resources locator (URL): <http://www.regulations.gov>. It is available 24 hours each day, 365 days each year.

## 49 CFR Ch. III (10-1-20 Edition)

Please follow the instructions online for more information and help.

[63 FR 67608, Dec. 8, 1998, as amended at 72 FR 55700, Oct. 1, 2007]

### **§ 381.317 May I resubmit my application for exemption if it is denied?**

If the Administrator denies your application for exemption and you can reasonably address the reasons for denial, you may resubmit your application following the procedures in § 381.310.

[81 FR 47720, July 22, 2016]

### **§ 381.320 How long will it take the agency to respond to my application for an exemption?**

The agency will attempt to issue a final decision within 180 days of the date it receives your application. However, if you leave out important details or other information necessary for the FMCSA to prepare a meaningful request for public comments, the agency will attempt to issue a final decision within 180 days of the date it receives the additional information.

### **§ 381.325 Who should I contact if I have questions about the information I am required to submit to the FMCSA or about the status of my application for an exemption?**

You should contact the Federal Motor Carrier Safety Administration, Office of Bus and Truck Standards and Operations (MC-PS), 1200 New Jersey Ave., SE., Washington, DC 20590-0001.

[63 FR 67608, Dec. 8, 1998, as amended at 72 FR 55700, Oct. 1, 2007]

### **§ 381.330 What am I required to do if the FMCSA grants my application for an exemption?**

(a) You must comply with all the terms and conditions of the exemption.

(b) The FMCSA will immediately revoke your exemption if:

(1) You 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 the exemption was granted; or

(3) Continuation of the exemption is determined by the FMCSA to be inconsistent with the goals and objectives of the FMCSRs.