

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 grant or not grant this application based on your comments.

## II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain Federal Motor Carrier Safety Regulations (FMCSRs). 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 safety analyses and public comments submitted, 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 reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (49 CFR 381.300(b)).

## III. Request for Exemption

Drivers qualifying for the hours-of-service (HOS) short-haul exception in 49 CFR 395.1(e)(1) do not have to maintain a record of duty status (RODS) on board the vehicle. However, such drivers must return to their normal work reporting location and be released from work within 12 hours after coming on duty. A driver who exceeds the 12-hour limit loses the short-haul exception and must immediately prepare RODS for the entire day, often by means of an electronic logging device (ELD)(49 CFR 395.8(a)(1)(i)). KED is requesting that its short-haul CMV drivers be permitted to return within 14 hours instead of 12 without losing their short-haul status.

Kentucky Equipment Distributors (KED) is comprised of several large machinery distributors operating in several states whose fleet focuses on agriculture, construction, mining, as well as road paving. KED includes seven companies and approximately 3,500 employees. The requested exemption

would apply to short-haul drivers engaged in the transportation and repair of equipment and machinery. KED drivers generally meet the requirements of the short-haul operations exception, though they may occasionally take more than 12 hours to return and be released from their work reporting location. The requested increase to 14 hours will ensure KED drivers meet the requirements of the short-haul operations exception.

KED companies currently own and operate 431 vehicles that fall under the HOS regulations in 49 CFR part 395. Most of the vehicles are field service and parts delivery trucks. Duties associated with these vehicles enable the company to bring their shop/tools to the piece of equipment needing servicing versus having to transport the equipment back to the shop. KED's drivers perform duties such as but not limited to: onsite repairs, hauling parts and components, as well as routine maintenance. The vehicles are primarily utilized for haulage of equipment and tooling as relates to their primary use versus utilization for long-haul trucking.

Operators and owners within KED operate a series of large delivery vehicles and are not classified as long-haul drivers. All KED drivers perform a great deal of work outside of the vehicle, unlike drivers whose extended time behind the wheel makes them susceptible to fatigue. KED requests that these vehicles, which are like ready-mixed concrete and oilfield operational trucks, be designated for the exemption. KED drivers, like that of the ready-mixed concrete industry, spend most their shift hours performing non-driving job duties, which lessens driver fatigue. KED estimates that only 20% of its drivers' daily duties involves driving, typically to and from the worksite.

According to KED, the application is consistent with the current 14-hour limit for drivers of ready-mixed concrete vehicles. KED also pointed out that FMCSA had granted similar short-haul exemptions to Waste Management (WM) and the National Asphalt Pavement Association (NAPA). According to KED, WM drivers spend 30–50% of their time in “collection mode” and NAPA drivers drive 20% of the time. KED estimates that its drivers travel between 50–80 miles during each shift; driving time is therefore less than 20% of the individual's total duties.

KED's application for exemption is available for review in the docket for this notice.

## IV. Method To Ensure an Equivalent or Greater Level of Safety

To ensure an equivalent level of safety, KED offers supplementary driver management training which includes identifying and managing sleep deprivation, reducing eye strain, as well as driver fatigue prevention. According to KED, this training helps drivers to understand as well as identify triggers associated with fatigue, and provides help to minimize fatigue. KED notes that Waste Management and asphalt paving workers have similar daily schedules, where driving is only a small part of their workload.

A copy of KED's application for exemption is available for review in the docket for this notice.

Issued on: October 11, 2019.

**Larry W. Minor,**

*Associate Administrator of Policy.*

[FR Doc. 2019–23085 Filed 10–22–19; 8:45 am]

**BILLING CODE 4910–EX–P**

## 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), DOT.

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA announces that it has received an application from Illumination Fireworks Partners, LP and ACE Pyro, LLC (Applicants) for 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 would apply solely to the drivers of 60 CMVs employed by the applicant in conjunction with staging fireworks shows in celebration of Independence Day during the period of June 26–July 8, for the next five years (2019–2024) inclusive. During this period, the CMV drivers employed by the applicant would be allowed to exclude off-duty and sleeper-berth time of any length from the calculation of the 14 hours. These drivers would not be allowed to drive after accumulating a total of 14 hours of on-duty time, following 10 consecutive hours off duty, and would continue to be subject to the

11-hour driving time limit, and the 60 and 70-hour on-duty limits. The applicant maintains that the terms and conditions of the limited exemption would ensure a level of safety equivalent to or greater than the level of safety achieved without the exemption.

**DATES:** November 22, 2019.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System (FDMS) Docket ID FMCSA–2019–0180 using any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 1–202–493–2251.

Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the *Privacy Act* heading below.

*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 West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

*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:** For information concerning this notice contact Ms. Pearl 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 on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

#### SUPPLEMENTARY INFORMATION:

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

FMCSA encourages you to participate by submitting comments and related materials.

##### *Submitting Comments*

If you submit a comment, please include the docket number for this notice (FMCSA–2019–0180), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to [www.regulations.gov](http://www.regulations.gov) and put the docket number, “FMCSA–2019–0180” in the “Keyword” box, and click “Search.” When the new screen appears, click on “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 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.

##### *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) and insert the docket number, “FMCSA–2019–0180” in the “Keyword” box and click “Search.” Next, click “Open Docket Folder” button and choose the document listed 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., e.t., 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)) 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. 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 of firework shows for Independence Day celebrations. The applicants seek an exemption from the 14-hour rule in 49 CFR 395.3(a)(2) so that drivers would be allowed to exclude off-duty and sleeper-berth time of any length from the calculation of the 14 hours. Illumination Fireworks Partners, LP states 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. The applicants state that 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 the fireworks display.

The applicants assert that without the extra duty period provided by the exemption, safety would decline as firework drivers would be unable to return to their home base following each show should they have fireworks remaining after the 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.

#### IV. Method To Ensure an Equivalent or Greater Level of Safety

To ensure an equivalent level of safety, the applicant offers short distance driving from the distribution point to the site of the fireworks display, no more than 150 miles. Drivers have several hours of off duty in the late afternoon and early evening the day of the event. In addition, drivers drive in the early morning during light traffic. Lastly, the applicant states that they have not been involved in any reportable accidents while operating under terms and conditions of the same exemption granted to the previous owner of the company.

A copy of the application for exemption is available for review in the docket for this notice.

Issued on: October 11, 2019.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2019-23087 Filed 10-22-19; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA-2016-0136]

#### Pipeline Safety: Meeting of the Gas Pipeline Advisory Committee and Liquid Pipeline Advisory Committee

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of advisory committee meeting.

**SUMMARY:** This notice announces a joint public meeting of the Technical Pipeline Safety Standards Committee, also known as the Gas Pipeline Advisory Committee (GPAC), and the Technical Hazardous Liquid Pipeline Safety Standards Committee, also known as the Liquid Pipeline Advisory Committee (LPAC). The GPAC and LPAC will meet jointly to discuss a

variety of policy issues and topics relevant to both gas and liquid pipeline safety.

**DATES:** The GPAC and LPAC will meet jointly on November 14, 2019, from 8:30 a.m. to 5:00 p.m. ET. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, are asked to notify Tewabe Asebe by November 4, 2019.

**ADDRESSES:** The meeting will be held at the Intercontinental Washington DC—The Wharf, 801 Wharf Street SW, Washington, DC 20024. The agenda and any additional information for the meeting will be published on the following meeting page at: <https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=144>. Presentations will be available on the meeting website and posted on the E-Gov website, <https://www.regulations.gov/>, under docket number PHMSA-2016-0136 within 30 days following the meeting.

The meeting will be open to the public. Members of the public will be provided an opportunity to make a statement during the meeting. The proceeding will be recorded and a record of the proceeding will be made available to the public at <https://www.regulations.gov/>.

**Written comments:** Persons who wish to submit written comments on the meeting may submit them to the docket in the following ways:

**E-Gov website:** <https://www.regulations.gov/>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.

**Fax:** 1-202-493-2251.

**Mail:** Docket Management Facility; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590-0001.

**Hand Delivery:** Room W12-140 on the ground level of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except on Federal holidays.

**Instructions:** Identify the docket number PHMSA-2016-0136 at the beginning of your comments. Note that all comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided. Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). Therefore, consider reviewing DOT's complete Privacy Act Statement in the

**Federal Register** published on April 11, 2000, (65 FR 19477), or view the Privacy Notice at <https://www.regulations.gov> before submitting comments.

**Docket:** For docket access or to read background documents or comments, go to <https://www.regulations.gov> at any time or to Room W12-140 on the ground level of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: "Comments on PHMSA-2016-0136." The docket clerk will date stamp the postcard prior to returning it to you via the US mail.

#### Privacy Act Statement

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](https://www.regulations.gov) as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](https://www.dot.gov/privacy).

#### Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 CFR 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) Mark each page of the original document submission containing CBI as "Confidential"; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Tewabe Asebe at DOT, PHMSA, PHP-30, 1200 New Jersey