

civilian commercial learner's permit (CLP);

- Training directed at the driver responsibilities and Government liability;
- Awareness of State, local, host nation, and post traffic regulations and laws;
- Equipment inspection and maintenance;
- Accident reporting procedures;
- Vehicle inspection; preventive maintenance checks and services;
- Crash avoidance;
- Environmental considerations;
- Night driving;
- Response to emergency situations; vehicle malfunctions; and
- Route planning.
- Road Training:
  - Vehicle characteristics;
  - Parking and backing;
  - Operating systems;
  - Basic control tasks;
  - Road conditions;
  - Size and weight;
  - Negotiating traffic;
  - Yielding right of way;
  - Intersections;
  - Turns;
  - Following distance;
  - Negotiating curves;
  - Adverse weather;
  - Skids; and
  - Speed.

To obtain an MOS credential, both for the MOS currently eligible for the Agency's pilot program, and for the additional MOS proposed in this notice, each driver must pass the driver skills test, which includes the following components:

- Forward stop;
- Straight line backing;
- Alley dock parking;
- Eight left and eight right turns;
- A straight section of urban business streets;
- Two through intersections;
- Two railway crossings;
- Two curves, one to the left and one to the right;
- A two-lane rural or semi-rural road;
- Expressway driving, including lane changes and higher speeds; and
- Gear shifting for:
  - Downgrade;
  - upgrade;
  - downgrade for stopping;
  - upgrade for stopping;
  - underpass or low clearance, and
  - one bridge.

The training requirements for the nine new proposed MOS are equivalent to those required for the original seven MOS approved for the pilot program. As such, FMCSA believes that the safety of the pilot program will not be adversely

affected by inclusion of these additional MOS in the program. These additional MOS are being included at the recommendation of the Army and Marine Corps to provide additional service members with the opportunity to transition to commercial driving jobs. These additional MOS were not included previously because FMCSA was not aware that these classifications received heavy-vehicle training and recurrent training equivalent to the training the original MOS receive. By increasing the MOS, FMCSA anticipates there will be an additional 30,000 drivers between the ages of 18 and 21 who are eligible to participate in the Under 21 Military CDL Pilot Program.

#### V. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (the PRA) (44 U.S.C. 3501–3520) prohibits agencies from conducting information collection (IC) activities until they analyze the need for the collection of information and how the collected data would be managed. Agencies must also analyze whether technology could be used to reduce the burden imposed on those providing the data. The Agency must estimate the time burden required to respond to the IC requirements, such as the time required to complete a particular form. The Agency submitted its IC analysis and burden estimate to the Office of Management and Budget (OMB) as a formal information collection request (ICR) for this pilot program and received approval on April 23, 2019. The ICR expires on April 30, 2022, and can be found under OMB Control Number 2126–0068.

#### VI. Removal From the Program

FMCSA reserves the right to remove any motor carrier or driver from the pilot program for reasons including, but not limited to, failing to meet any of the requirements of the program.

#### VII. Request for Public Comments

FMCSA requests comments on the need for, and the advisability of, including the additional MOS listed above in the pilot program. Because the questions asked in the 2016 **Federal Register** notice were addressed in the 2018 notice, we are not seeking responses on those issues.

**James W. Deck,**

*Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2020–0106]

#### Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Nauto, Inc.

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

**ACTION:** Notice of final disposition.

**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant the Nauto, Inc. (Nauto) application for a limited 5-year exemption to allow its multi-sensor device to be mounted lower in the windshield on commercial motor vehicles (CMV) than is currently permitted. The Agency has determined that lower placement of the multi-sensor device would not have an adverse impact on safety and that adherence to the terms and conditions of the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety provided by the regulation.

**DATES:** This exemption is applicable October 9, 2020 and ending October 9, 2025.

**FOR FURTHER INFORMATION CONTACT:** Mr. José R. Cestero, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, MC–PSV, (202) 366–5541, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

*Docket:* For access to the docket to read background documents or comments submitted to notice requesting public comments on the exemption application, 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. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Docket Operations. The online Federal document management system is available 24 hours each day, 365 days each year. The docket number is listed at the beginning of this notice.

#### SUPPLEMENTARY INFORMATION:

##### Background

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 (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)).

#### Nauto's Application for Exemption

Nauto applied for an exemption from 49 CFR 393.60(e)(1) to allow its multi-sensor device to be mounted lower in the windshield than is currently permitted by the Agency's regulations to allow optimal functionality of the multi-sensor device. A copy of the application is included in the docket referenced at the beginning of this notice.

Section 393.60(e)(1)(i) of the FMCSRs prohibits obstruction of the driver's field of view by devices mounted at the top of the windshield. Antennas and similar devices must not be mounted more than 152 mm (6 inches) below the upper edge of the windshield, and must be outside the driver's sight lines to the road and highway signs and signals. However, § 393.60(e)(1)(i) does not apply to vehicle safety technologies, as defined in § 393.5, that include "a fleet-related incident management system, performance or behavior management system, speed management system, forward collision warning or mitigation system, active cruise control system, and transponder." Section 393.60(e)(1)(ii) requires devices with vehicle safety technologies to be mounted (1) not more than 100 mm (4 inches) below the upper edge of the area swept by the windshield wipers, or (2) not more than 175 mm (7 inches) above the lower edge of the area swept by the windshield wipers, and (3) outside the driver's sight lines to the road and highway signs and signals.

In its application, Nauto states that its technology uses a real-time, AI-powered Driver Behavior Learning Platform that utilizes a sophisticated road- and driver-facing, multi-sensor device equipped with interior and exterior image sensors on the windshield that continuously analyze driving activities. Nauto states that the interior image sensors identify and analyze driver actions and objects to detect distracted, drowsy, and risky driving, while the exterior image sensors detect threats such as vehicles ahead. In addition to the visual risks detected through AI on the image sensors, Nauto fuses all sensor data, including vehicle speed, location, and telemetry data, to build a complete, real-time risk assessment and predict risky events in context. Nauto states that its technology helps predict, prevent and reduce distracted/risky driving, alerts drivers in real time, and allows for on-demand coaching of drivers. The technology also allows for the monitoring of fleets and drivers, which assists companies in identifying safety problems that can inform safety programs and policies.

Nauto states that its technology "cannot function properly unless the device is mounted on a windshield at a location that allows the multiple sensors to have sufficient viewing angles to both the driver and exterior environment surrounding the vehicle and to ensure visibility of sensors to the roadway ahead the sensor placement must be within the area swept by the windshield wipers." While the FMCSRs permit vehicle safety technologies to be placed within the swept area of the windshield under specified conditions, Nauto states that in some vehicles, its multi-sensor device must be placed lower than permitted by the regulation. Specifically, Nauto notes that its device is:

. . . typically placed in the top of the center of the vehicle's windshield. When possible, the device is located just below the vehicle's headliner, outside of the driver's field of vision. Sometimes such a placement is not possible, and the device is placed on either side of the mirror, no more than four inches below the upper edge of the area swept by the windshield wipers. But in some vehicles, the device must be placed more than four inches below the upper edge of the area swept by the windshield wipers . . . The device's placement is never within the driver's sight lines to the road and to highway signs and signals, and would not impair a driver's ability to safely operate the vehicle. In the largest vehicles, the device may be placed up to eight inches below the upper edge of the area swept by the wipers, but in no event in a location that could impair a driver's ability to safely operate the vehicle.

Without the proposed exemption, Nauto states that it will not be able to deploy its multi-sensor device in a manner that would provide the range of benefits achievable with the technology because for the device to fully function, placement must be, in some cases, outside of the mounting area allowed by the FMCSRs. The exemption would apply to all CMVs equipped with Nauto's multi-sensor device mounted on the windshield. Nauto believes that mounting the system as described will maintain a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption.

#### Comments

FMCSA published a notice of the application in the **Federal Register** on April 2, 2020, and asked for public comment (85 FR 18632).

The Agency received no comments on the exemption application.

#### FMCSA Decision

FMCSA has evaluated the Nauto exemption application. In certain vehicles, the multi-sensor device must be located up to 8 inches below the top of the area swept by the windshield wipers. The device needs to be mounted in this location to ensure that the multiple sensors have sufficient viewing angles to both the driver and exterior environment surrounding the vehicle, and to ensure the clear visibility of the sensors to the roadway ahead. The Agency believes that granting the exemption to allow placement of the multi-sensor device lower than currently permitted by Agency regulations will likely provide a level of safety that is equivalent to, or greater than, the level of safety achieved without the exemption because (1) based on the technical information available, there is no indication that the multi-sensor device would obstruct drivers' views of the roadway, highway signs and surrounding traffic; (2) generally, trucks and buses have an elevated seating position that greatly improves the forward visual field of the driver, and any impairment of available sight lines would be minimal; and (3) the mounting location 8 inches below the upper edge of the windshield and out of the driver's normal sightline will be reasonable and enforceable at roadside. In addition, the Agency believes that the use of the multi-sensor device by fleets is likely to improve the overall level of safety to the motoring public.

This action is consistent with previous Agency action permitting the placement of similarly-sized devices on

CMVs outside the driver's sight lines to the road and highway signs and signals. FMCSA is not aware of any evidence showing that the installation of other vehicle safety technologies mounted on the interior of the windshield has resulted in any degradation in safety.

### Terms and Conditions for the Exemption

The Agency hereby grants the exemption for a 5-year period, beginning October 9, 2020 and ending October 9, 2025. During the temporary exemption period, motor carriers will be allowed to operate CMVs equipped with Nauto's multi-sensor device in the approximate center of the top of the windshield and such that the bottom edge of the multi-sensor device housing is approximately 8 inches below the upper edge of the area swept by the windshield wipers, outside of the driver's and passenger's normal sight lines to the road ahead, highway signs and signals, and all mirrors. The exemption will be valid for 5 years unless rescinded earlier by FMCSA. The exemption will be rescinded if: (1) Motor carriers and/or commercial motor vehicles 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 it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Interested parties possessing information that would demonstrate that motor carriers operating CMVs equipped with Nauto's multi-sensor device are not achieving the requisite statutory level of safety should immediately notify FMCSA. The Agency will evaluate any such information and, if safety is being compromised or if the continuation of the exemption is not consistent with 49 U.S.C. 31136(e) and 31315(b), will take immediate steps to revoke the exemption.

### Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption. States may, but are not required to,

adopt the same exemption with respect to operations in intrastate commerce.

**James W. Deck,**

*Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2020-0133]

### Notice of Consultation Pursuant to Section 106 of the National Historic Preservation Act; Decommissioning of the Nuclear Ship SAVANNAH

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice and request for comments.

**SUMMARY:** The National Historic Preservation Act (NHPA) requires the Maritime Administration (MARAD) to develop a Programmatic Agreement (PA) to decommission the N.S. SAVANNAH's (NSS) nuclear power plant and subsequent license termination with the Nuclear Regulatory Commission (NRC). MARAD is considering the effect of this undertaking on the NSS as an historic property, and by this notice is seeking public comment.

**DATES:** Comments must be received on or before November 23, 2020. MARAD will consider comments filed after this date to the extent practicable.

**ADDRESSES:** You may submit comments identified by DOT Docket Number MARAD-2020-0133 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2020-0133 and follow the instructions for submitting comments.
- *Email:* [Rulemakings.MARAD@dot.gov](mailto:Rulemakings.MARAD@dot.gov). Include MARAD-2020-0133 in the subject line of the message and provide your comments in the body of the email or as an attachment.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2020-0133, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

*Note:* If you mail or hand-deliver your comments, we recommend that you include your name and a mailing

address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

**Instructions:** All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at [www.regulations.gov](http://www.regulations.gov), including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

**Docket:** For access to the online docket to read background documents or comments received, go to <http://www.regulations.gov> and search "MARAD-2020-0133."

### FOR FURTHER INFORMATION CONTACT:

Erhard W. Koehler, (202) 680-2066 or via email at [marad.history@dot.gov](mailto:marad.history@dot.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours. You may send mail to Department of Transportation, Maritime Administration, Office of Chief Counsel, Division of Legislation and Regulations, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:** Built in 1959, NSS was the world's first nuclear-powered merchant ship and served as a signature element of President Eisenhower's Atoms for Peace program. While in service, NSS demonstrated the peaceful use of atomic power as well as the feasibility of nuclear-powered merchant vessels. The vessel was retired from active service in 1970 and registered as a National Historic Landmark in 1991. NSS is currently part of MARAD's National Defense Reserve Fleet (NDRF) in retention status. Additional information regarding the vessel is available at <https://www.maritime.dot.gov/nssavannah>.

MARAD is decommissioning the NSS's nuclear power plant, a process that will remove the plant systems, equipment, and components for disposal, which will result in termination of MARAD's Nuclear Regulatory Commission (NRC) license and disposition of the vessel. MARAD has determined that this Undertaking will cause an adverse effect to the NSS, and is developing a PA with the Advisory Council on Historic Preservation (ACHP), the Maryland State Historic Preservation Officer