

§ 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 Office of Bus and Truck Standards and Operations, Federal Motor Carrier Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. The telephone number is (202) 366-1790.

§ 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.

Subpart D—Initiation of Pilot Programs

§ 381.400 What is a pilot program?

(a) A pilot program is a study in which temporary regulatory relief from one or more FMCSR is given to a person or class of persons subject to the regulations, or a person or class of persons who intend to engage in an activity that would be subject to the regulations.

(b) During a pilot program, the participants would be given an exemption from one or more sections or parts of

the regulations for a period of up to three years.

(c) A pilot program is intended for use in collecting specific data for evaluating alternatives to the regulations or innovative approaches to safety while ensuring that the safety performance goals of the regulations are satisfied.

(d) The number of participants in the pilot program must be large enough to ensure statistically valid findings.

(e) Pilot programs must include an oversight plan to ensure that participants comply with the terms and conditions of participation, and procedures to protect the health and safety of study participants and the general public.

(f) Exemptions for pilot programs may be granted only from one or more of the requirements contained in the following parts and sections of the FMCSRs:

- (1) Part 382—Controlled Substances and Alcohol Use and Testing;
- (2) Part 383—Commercial Driver's License Standards; Requirements and Penalties;
- (3) Part 391—Qualifications of Drivers;
- (4) Part 392—Driving of Commercial Motor Vehicles;
- (5) Part 393—Parts and Accessories Necessary for Safe Operation;
- (6) Part 395—Hours of Service of Drivers;
- (7) Part 396—Inspection, Repair, and Maintenance (except for §396.25); and
- (8) Part 399—Step, Handhold and Deck Requirements.

§ 381.405 Who determines whether a pilot program should be initiated?

(a) Generally, pilot programs are initiated by the FMCSA when the agency determines that there may be an effective alternative to one or more of the requirements in the FMCSRs, but does not have sufficient research data to support the development of a notice of proposed rulemaking to change the regulation.

(b) You may request the FMCSA to initiate a pilot program. However, the decision of whether to propose a pilot program will be made at the discretion