

## Federal Motor Carrier Safety Administration, DOT

## § 381.110

381.215 What will the FMCSA do after the agency receives my request for a waiver?

381.220 How long will it take the agency to respond to my request for a waiver?

381.225 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 request for a waiver?

### Subpart C—Procedures for Applying for Exemptions

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381.305 How do I determine when I may apply for an exemption?

381.310 How do I apply for an exemption?

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

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

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?

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

### Subpart D—Initiation of Pilot Programs

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381.405 Who determines whether a pilot program should be initiated?

381.410 What may I do if I have an idea or suggestion for a pilot program?

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381.420 What will the FMCSA do after the agency receives my suggestion for a pilot program?

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381.500 What are the general requirements the agency must satisfy in conducting a pilot program?

381.505 What are the minimum elements required for a pilot program?

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### Subpart F—Preemption of State Rules

381.600 Do waivers, exemptions, and pilot programs preempt State laws and regulations?

AUTHORITY: 49 U.S.C. 31136(e) and 31315; and 49 CFR 1.73.

SOURCE: 63 FR 67608, Dec. 8, 1998, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 381 appear at 66 FR 49872, Oct. 1, 2001.

## Subpart A—General

### § 381.100 What is the purpose of this part?

This part prescribes the rules and procedures for requesting waivers and applying for exemptions from those provisions of the Federal Motor Carrier Safety Regulations (FMCSRs) which were issued on the authority of 49 U.S.C. 31136 or chapter 313, and the initiation and administration of pilot programs.

### § 381.105 Who is required to comply with the rules in this part?

(a) You must comply with the rules in this part if you are going to request a waiver or apply for an exemption.

(b) You should follow the instructions in subpart D of this part if you would like to recommend the agency initiate a pilot program.

### § 381.110 What definitions are applicable to this part?

*Commercial motor vehicle* means any motor vehicle that meets the definition of “commercial motor vehicle” found at 49 CFR 382.107 concerning controlled substances and alcohol use and testing, 49 CFR 383.5 concerning commercial driver’s license standards, or 49 CFR 390.5 concerning parts 390 through 399 of the FMCSRs.

*Federal Motor Carrier Safety Administrator (the Administrator)* means the chief executive of the Federal Motor Carrier Safety Administration, an agency within the Department of Transportation.

*FMCSRs* means Federal Motor Carrier Safety Regulations (49 CFR parts 382 and 383, §§ 385.21 and 390.21, parts 391 through 393, 395, 396, and 399).

*You* means an individual or motor carrier or other entity that is, or will be, responsible for the operation of a CMV(s). The term includes a motor carrier’s agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and