

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, AEA-610, 1 Aviation Plaza, Jamaica, New York 11434.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Larry Clark of the Federal Aviation Administration at the following address: 176 Airport Circle, Room 101, Beaver, West Virginia 25813-9350.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Morgantown under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT:

Eleanor Schifflin, Program Manager, PFC, Airports Division, 1 Aviation Plaza, Jamaica, New York, 11434, (718) 553-3354. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Morgantown, Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 29, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Morgantown was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 18, 2002.

The following is a brief overview of the application.

PFC Application No.: 02-06-C-00-MGW.

Level of the proposed PFC: \$4.50.

Proposed charge effective date: June 1, 2004.

Proposed charge expiration date: March 1, 2008.

Total estimated PFC revenue: \$229,493.

Brief description of proposed project(s):

- Design and Construct ARFF/Snow Equipment Facility
- Acquire Snow Removal Equipment
- Design and Construct Taxiway A Extension
- Rotating Beacon
- Safety Area Study Runway 18/36
- Master Plan Study

Class or classes of air carriers which the public agency has requested not be

required to collect PFCs: Nonscheduled/On Demand Air Carriers and Unscheduled Part 121 Charter Operators for Hire to the General Public.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** which is the FAA Regional Airports Office.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Morgantown.

Issued in Jamaica, New York on January 30, 2002.

Eleanor Schifflin,

Program Manager, PFC, AEA-620, Eastern Region.

[FR Doc. 02-4627 Filed 2-26-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of denials.

SUMMARY: The FMCSA is publishing the names of persons denied exemptions from the vision standard in 49 CFR 391.41(b)(10) and the reasons for the denials.

FOR FURTHER INFORMATION CONTACT: For information about the applications addressed in this notice, Ms. Teresa Doggett, Office of Bus and Truck Standards and Operations, MC-PSD, (202) 366-2990; for information about legal issues related to this notice, Mr. Joseph Solomey, Office of the Chief Counsel, (202) 366-1374, FMCSA, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption for a renewable 2-year period if it finds "such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption."

Accordingly, the FMCSA individually evaluated 251 exemption requests on their merits and made a determination that the applicants do not satisfy the criteria established to demonstrate that granting the exemptions is likely to

achieve an equal or greater level of safety that exists without the exemption. Each applicant has, prior to this notice, received a letter of final disposition on his/her individual exemption request. Those decision letters fully outlined the basis for the denial and constitute final agency action. The list published today summarizes the agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reason for denials.

One hundred fourteen applicants lacked sufficient recent driving experience over the past three years. Eighteen applicants had no experience operating a commercial motor vehicle and therefore presented no evidence from which the FMCSA can conclude that granting the exemption is likely to achieve a level of safety equal to that existing without the exemption. Forty-one did not have 3 years of experience driving a commercial motor vehicle on public highways with the vision deficiency. Fourteen did not have 3 years recent experience driving a commercial motor vehicle with the vision deficiency. One applicant did not qualify for the exemption because he met the vision standards at 49 CFR 391.41(b)(10). Thirteen applicants did not qualify because they were charged with moving violation(s) in conjunction with commercial motor vehicle accident(s), which is a disqualifying offense under the exemption criteria. Two applicants had more than two commercial motor vehicle moving violations during a 3-year period and/or application process. Each applicant is only allowed two moving citations. One applicant did not have sufficient peripheral vision in the better eye to qualify for an exemption. Twelve applicants' licenses were suspended during the 3-year period because of a moving violation and, therefore, could not qualify for the exemption. Two applicants could not qualify for the exemption because they were convicted of two serious traffic violations within the 3-year period. An applicant for a vision exemption is only allowed two traffic violations in a 3-year period, of which only one can be a serious violation. Eight applicants did not have verifiable proof of commercial driving experience during a 3-year period under normal highway operating conditions that would serve as an adequate predictor of future safety performance. Fifteen applicants were involved in commercial motor vehicle accidents in which they contributed to the accident. Based on information received from State motor vehicle records, two applicants did not demonstrate the level

of safety required for interstate driving because of excessive moving/non-moving violations during the 3-year period. Three applicants did not hold licenses which allowed operation of a CMV over 10,000 pounds gross vehicle weight rating for all or part of the 3-year period. An applicant did not qualify for the exemption because he was not willing to make the required statement on the application indicating "he is otherwise qualified under 49 CFR 391.41(b)(1-13), without the benefit of any other waiver or exemption." Another applicant did not meet the minimum requirements for consideration for a renewal exemption. According to information submitted

with the application and other records obtained by FMCSA, the applicant drove a CMV in interstate commerce during the 2-year period the exemption was in effect while in violation of other medical qualification requirements. Three applicants were placed in the "other" category for having multiple reasons for denial. One applicant in this category had only two years of CMV experience and his license was suspended during the 3-year period. Another applicant in this category met the Federal vision requirements but only drove 16-18 hours per week. The third applicant was involved in an accident during the 3-year period where he contributed to the accident and was

also involved in a CMV accident during the 3-year period where he was cited in the accident.

Summary of Causes for Not Granting Exemptions

The FMCSA has denied the following petitions for exemption from the vision standard in 49 CFR 391.41(b)(10). All applicants were previously notified of their denials by individual letters. The purpose of publishing these denials is simply to comply with 49 U.S.C. 31315(b)(4)(C), by periodically publishing in the **Federal Register** the names of persons denied exemptions and the reasons for such denials.

REASON—DOES NOT HAVE SUFFICIENT DRIVING EXPERIENCE OVER THE PAST THREE YEARS UNDER NORMAL HIGHWAY OPERATING CONDITIONS THAT WOULD SERVE AS AN ADEQUATE PREDICTOR OF FUTURE SAFE PERFORMANCE

Last name	First name	Last name	First name
Adler,	Dennis	Beroney,	Raymond
Alberry,	David	Betit,	Thomass
Andrews,	John	Biondo,	Michael
Arthur,	Edwin	Brazil,	Bobby
Bacon,	Norman	Butts,	Edwin
Badger,	Donald	Cassatt,	Daryl
Badrick,	Richard	Chapman,	Franklin
Bailey,	Marcus	Clark,	Karen
Baptiste, Jr.	Barney	Cliffe,	Terry
Barrett,	William	Cline,	Lonnie
Bell, Jr.	Roy	Collins,	Warren
Confreda,	John	Hanson,	Ronald
Davidson,	Ronnie	Harrington,	Michael
Davis,	Geraldine	Harris,	Edward
Denson,	Sidney	Hatton,	Richard
Doolittle,	William	Hayberd,	John
Downie,	Neville	Henry,	Thomas
DuRussell,	Donald	Hernandez,	Guadalupe
Dykstra,	Stephen	Higgs,	Gail
Falkner,	Gary	Hildebrand,	Todd
Farmer,	Allan	Houglan,	Randall
Fiamma,	John	Huffman,	Willard
Flannery,	William	Jelks,	Gloria
Fleming,	Martin	Johnson,	Jimmy
Forslin,	Steven	Kervin,	Christopher
Gonzalez,	Valentin	Knecht,	Herbert
Gove,	Laurel	Kocher,	Stan
Gowan, III	Walter	Long, Jr.	Mearlin
Green,	Frederick	Lovett,	Gordon
Griggs,	Larry	Marshall,	Chester
Hall,	Johnnie	Mather,	Michael
Hamilton,	Daniel	Mazyck,	Jason
Hamm,	John	McCabe,	William
McIntosh,	Judith	Robinson,	Daniel
McIntyre,	Larry	Robison,	Leroy
Medley,	Donald	Rogers,	Larry
Michael,	Anthony	Schnase,	Gerald
Morris,	Gary	Schneider,	Michael
Morris,	Charles	Simon,	Arlynn
Murayama,	Robin	Simpson,	Wayne
Murray,	Stephen	Smith,	Donald
Navish,	Charles	St. John,	Gary
Neal, Sr.	Charles	Sutter,	Jarid
Noonan,	Robert	Tate,	Brian
Oddy,	Kevin	Thaxton, Jr.	Ronald
Ott,	William	Thomason,	Douglas
Parks,	Fred	Trosclair,	Kory
Patterson,	James	Valente,	John
Phelps,	Eugene	Vance,	Jack
Prezzia,	Ronald	Vorse,	Charles

REASON—DOES NOT HAVE SUFFICIENT DRIVING EXPERIENCE OVER THE PAST THREE YEARS UNDER NORMAL HIGHWAY OPERATING CONDITIONS THAT WOULD SERVE AS AN ADEQUATE PREDICTOR OF FUTURE SAFE PERFORMANCE—Continued

Last name	First name	Last name	First name
Proudfit,	Terry	Wendt,	Gerald
Raulston,	Stephen	White,	Walter
Ream,	Harley	White,	Arthur
Reimer,	Phillip	Wilkerson,	Noel
Reno,	Thomas	Wilkerson, Jr.	William
Wilson,	Kent.		
Windnagel,	Jeff.		
Workman,	Ronald.		
Wyatt, Jr.	Paul.		

REASON—HAS NO EXPERIENCE OPERATING A COMMERCIAL MOTOR VEHICLE AND THEREFORE PRESENTED NO EVIDENCE FROM WHICH THE FMCSA CAN CONCLUDE THAT GRANTING THE EXEMPTION IS LIKELY TO ACHIEVE A LEVEL OF SAFETY EQUAL TO THAT EXISTING WITHOUT THE EXEMPTION

Last name	First name	Last name	First name
Aleem,	Alphonso	Kirby,	Christopher
Baldit,	Jose	LaCour,	Robert
Benton,	Damon	McFadden,	Wilbert
Burns,	James	Nastro,	Antonino
Ezell,	Carlos	Rodrigues,	Oswaldo
Fisher,	David	Shirk,	Rhonda
Fotheringham,	John	Veloz,	Nelson
Gomez,	Juan	Young,	Kevin
Harper,	Steven.		

REASON—DOES NOT HAVE 3 YEARS OF EXPERIENCE DRIVING A COMMERCIAL MOTOR VEHICLE WITH VISION DEFICIENCY ON PUBLIC HIGHWAYS

Last name	First name	Last name	First name
Barraco,	Matthew	Johnson,	Eugene
Browning,	James	Johnston,	Mickey
Buckman, Jr	Jay	Jones,	Benjamin
Clark,	William	Kirouac,	Donald
Dean,	John	Leonard,	Larry
Denton, Jr	James	Luckey,	William
Edwards,	Dewain	MacPherson,	Scott
Ensor,	Walter	McDermott,	Eric
Farmer, Sr.	Charles	McKenzie,	Benjamin
Ferking,	Timothy	Meador,	Michael
Gasper,	Shawn	Mullins,	Michael
Hall,	Robert	Simmons,	James
Hoffarth,	Michael	Sims,	LeTroy
Holley,	Tony	Smith,	Rex
Hurst,	Edward	Smith,	Eric
Jacobs,	Vincent	Thomas,	Steven
Johnson,	Daryl	Turner,	Ronald
Valles,	Humberto	Waner,	Eugene
Varga,	Joseph	Weber, Jr.	George
Vines,	Phillip	Weekly,	Wesley
Vollink,	Tunis		

REASON—DOES NOT HAVE 3 YEARS OF EXPERIENCE DRIVING A COMMERCIAL MOTOR VEHICLE WITH VISION DEFICIENCY

Last name	First name	Last name	First name
Boersma,	John	Jones,	Earnest
Burnworth,	Keith	Kempke,	Clarence
Demaree,	Robin	Milbourn,	Peggy
Gallion,	Pamela	Riordan, II	Donald
Goode,	Larry	Ryals,	Robert
Jackson, Sr.	Joseph	Walker,	Norman
Johnson,	Howard	Yezerksi,	Thomas

REASON—MEETS THE VISION REQUIREMENTS OF 49 CFR 391.41(b)(10). DOES NOT NEED A VISION EXEMPTION

Last name	First name	Last name	First name
Pearl,	Steven	

REASON—CHARGED WITH MOVING VIOLATIONS(S) IN CONJUNCTION WITH COMMERCIAL MOTOR VEHICLE ACCIDENT(S).
DISQUALIFYING OFFENSE

Last name	First name	Last name	First name
Allen,	Ronald	Cooper,	William
Briones, Jr.	Robert	Galloway,	Jerry
Cooper,	William	Sequera,	Anthony
Galloway,	Jerry	White,	Ronald
Luce,	Robert	Williams,	James
Miller,	Stuart	Moose,	Harry

REASON—HAD MORE THAN 2 COMMERCIAL MOTOR VEHICLE VIOLATIONS DURING 3-YEAR PERIOD AND/OR APPLICATION PROCESS. EACH APPLICANT IS ONLY ALLOWED 2 MOVING CITATIONS

Last name	First name	Last name	First name
Brannon,	Robert	Pearson, Jr.	Jesse

REASON—DOES NOT HAVE SUFFICIENT PERIPHERAL VISION IN THE BETTER EYE TO QUALIFY FOR AN EXEMPTION

Last name	First name	Last name	First name
Williams,	Sandy	

REASON—COMMERCIAL DRIVER'S LICENSE WAS SUSPENDED DURING 3-YEAR PERIOD IN RELATION TO A MOVING VIOLATION. APPLICANTS DO NOT QUALIFY FOR AN EXEMPTION WITH A SUSPENSION DURING A 3-YEAR PERIOD

Last name	First name	Last name	First name
Abbott,	Harold	Kulibert,	James
Dolbear,	Cecil	Logan,	Leonard
Eagling,	Donald	Relien,	Steven
Gard,	Kevin	Right,	Willie
Griffin,	Clarence	Shell,	Juan
Hogan,	Earl	Howe,	Marvin

REASON—HAD TWO SERIOUS COMMERCIAL MOTOR VEHICLE VIOLATIONS WITHIN THE 3-YEAR PERIOD. EACH APPLICANT IS ONLY ALLOWED A TOTAL OF TWO MOVING CITATIONS, OF WHICH ONLY ONE CAN BE SERIOUS

Last name	First name	Last name	First name
Persun,	Bryon	Walden,	Billy

REASON—DOES NOT HAVE VERIFIABLE PROOF OF COMMERCIAL DRIVING EXPERIENCE OVER THE PAST 3 YEARS UNDER NORMAL HIGHWAY OPERATING CONDITIONS THAT WOULD SERVE AS AN ADEQUATE PREDICTOR OF FUTURE SAFE PERFORMANCE

Last name	First name	Last name	First name
Barber,	Jimmy	Harding, Jr.	Glenn
Bennett,	Aaron	High,	Frank
Cole,	Kevin	Lamontagne,	Kenneth
Fryar,	Sheldon	McJunkin,	Walter

REASON—CONTRIBUTED TO ACCIDENT(S) IN WHICH APPLICANT WAS OPERATING A COMMERCIAL MOTOR VEHICLE. DISQUALIFYING OFFENSE

Last name	First name	Last name	First name
Campbell,	Paul	Schnautz,	Paul
Craddock,	Don	Shipley,	John

REASON—CONTRIBUTED TO ACCIDENT(S) IN WHICH APPLICANT WAS OPERATING A COMMERCIAL MOTOR VEHICLE.
DISQUALIFYING OFFENSE—Continued

Last name	First name	Last name	First name
Doeing,	Gerald	Smith,	Henry
Hurley,	Robert	Sucharda,	Todd
Mangen,	Phillip	Triguero,	Rick
Manuel,	Allen	Williams,	Samuel
Matthews, Jr.	Ronald	Wood,	Bernard
Reveal,	Gary.		

REASON—BASED ON INFORMATION RECEIVED ON STATE-ISSUED DRIVING REPORT, APPLICANT DID NOT DEMONSTRATE THE LEVEL OF SAFETY REQUIRED FOR INTERSTATE DRIVING (EXCESSIVE MOVING/NONMOVING VIOLATIONS DURING 3-YEAR PERIOD)

Last name	First name	Last name	First name
Davison,	Gregory	Houston,	Jon

REASON—DID NOT HOLD A LICENSE WHICH ALLOWED OPERATION OF VEHICLES OVER 10,000 POUNDS GROSS VEHICLE WEIGHT RATING FOR ALL OR PART OF 3-YEAR PERIOD

Last name	First name	Last name	First name
Slinker,	Elston	Turek,	Timothy
Sumner,	Brian.		

REASON—APPLICANT NOT WILLING TO MAKE REQUIRED STATEMENT INDICATING THEY ARE OTHERWISE QUALIFIED UNDER 49 CFR 391.41(B)(1)–(B)(13) WITHOUT THE BENEFIT OF ANY OTHER WAIVER OR EXEMPTION

Last name	First name	Last name	First name
Laderoute, Jr.	Fred.		

REASON—DOES NOT MEET THE MINIMUM REQUIREMENTS FOR CONSIDERATION FOR A RENEWAL EXEMPTION

Last name	First name	Last name	First name
Watt,	Ronald.		

REASON—OTHER (MULTIPLE REASONS FOR DENIAL)

Last name	First name	Reasons for denial
Byerly,	Dennis	(1) only has two years of CMV experience and (2) his license was suspended during the 3-year period
Harbin,	Duane	(1) currently meets Federal vision requirements and (2) only drives 16–18 hours per week.
Lathrop,	Jeffery	(1) involved in an accident during the 3-year period where he contributed to accident and (2) involved in CMV accident during 3-year period where he was cited in the accident.

Authority: 49 U.S.C. 322,31315, and 31136; 49 CFR 1.73.

Issued on: January 29, 2002.

Brian M. McLaughlin,
Associate Administrator, Policy and Program Development.

[FR Doc. 02–4637 Filed 2–26–02; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD–2002–11661]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of

the Coastwise Trade Laws for the vessel LADY SADIE.

SUMMARY: As authorized by Pub. L. 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the