

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Sacramento International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158). On February 28, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Sacramento County Department of Airports was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than May 30, 2002.

The following is a brief overview of the impose and use application No. 02-07-C-00-SMF:

Level of proposed PFC: \$4.50.

Proposed charge effective date: February 2, 2010.

Proposed charge expiration date: June 1, 2010.

Total estimated PFC revenue: \$11,141,350.

Brief description of the proposed projects: International Arrivals. Facility, CCTV Camera and VCR Replacement, Card Access System Replacement, Taxiway A Rehabilitation, Aircraft Rescue and Firefighting Vehicle (568) Replacement, Runway 16R-34L and Exit Taxiway Rehabilitation, Terminal A Apron-Phase 2, Aircraft Rescue and Firefighting Building Remodel, and United Airlines Air Cargo Building Pavement Reconstruction.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Sacramento County Department of Airports.

Issued in Hawthorne, California, on February 28, 2002.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 02-7965 Filed 4-1-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2002ACE-01-CS]

Security Enhancement Issues for Smaller, Non-Transport Category Airplanes

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Request for comments.

SUMMARY: The purpose of this Request for comments is to obtain public input to the Aviation and Transportation Security Act (ATSA), Public Law 107-71. Paragraph 104(c), which addresses securing the flight deck of Commuter Aircraft. We recognize Commuter Aircraft as small non-transport category airplanes. This portion of the ATSA applies to all scheduled passenger aircraft operating in air transportation or intrastate air transportation. The Law does not single out types of airplanes, but rather how the airplanes are operated. Therefore, the FAA, considers all non-transport category airplanes in scheduled operations in accordance with 14 CFR Parts 119, 121, 135, and 129 affected by the ATSA. A preliminary study indicated that small airplanes approved to operate with ten to nineteen passengers that operate in scheduled operations should be further examined for potential ways to improve flight deck security. The same preliminary study of airplanes with nine or less passenger seats that operate in scheduled operations should also be examined for potential ways to improve general security.

DATES: Comments must be received on or before May 25, 2002.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2002ACE-01-CS, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also send comments electronically to the following address: 9-ACE-7-Docket@faa.gov. Comments sent electronically must contain "Docket No. 2002ACE-01-CS" in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII text.

FOR FURTHER INFORMATION CONTACT: Gunnar Berg, Project Support ACE-112, 901 Locust, Room 301, Kansas City, MO 64106, telephone (816) 329-4112.

SUPPLEMENTARY INFORMATION:

Comments Invited

For Those Airplanes Carrying 10 to 19 Passengers

One solution that the FAA is considering is requiring airplanes type certificated in accordance with 14 CFR part 23, Civil Air Regulations Part 3, Special Federal Aviation Regulations (SFAR) 23, or SFAR 41, and operated in accordance with parts 135, 119, 121, and 129 that carry ten to nineteen passengers in scheduled service to be modified by installation of a rigid fixed door with a lock between the flight deck area and the passenger area. We are requesting public input from manufacturers, owners, operators and other interested public entities before any official FAA action in this regard is taken. Specifically the FAA is interested in public comment on the following issues:

a. The feasibility and practicality of installing a rigid door and lock in these airplanes.

2. What advantages and disadvantages to having a door with a lock on airplanes that carry ten to nineteen passengers and what operating burdens would be felt.

3. Any other methods or means of securing the flight deck of these airplanes.

4. Any ideas regarding other means of improving the security of these airplanes in a general sense, not just isolation of the flight deck from the passengers.

For those small airplanes approved for nine or less passengers, that operate in scheduled operations

The initial review recently completed by the FAA indicates that those airplanes that operate in scheduled operations that were type certificated for nine or fewer passengers, should not be subjected to any measures to isolate the flight deck from the passenger areas. The FAA is, however, still interested in improving the security of these airplanes. We are requesting public input from manufactures, owners, operators, and other interested public entities before any official FAA action in this regard is taken. Specifically the FAA is interested in public comments on the following issues:

1. Justification for not installing a rigid door and lock in these airplanes based on feasibility and practicality.

2. Any other methods or means, of securing the flight deck of these airplanes.

3. Any means that could be employed that would improve the general security of these airplanes.

Issued in Kansas City, Missouri, on March 25, 2002.

James E. Jackson,

*Acting Manager, Small Airplane Directorate,
Aircraft Certification Service.*

[FR Doc. 02-7962 Filed 4-1-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[FHWA Docket No. FHWA-2001-9706]

Outdoor Advertising Control

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of amended Federal/State agreement.

SUMMARY: The Federal Highway Administration agrees with the Oregon Department of Transportation (ODOT) that the Highway Beautification Federal/State Agreement, dated August 26, 1974, between the United States of America and the State of Oregon should be amended to allow tri-vision signs, adjacent to routes controlled under the Highway Beautification Act. This change will be consistent with State law. A copy of the amended agreement will be mailed to the State of Oregon for execution.

FOR FURTHER INFORMATION CONTACT: Mr. John Burney, Office of Real Estate Services, HRE-20, (202) 366-5853; or Mr. Robert Black, Office of Chief Counsel, HCC-31, (202) 366-1359, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

Internet users may access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the web site.

An electronic copy of this document may be downloaded, using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's web page at: <http://www.access.gpo.gov/nara>.

Background

The Highway Beautification Act of 1965, Public Law 89-285, 79 Stat. 1028, Oct. 22, 1965, as amended (HBA), partially codified at 23 U.S.C. 131, requires the States to provide effective control of outdoor advertising in the areas adjacent to the Interstate System, the Federal-aid primary system in existence on June 1, 1991, and the National Highway System.¹ States must provide effective control of outdoor advertising as a condition of receiving their full apportionment of Federal-aid highway funds.

Outdoor advertising may be allowed by a State in zoned or unzoned commercial or industrial areas. Signs in such areas must conform to the requirements of an agreement between the State and the Federal Government, through the FHWA, which establishes size, lighting and spacing criteria consistent with customary use. The agreement between Oregon and the FHWA was executed on August 26, 1974. The 1974 Agreement includes the provision that "No sign shall contain, include or be illuminated by any flashing intermittent, revolving, rotating or moving light or lights or moves or has any animated or moving parts."²

On July 28, 1999, the 70th Oregon Legislative Assembly passed Senate Bill 855, which made an exception in Oregon's outdoor advertising control law to allow tri-vision signs (1999 Or. Rev. Stat. Vol. 9, amending title 31, ORS, chap. 377. See Or. Rev. Stat., title 31, sections 377.710 and 377.720(d)). Tri-vision signs are composed of a series of three-sided rotating slats arranged side by side, either horizontally or vertically, that are rotated by an electromechanical process, capable of displaying a total of three separate and distinct messages, one message at a time. Prior to this change, outdoor advertising signs subject to Oregon's law could not have moving parts. This change created an exception for the tri-vision sign.

In July 1996, the FHWA issued a policy memorandum³ indicating that the FHWA will concur with a State that can reasonably interpret its State/

¹ The National Highway System, described in 23 U.S.C. 103(b), consists of the Interstate Highway System and other urban and rural principal arterial routes.

² The agreement between the State of Oregon and the FHWA is available on-line through the Document Management System (DMS) at the following URL: <http://dms.dot.gov> under FHWA Docket No. FHWA-2001-9706.

³ The 1996 FHWA policy memorandum is available on-line through the Document Management System (DMS) at the following URL: <http://dms.dot.gov> under the FHWA Docket No. FHWA-2001-9706.

Federal agreement to allow changeable message signs if such interpretation is consistent with State law. The interpretation is limited to conforming signs, which are signs permitted under 23 U.S.C. 131(d). Applying updated technology to nonconforming signs would be considered a substantial change and inconsistent with 23 CFR 750.707(d)(5). Many States allow tri-vision signs. The frequency of message change and limitation in spacing for these signs is determined by each State.

In April 1980 the FHWA adopted a procedure to be followed if a State requested a change in the Federal/State agreement. In accordance with this procedure, the State of Oregon first submitted its proposed change, along with the reasons for the change and the effects of the change, to the FHWA Division Office in Oregon. The Oregon Department of Transportation (ODOT) held a public hearing on November 8, 2000, regarding its proposal to amend the Federal/State agreement. The hearing generated fifteen comments.⁴

Discussion Of Comments

The proposed amended agreement was published in the **Federal Register** on August 17, 2001, at 66 FR 43291. We received one comment to the docket. The Oregon Roadside Council, a statewide organization dedicated to preserving Oregon's scenic beauty, objected to the change. It maintained that the tri-vision signs would divert a driver's attention and would detract from safety, especially in areas of increased traffic congestion.

The FHWA is certainly concerned with the safety of the motoring public, and one of the bases of the HBA is "to promote the safety * * * of public travel." 23 U.S.C. 131(a). Tri-vision signs do not appear to compromise the safety of the motoring public. Under Oregon law, each of the three faces in the tri-vision sign will be displayed for at least eight seconds. The next face must rotate into position within four seconds. A majority of the States allow tri-vision signs, with the time periods for displaying and rotating the sign faces being similar to Oregon's statutory time periods. There have been no reports of increases in traffic accidents in those States, due to tri-vision signs being installed adjacent to highways.

The Oregon law requires each tri-vision sign to have three permits. Oregon has "frozen" the statewide number of permits for off-premise

⁴ The fifteen written submissions are available on line through the Document Management System (DMS) at <http://dms.dot.gov/> under FHWA Docket No. FHWA-2001-9706.