

be undertaken, in addition to language skills where applicable.

3. *Institutional Record/Ability:* Proposals should demonstrate an institutional record of successful development or exchange programs, including responsible fiscal management and full compliance with all reporting requirements for past Bureau grants as determined by Bureau Grant Staff. The Bureau will consider the past performance of prior recipients and the demonstrated potential of new applicants. Many successful applicants will have a multiyear track record of successful work in the selected country or within the region.

4. *Multiplier effect/impact:* Proposed programs should strengthen long-term mutual understanding, including maximum sharing of information and establishment of long-term institutional and individual linkages.

5. *Support of Diversity:* Proposals should demonstrate substantive support of the Bureau's policy on diversity. Achievable and relevant features should be cited in both program administration (selection of participants, program venue and program evaluation) and program content (orientation and wrap-up sessions, program meetings, resource materials and follow-up activities).

6. *Follow-on Activities:* Proposals should identify other types of exchanges or linkages that might be undertaken after completion of the Bureau supported activity.

7. *Monitoring and Project Evaluation Plan:* Proposals should provide a detailed plan for monitoring and evaluating the program. The evaluation plan should identify anticipated outcomes and performance requirements clearly related to program objectives and activities and include procedures for ongoing monitoring and corrective action when necessary. The identification of best practices relating to project administration is also encouraged, as is the discussion of unforeseen difficulties.

8. *Cost-effectiveness/Cost-sharing:* The overhead and administrative components of the proposal, including salaries and honoraria, should be kept as low as possible. All other items should be necessary and appropriate. Proposals must provide 50% cost sharing (of the amount of grant funds requested from ECA) through other private sector support as well as institutional direct funding contributions.

#### Authority

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act

of 1961, Public Law 87-256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries\* \* \*; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations\* \* \* and thus to assist in the development of friendly, sympathetic and peaceful relations between the United States and the other countries of the world."

#### Notice

The terms and conditions published in this RFGP are binding and may not be modified by any Bureau representative. Explanatory information provided by the Bureau that contradicts published language will not be binding. Issuance of the RFGP does not constitute an award commitment on the part of the Government. The Bureau reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program and the availability of funds. Awards made will be subject to periodic reporting and evaluation requirements.

#### Notification

Final awards cannot be made until funds have been appropriated by Congress, allocated and committed through internal Bureau procedures.

Dated: July 2, 2002.

**Patricia S. Harrison,**

*Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. 02-17454 Filed 7-10-02; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2002-12294]

#### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of applications for exemption from the vision standard; request for comments.

**SUMMARY:** This notice announces the FMCSA's receipt of applications from 30 individuals for an exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If

granted, the exemptions will enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the vision standard prescribed in 49 CFR 391.41(b)(10).

**DATES:** Comments must be received on or before August 12, 2002.

**ADDRESSES:** You can mail or deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. You can also submit comments and see the submissions of other commenters at <http://dms.dot.gov>. Please include the docket number that appears in the heading of this document. You can examine and copy this document and all comments received at the same Internet address or at the Dockets Management Facility from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you want to know that we received your comments, please include a self-addressed, stamped postcard or include a copy of the acknowledgement page that appears after you submit comments electronically.

**FOR FURTHER INFORMATION CONTACT:** For information about the vision exemptions in this notice, Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366-2987, FMCSA, Department of Transportation, 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:

##### Electronic Access and Filing

You may see all the comments online through the Document Management System (DMS) at: <http://dmses.dot.gov/submit>.

##### Background

Thirty individuals have requested an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Under 49 U.S.C. 31315 and 31136(e), the FMCSA may grant an exemption for a 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." The statute also allows the agency to renew exemptions at the end of the 2-year period. Accordingly, the agency will evaluate the qualifications of each applicant to determine whether granting the exemptions will achieve the required level of safety.

## Qualifications of Applicants

### 1. Danny Adams

Mr. Adams, age 44, has finger-counting vision in his right eye due to childhood trauma. The best-corrected visual acuity in his left eye is 20/20. An optometrist examined him in 2001 and certified, "This patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Adams reported that he has driven straight trucks for 27 years, accumulating 157,000 miles. He holds a Class A commercial driver's license (CDL) from South Carolina, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 2. Michael D. Armstrong

Mr. Armstrong, 52, has amblyopia in his right eye. His best-corrected vision is 20/50 in the right eye and 20/20 in the left. Following an examination in 2001, his optometrist certified, "It is my opinion that his vision is sufficient to operate a commercial vehicle." Mr. Armstrong reported that he has driven tractor-trailer combinations for 9 years, accumulating 900,000 miles. He holds a Class A CDL from Florida, and his driving record shows no accidents or convictions for traffic violations in a CMV for the last 3 years.

### 3. Thomas E. Barnhart

Mr. Barnhart, 53, has amblyopia in his left eye. His best-corrected visual acuity is 20/20 in the right eye and 20/400 in the left. His optometrist examined him in 2001 and certified, "In my medical opinion Thomas Barnhart has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Barnhart submitted that he has driven straight trucks for 10 years, accumulating 400,000 miles. He holds a Chauffeur's License from Indiana, and there are no CMV accidents or convictions for moving violations on his driving record for the last 3 years.

### 4. William J. Bell

Mr. Bell, 33, underwent cataract surgery on his right eye in childhood. The best-corrected visual acuity of his right eye is 20/200 and of his left eye 20/25. His ophthalmologist examined him in 2002 and stated, "In summary, based on my understanding of his continuously satisfactory driving record, repeated visual field examinations indicating a horizontal field of at least 150 degrees, and his recorded binocular visual acuity of 20/25, I believe that he has 'sufficient vision to perform the driving tasks required to operate a commercial vehicle.'" Mr. Bell reported

that he has driven straight trucks for 3 years, accumulating 27,000 miles. He holds a Class C Maryland driver's license, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 5. Frank R. Berritto

Mr. Berritto, 62, has amblyopia in his right eye. His best-corrected visual acuity is 20/200 in the right eye and 20/20 in the left. Following an examination in 2002, his ophthalmologist certified, "Mr. Berritto's condition is stable, and in my medical opinion, he has sufficient vision necessary for driving his commercial vehicle." Mr. Berritto submitted that he has driven buses for 3 years, accumulating 42,000 miles. He holds a Class C CDL from New York, and his driving record shows he has had no accidents or convictions for moving violations in a CMV in the last 3 years.

### 6. Robert B. Brewer, Jr.

Mr. Brewer, 63, has a dislocated lens in his right eye due to trauma in 1982. His best-corrected visual acuity is 20/60 in the right eye and 20/20 in the left. An ophthalmologist examined him in 2001 and stated, "In my medical opinion, Mr. Brewer has sufficient vision to perform the driving tasks required to operate a commercial vehicle." According to Mr. Brewer's application, he has driven straight trucks for 10 years, accumulating 125,000 miles, and tractor-trailer combinations for 10 years, accumulating 862,500 miles. He holds a Class A CDL from Montana, and, according to his driving record, he has had no accidents or convictions for moving violations in a CMV in the last 3 years.

### 7. Jack D. Clodfelter

Mr. Clodfelter, 66, experienced an ischemic attack in his right eye in 1998. His aided visual acuity in the right eye is 20/80 and in the left 20/20. An optometrist examined him in 2001 and certified, "It is my opinion that Mr. Clodfelter has sufficient vision to perform the driving tasks required while operating a commercial vehicle." In his application, Mr. Clodfelter stated he has 21 years and 2.6 million miles of experience in operating tractor-trailer combinations. He holds a North Carolina Class A driver's license currently, but at the time of his application he held a Class A CDL, now expired. There are no accidents or convictions for moving violations in a CMV on his record for the last 3 years.

### 8. James W. Collins

Mr. Collins, 38, has amblyopia in his right eye. His best-corrected vision in the right eye is 20/100 and in the left, 20/20. An ophthalmologist examined him in 2002 and certified, "In my opinion, Mr. Collins' vision is sufficient to perform the driving tasks required to operate a commercial vehicle." Mr. Collins submitted that he has driven straight trucks for 5 years, accumulating 41,000 miles. He holds a Class B CDL from Illinois, and there are no accidents or convictions for moving violations in a CMV on his driving record for the last 3 years.

### 9. Douglas W. Cotney

Mr. Cotney, 55, had a choroidal rupture in his right eye due to trauma in 1972. His visual acuity is 20/400 in the right eye and 20/20 in the left. Following an examination in 2002, his optometrist stated, "It is my medical opinion that Mr. Cotney has sufficient vision to perform the driving tasks required to operate a commercial vehicle just as he has done for the past 30 years." Mr. Cotney reported that he has 35 years and 472,000 miles of experience in driving straight trucks. He holds a Class DMV driver's license from Alabama, and there are no accidents or convictions for moving violations in a CMV on his driving record for the last 3 years.

### 10. Tommy J. Cross, Jr.

Mr. Cross, 21, has an aphakic right eye due to congenital cataract extraction in childhood. His best-corrected visual acuity is counting fingers in the right eye and 20/20 in the left. An optometrist who examined him in 2001 certified, "In my professional medical opinion, Mr. Tommy J. Cross, Jr. has sufficient vision to safely perform the driving tasks necessary to operate a commercial vehicle." Mr. Cross reported that he has driven straight trucks for 3 years, accumulating 85,000 miles, and tractor-trailer combination vehicles for 2 years, accumulating 125,000 miles. He holds a Class A CDL from Tennessee. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

### 11. Daniel K. Davis III

Mr. Davis, 43, has an aphakic left eye due to trauma in 1980. His best-corrected vision is 20/20 in the right eye and 20/800 in the left. An optometrist who examined him in 2002 noted that Mr. Davis would be applying for a CDL and certified, "In my medical opinion, Mr. Davis has sufficient vision to perform the driving tasks required." Mr. Davis reported that he has operated

straight trucks for 20 years, accumulating 400,000 miles. He holds a Class DM driver's license from Massachusetts. His driving record for the last 3 years shows he has had no accidents and one conviction for a moving violation—Speeding—in a CMV. He exceeded the speed limit by 14 mph.

*12. Eric D. Davis*

Mr. Davis, 41, lost his right eye due to trauma at age 12. His visual acuity is 20/15 in the left eye. An ophthalmologist examined him in 2001 and certified, "Eric has sufficient vision to be able to drive a commercial truck." Mr. Davis stated that he has driven straight trucks for 22 years, accumulating 462,000 miles, and tractor-trailer combinations for 4 years, accumulating 300,000 miles. He holds an Ohio Class A CDL, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

*13. Gary R. Evans*

Mr. Evans' left eye was removed during childhood secondary to complications of a congenital cataract. His best-corrected visual acuity is 20/40 in the right eye. His ophthalmologist examined him in 2002 and certified, "In my opinion, he does have sufficient vision to perform driving tasks associated with operating a commercial vehicle." In his application, Mr. Evans, age 47, reported that he has driven straight trucks for 18 years, accumulating 369,000 miles. He holds a Connecticut Class 2 driver's license, and there are no accidents or convictions for moving violations in a CMV on his driving record for the last 3 years.

*14. Shelton L. Harvey*

Mr. Harvey, 57, has had a macular hole in his left eye due to trauma since 1988. His best-corrected visual acuity is 20/20 in the right eye and 20/150 in the left. Following an examination in 2002, his optometrist certified, "In my medical opinion Mr. Harvey has sufficient vision to perform the driving tasks required to operate a commercial vehicle." According to his application, Mr. Harvey has operated tractor-trailer combinations for 9 years, accumulating 540,000 miles. He holds a Georgia Class C driver's license currently, but at the time of his application he held a Class A CDL, now expired. His driving record for the last 3 years shows that he had no accidents and one conviction for a moving violation—Speeding—in a CMV. He exceeded the speed limit by 17 mph.

*15. Gary T. Hicks*

Mr. Hicks, 42, has amblyopia in his right eye. His best-corrected visual acuity is 20/50 in the right eye and 20/20 in the left. Following an examination in 2002, his ophthalmologist commented, "Mr. Hicks has stable amblyopia in the right eye. He also has full visual fields in each eye. It is my opinion that he will be able to continue his occupation as a commercial vehicle operator." Mr. Hicks submitted that he has driven straight trucks for 25 years, accumulating 875,000 miles, tractor-trailer combinations for 10 years, accumulating 10,000 miles, and buses for 1 year, accumulating 2,000 miles. He holds a Class A CDL from North Carolina, and his driving record shows he has had no accidents or convictions for moving violations in a CMV during the last 3 years.

*16. Walter R. Morris*

Mr. Morris, 58, has been aphakic in the left eye since age 8 due to trauma. His best-corrected vision is 20/15 in the right eye and counting fingers in the left. An ophthalmologist examined him in 2001 and stated, "He has sufficient vision to drive a commercial vehicle without prescription eyeglasses." Mr. Morris, who holds a Class A CDL from New Jersey, reported that he has been driving tractor-trailer combination vehicles for 40 years, accumulating 2.6 million miles. His driving record shows he has had no accidents or convictions for traffic violations in a CMV during the last 3 years.

*17. Barbara C. Pennington*

Ms. Pennington, 38, has been blind in the right eye since 1991 due to an accident. She has best-corrected visual acuity of 20/30 in the left eye. Following an examination in 2001, her ophthalmologist stated, "Patient has good vision in left eye to operate a commercial vehicle." Ms. Pennington submitted that she has driven tractor-trailer combinations for 8 years, accumulating 650,000 miles. She holds a Florida Class A CDL, and her driving record shows that during the last 3 years she has had no accidents or convictions for moving violations in a CMV.

*18. Stephen C. Perdue*

Mr. Perdue, 58, has been blind in the left eye since 1970 due to a retinal detachment. His corrected visual acuity in the right eye is 20/25+. Following an examination in 2002, his ophthalmologist stated, "It is my opinion once again that this patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Perdue reported that he

has driven straight trucks for 2 years, accumulating 200,000 miles, and tractor-trailer combinations for 36 years, accumulating 3.9 million miles. He holds a Class A CDL from North Carolina. His driving record shows he has had one accident and no convictions for moving violations in a CMV over the last 3 years. According to the police report, the accident occurred in a construction zone where the lane shifts were poorly marked and some of the old markings were still visible. The police report indicated that the driver of the other vehicle followed the old markings, causing his trailer to veer into the lane occupied by Mr. Perdue's vehicle. Neither driver was cited.

*19. Allen V. Pickard*

Mr. Pickard, 43, has a macular scar in his left eye due to an injury in 1996. His visual acuity is 20/20 in the right eye and 20/120 not correctable in the left. An optometrist who examined him in 2001 certified, "I do believe that Mr. Pickard has adequate vision to safely operate a commercial motor vehicle." Mr. Pickard submitted that he has operated straight trucks for 27 years, accumulating 135,000 miles, and tractor-trailer combinations for 12 years, accumulating 600,000 miles. He holds a Class A CDL from South Dakota, and his driving record shows he has had no accidents or convictions for traffic violations in a CMV for the last 3 years.

*20. Larry A. Prieue*

Mr. Prieue, 44, lost his left eye due to an injury 38 years ago. His visual acuity is 20/15 corrected in the right eye. An ophthalmologist examined him in 2001 and certified, "In my medical opinion, you have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Prieue submitted that he has driven tractor-trailer combinations for 23 years, accumulating 2.1 million miles. He holds a Class AM CDL from North Dakota. His driving record for the past 3 years shows one accident and no convictions for moving violations in a CMV. According to the police report, Mr. Prieue's vehicle was stuck in a snowdrift and partially on the roadway during a blowing snowstorm, and he was unable to put out his flares due to his compartment being blocked by snow. Another vehicle coming over a hillcrest struck the rear of his vehicle. Neither driver was cited.

*21. Gary L. Reveal*

Mr. Reveal, 56, has been blind in his right eye since birth due to optic nerve damage. His best-corrected vision is 20/15 in the left eye. An optometrist

examined him in 2001 and stated, "He does have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Reveal reported he has driven straight trucks for 36 years, accumulating 1.1 million miles, and tractor-trailer combinations for 17 years, accumulating 340,000 miles. He holds an Ohio Class A CDL. His driving record shows that he has had one accident and no convictions for moving violations in a CMV for the past 3 years. As indicated by the police report, Mr. Reveal was stopped to back into a private driveway while a second vehicle behind him was stopped to let him proceed. The second vehicle was struck by a third vehicle and pushed into Mr. Reveal's vehicle. The driver of the third vehicle was charged with "Following Too Closely." Mr. Reveal was *not* charged.

#### 22. *Billy L. Riddle*

Mr. Riddle, 45, has amblyopia in his left eye. He has 20/15 vision in the right eye and 20/160 in the left. Following an examination in 2002, his optometrist certified, "Patient has sufficient vision to drive a commercial vehicle." Mr. Riddle submitted that he has driven straight trucks and tractor-trailer combinations for 19 years, accumulating 380,000 miles in the former and 950,000 miles in the latter. He holds a Class A CDL from Texas, and his driving record for the last 3 years shows no accidents or convictions for traffic violations in a CMV.

#### 23. *Randolph L. Rosewicz*

Mr. Rosewicz, 49, lost his left eye at age 3 due to congenital glaucoma. His best-corrected visual acuity is 20/20 in the right eye. An ophthalmologist examined him in 2002, and commented, "With the stability noted I believe that the patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Rosewicz submitted that he has 17 years and 255,000 miles of experience in operating straight trucks. He holds a Class ABCDM CDL from Wisconsin, and his driving record shows that he has had no accidents or convictions for moving violations in a CMV for the last 3 years.

#### 24. *Robert L. Savage*

Mr. Savage, 68, has had a macular scar in his left eye since 1946. His best-corrected vision is 20/20 in the right eye and 20/80 in the left. His ophthalmologist examined him in 2001 and certified, "He functions commensurate with safe operation of a commercial vehicle, with vision sufficient." In his application, Mr. Savage indicated he has driven tractor-

trailer combinations for 3 years, accumulating 21,000 miles. He holds a Class A CDL from Texas, and his driving record for the past 3 years shows no accidents or convictions for traffic violations in a CMV.

#### 25. *Kenneth D. Sisk*

Mr. Sisk, 33, has amblyopia in his left eye. His best-corrected visual acuity is 20/20 in the right eye and 20/300 in the left. Following an examination in 2002, his optometrist certified, "I do not see any problem with him operating a commercial vehicle, especially since he has been driving about 17 years with no problems and seems to compensate well for the lack of acuity in the left eye." Mr. Sisk reported that he has operated straight trucks for 6 years, accumulating 225,000 miles, and tractor-trailer combinations for 6 years, accumulating 60,000 miles. He holds a Class A CDL from North Carolina, and his driving record for the past 3 years shows no accidents or convictions for traffic violations in a CMV.

#### 26. *Kenneth E. Suter, Jr.*

Mr. Suter, 38, has amblyopia in his left eye. His best-corrected visual acuity is 20/15 in the right eye and 20/200+ in the left. Following an examination in 2002, his optometrist affirmed, "Based on this vision examination, I feel you have sufficient vision to operate a commercial vehicle as you have done so safely in the past." Mr. Suter holds a Class A CDL from Ohio, and reported that he has driven straight trucks for 15 years, accumulating 675,000 miles, and tractor-trailer combinations for 6 years, accumulating 30,000 miles. His driving record shows no accidents or convictions for moving violations in a CMV for the past 3 years.

#### 27. *Patrick D. Talley*

Mr. Talley, 36, has a macular scar in his right eye due to histoplasmosis in childhood. His best-corrected visual acuity is 20/50 in the right eye and 20/20 in the left. Following an examination in 2002, his optometrist certified, "In my medical opinion, he does have sufficient vision to perform the driving tasks required to operate a commercial vehicle." Mr. Talley reported that he has operated straight trucks for 14 years, accumulating 318,000 miles. He holds a Class DM driver's license from South Carolina, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

#### 28. *Loren R. Walker*

Mr. Walker, 60, experienced an ischemic attack in his left eye in 1975.

His best-corrected vision is 20/20 in the right eye and 20/200 in the left. Following an examination in 2001, his ophthalmologist certified, "In my opinion, this individual has adequate vision to continue driving a commercial vehicle as he has been for the past 30 years." Mr. Walker submitted that he has operated straight trucks for 5 years, accumulating 55,000 miles, and tractor-trailer combinations for 9 years, accumulating 816,000 miles. He holds a Class A CDL from Idaho. He has had no accidents and one conviction for a traffic violation—Using the Second Lane of a Three-Lane Highway—in a CMV for the last 3 years, according to his driving record.

#### 29. *Edward C. Williams*

Mr. Williams, 51, has had a macular hole in his left eye since 1992. His best-corrected visual acuity is 20/20 in the right eye and 20/200 in the left. An optometrist examined him in 2001 and certified, "Mr. Williams' vision is adequate to operate a commercial vehicle." Mr. Williams submitted that he has driven straight trucks and tractor-trailer combinations for 24 years, accumulating 1.3 million miles in the former and 660,000 miles in the latter. He holds a Class AM CDL from Alabama. His driving record for the last 3 years shows he has had two accidents and no convictions while operating a CMV. According to the police report for the first accident, an oncoming vehicle that crossed the centerline while attempting to pass collided with Mr. Williams' vehicle. According to the police report for the second accident, Mr. Williams was driving a wrecker towing a vehicle when the towed vehicle incurred a flat tire, causing it to hit a bridge. Mr. Williams was not cited in either accident.

#### 30. *Timothy J. Wilson*

Mr. Wilson, 47, is blind in the right eye due to an injury in 1965. His visual acuity is 20/20 in the left eye. Following an examination in 2001, his optometrist certified, "In my medical opinion, Mr. Wilson has sufficient vision to safely perform the driving tasks required to operate a commercial vehicle." In his application, Mr. Wilson indicated he has driven straight trucks for 5 years, accumulating 15,000 miles, and tractor-trailer combinations for 25 years, accumulating 500,000 miles. He holds a Class AM CDL from Maryland, and his driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

**Request for Comments**

In accordance with 49 U.S.C. 31315 and 31136(e), the FMCSA is requesting public comment from all interested persons on the exemption petitions and the matters discussed in this notice. All comments received before the close of business on the closing date indicated above will be considered and will be available for examination in the docket room at the above address.

Issued on: July 2, 2002.

**Pamela M. Pelcovits,**

*Acting Associate Administrator, Policy and Program Development.*

[FR Doc. 02-17098 Filed 7-10-02; 8:45 am]

**BILLING CODE 4910-EX-P**

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

[Docket Number: MARAD-2002-12709]

**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 LUCKY LADY.

**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 effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before August 12, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12709. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments

will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

**Vessel Proposed for Waiver of the U.S.-Build Requirement**

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* LUCKY LADY. *Owner:* Donald E. Beard.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "Length of Vessel: 45.6; Breadth: 15.0; Draft: 4.6; Gross Tonnage: 32 GRT; Net Tonnage: 25 NRT;"

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* "Our intended use is to charter this vessel to those tourists who would like to see the coastline locally in Kachemak Bay and extending around the point to Seward, or from Homer to Kodiak. We would like to tour the coves and bays of the coastline and allow those tourists who would like an option other than Fishing and Hunting Charters to see and photograph Alaska. The vessel is designed for extended stays on board, complete with a skiff on her aft that can be used to travel into land for hiking,

sightseeing, and photography. We intend to do overnight charters, extending to 7 day "coastline tour" charters, depending upon the desires of the clients. In essence we will be "renting a Yacht"."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1970. *Place of construction:* Quebec, Canada.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "There are currently no commercial passenger vessel operators based in Homer who provide charters of this nature. The majority of operators run 8 hour Fishing Charters in a 6 pack vessel. Other vessels provide hunting charters where the vessel drops the hunters off in an area, then picks them up at a later date. The other option are the water taxi's, which deliver people to the "other side" of Kachemak bay, drop them off, and then later pick them up. This tourist group goes hiking, stays at one of the lodges, or visits one of the restaurants. Again, this is limited and does not allow the experience of traveling the coastline. There is a market open for those people who choose not to fish but would like to spend time on the ocean viewing and photographing our coastline. We have the vessel to cater to that market." "We have received only positive feedback and support from the small passenger vessel operators in our area. Additionally, we have received positive comments from our local Chamber of Commerce and business owners, as our business will be contributing to our local economy."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "This will have no impact on U.S. shipyards. The Homer boat harbor consists primarily of 6 pack fishing charter vessels, commercial fishing vessels, large commercial vessels, and private use boats."

Dated: July 8, 2002.

By order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-17448 Filed 7-10-02; 8:45 am]

**BILLING CODE 4910-81-P**

**DEPARTMENT OF TRANSPORTATION****Maritime Administration**

[Docket Number: MARAD-2002-12710]

**Requested Administrative Waiver of the Coastwise Trade Laws**

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