

*construction: 1989. Place of construction: Taiwan, China.*

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There will be little to no impact on other commercial passenger vessels operators since the vessel will only be carrying up to (6) passengers. This vessel was Chartering Offshore under the Registry Endorsement since 1996."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "There will be no negative impact on U.S. shipyards since this vessel is no longer made. There is a positive impact on U.S. shipyards due to normal maintenance repairs."

Dated: August 6, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**[Docket Number: MARAD-2002-13049]**

#### 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 SAPPHIRE.

**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 September 11, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-13049. 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 Public Law 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: SAPPHIRE. Owner: Albatroz, LLC.*

(2) Size, capacity and tonnage of vessel. *According to the applicant: "Length: 86.8 ft., Breadth: 21.6 ft., Depth: 9.8 ft., Gross Tonnage: 77, Net Tonnage: 23."*

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant: "The Company intends to charter the Vessel between Bar Harbor, Maine and*

*Newport, Rhode Island and will carry no more than 12 passengers for hire."*

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction: 1997. Place of construction: Makkum, Netherlands.*

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "The Company does not believe that any existing commercial passenger vessel operators that provide, or intend to provide, similar commercial services in the same geographic region would suffer any unduly adverse affect as a result of the proposed operations of the Vessel. The Company contacted two large charter managers servicing similar commercial service operators in the same geographic region. In the combined fleet of these charter management companies, there were only two sailboats offering commercial passenger operations in the area. Both charter management companies indicated a strong need and demand for additional sailboats ranging between 60" and 120" for coastwise trade in the region."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "The Company is aware of only one U.S.-vessel builder that has the capability and capacity to build a vessel similar to the Vessel. It is the opinion of the undersigned that this American builder would not suffer any unduly adverse affect as a result of this request of waiver of the coastwise trade laws."

Dated: August 6, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

**[Docket No. NHTSA 2001-10623]**

#### Federal Motor Vehicle Safety Standards; Denial of Petition for Rulemaking

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Denial of Petition for Rulemaking.

**SUMMARY:** This document denies a petition for rulemaking submitted by Costa Technologies requesting that NHTSA initiate rulemaking to amend the Federal motor vehicle safety standard on glazing materials to include