

Airfield Expansion Project;  
Perimeter Security Project;  
Project to Plan for Expanded Terminal A;  
Modernization of Terminal B;  
Reimbursement for Mandated Security Costs  
from 9/11/01–9/30/02;  
Vertical Circulation Improvements in  
Terminal A;  
North Area Roadway Improvements;  
Upgrade Navigational Aids R/W 22R–22L;  
Upgrade Navigational Aids on R/W 4L;  
Improvements to Runway Safety Areas.

*Classes of air carriers, which the public agency has requested not be required to collect PFCs:* Nonscheduled/On-Demand Air Carriers (ATCO); Commuters or Small Certificated Air Carriers; and All Other Nonscheduled Charter Carriers.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Airport District office located at: 600 Old Country Road, Suite 446, Garden City, New York 11530.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Port Authority of New York and New Jersey.

Issued in Jamaica, New York on July 18, 2005.

**Eleanor Schifflin,**

*PFC Team Lead, Airports Division, Eastern Region.*

[FR Doc. 05–14586 Filed 7–22–05; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket Nos. FMCSA–2000–7363, FMCSA–2003–14504, FMCSA–2003–15268]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of renewal of exemption; request for comments.

**SUMMARY:** This notice publishes the FMCSA decision to renew the exemptions from the vision requirement in the Federal Motor Carrier Safety Regulations for 27 individuals. The FMCSA has statutory authority to exempt individuals from vision standards if the exemptions granted will not compromise safety. The agency has concluded that granting these exemptions will provide a level of safety that will be equivalent to, or greater than, the level of safety maintained without the exemptions for these

commercial motor vehicle (CMV) drivers.

**DATES:** This decision is effective August 15, 2005. Comments from interested persons should be submitted by August 24, 2005.

**ADDRESSES:** You may submit comments identified by DOT DMS Docket Numbers FMCSA–2000–7363, FMCSA–2003–14504, and FMCSA–2003–15268 by any of the following methods:

- Web Site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1–202–493–2251.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.

- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Instructions:** All submissions must include the agency name and docket numbers for this notice. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading under Regulatory Notices.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Dr. Mary D. Gunnels, Office of Bus and Truck Standards and Operations, (202) 366–4001, FMCSA, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001. Office hours are from 8 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION: Public Participation:** The DMS is available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help guidelines under the “help” section of the DMS Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement

page that appears after submitting comments on-line.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit <http://dms.dot.gov>.

### Exemption Decision

Under 49 U.S.C. 31315 and 31136(e), the FMCSA may renew an exemption from the vision requirements in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce, for a two-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 procedures for requesting an exemption (including renewals) are set out in 49 CFR part 381. This notice addresses 27 individuals who have requested renewal of their exemptions in a timely manner. The FMCSA has evaluated these 27 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are:

Morris R. Beebe II, William V. Beekler, Jerry W. Branning, Leslie W. Good, Bruce E. Hemmer, Steven P. Holden, Warren J. Nyland, Dennis M. Prevas, Terry B. Pritchett, James A. Busbin, Jr., Domenic J. Carassai, John F. Dougherty, Fred W. Duran, William R. Evridge, Kenneth J. Fisk, Russell R. Inlow, Christopher G. Jarvela, Joseph V. Johns, Darrell D. Kropf, Brad L. Mathna, Vincent P. Miller, Greg L. Riles, Steven R. Smith, Calvin D. Tomlinson, Mona J. Van Krieken, John W. Williams, Paul S. Yocum.

These exemptions are extended subject to the following conditions: (1) That each individual have a physical examination every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist’s or optometrist’s report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver’s qualification

file and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for two years unless rescinded earlier by the FMCSA. The exemption will be rescinded if:

(1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31315 and 31136(e).

#### Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two-year periods. In accordance with 49 U.S.C. 31315 and 31136(e), each of the 27 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (65 FR 45817; 65 FR 77066; 68 FR 10300; 68 FR 19598; 68 FR 33570; 68 FR 37197; 68 FR 48989). Each of these 27 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, the FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

#### Comments

The FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by August 24, 2005.

In the past the FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's

procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew, and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 69 FR 51346 (August 18, 2004). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on: July 19, 2005.

**Pamela M. Pelcovits,**

*Office Director, Policy, Plans, and Regulations.*

[FR Doc. 05-14592 Filed 7-22-05; 8:45 am]

**BILLING CODE 4910-EX-U**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2001-10916]

#### Child Restraint Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Notice; availability of research report.

**SUMMARY:** This notice announces the availability of a research report on child restraint labels. The research was conducted in July of 2003. This notice also announces that NHTSA does not plan to conduct further rulemaking on child restraint labels at this time.

**FOR FURTHER INFORMATION CONTACT:** Mary Versailles of the NHTSA Office of International Policy, Fuel Economy and Consumer Programs, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590. Phone: 202-366-2057.

**SUPPLEMENTARY INFORMATION:** The Transportation Recall Enhancement, Accountability, and Documentation Act (TREAD; November 1, 2000, Pub.L. 106-414, 114 Stat. 1800) mandated that NHTSA consider whether to prescribe clearer and simpler labels and instructions for child restraint systems. On November 2, 2001 (66 FR 55623), NHTSA published a notice of proposed rulemaking (NPRM) proposing changes to the format, location, and content of some of the existing labeling requirements of the Federal motor vehicle safety standard for child restraint systems (49 CFR 571.213).

Specifically, NHTSA proposed (1) A requirement that some information be molded into or heat embossed to the shell of the child restraint to improve durability, (2) changes to existing location requirements for some labels, (3) a uniform font specified for all labels on all child restraints, (4) a requirement that most labels be white with black text, and (5) color-coding of installation information to distinguish forward-facing from rear-facing information. In addition, with regard to content, NHTSA proposed (6) a reworded warning statement, (7) a requirement that all mandated statements related to use be arranged below that statement in a bulleted form, (8) rewording of some of these statements to simplify their language, and (9) a new diagram showing the child restraint with a new child restraint anchorage system (see 49 CFR 571.225). With regard to written instructions, NHTSA proposed (10) conforming changes with those proposed for labels and (11) a new requirement for information to assist owners in determining the meaning of the term "snugly" used on child restraint labels. Last, NHTSA proposed (12) a new labeling requirement for harness slots.

On October 1, 2002 (67 FR 61523), NHTSA published a final rule<sup>1</sup> amending the requirements for child restraint labels and the written instructions that accompany child restraints. Specifically, NHTSA (1) changed the then existing location requirements for some labels, (2) required most labels to be white with black text, (3) reworded some label statements to simplify their language, (4) required mandated statements on the labels to be in a bulleted list headed by the statement "WARNING! DEATH or SERIOUS INJURY can occur," (5) required a new diagram showing the child restraint secured using the new child restraint anchorage system, and (6) required some additional information defining the term "snugly" to be in the written instructions. The final rule was effective October 1, 2003.

Subsequent to the November 2, 2001 notice of proposed rulemaking for that final rule, Transport Canada had conducted research on child restraint labels. After a review of the Transport Canada study, NHTSA had concerns about the proposals concerning font, color-coding and harness slot labeling. Therefore, the preamble to the October 2002 final rule indicated that NHTSA would conduct further research before

<sup>1</sup> See also 69 FR 11337 (March 10, 2004), response to petitions for reconsideration.