

Mail Vote 337,  
PTC3 0671 dated October 24, 2003,  
Resolution 010z Special Amending  
Resolution between China  
(excluding Hong Kong SAR and  
Macao SAR) and Japan, Thailand  
r1-r6,  
Intended effective date: November 6,  
2003.

*Docket Number:* OST-2003-16400.  
*Date Filed:* October 24, 2003.

*Parties:* Members of the International  
Air Transport Association.

**Subject:**

Mail Vote 338,  
PTC23 ME-TC3 0190 dated October  
28, 2003,  
Resolution 010a Special Amending  
Resolution between Middle East  
and TC3,  
Intended effective date: April 1, 2004.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

[FR Doc. 03-27653 Filed 11-3-03; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) Filed With the Department Between October 6, and 24, 2003

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (*See* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Applications filed during week ending:* October 10, 2003.

*Docket Number:* OST-2003-16284.

*Date Filed:* October 6, 2003.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* October 27, 2003.

*Description:* Application of Bobrel Leasing, Inc., pursuant to 49 U.S.C. Section 41738 and Subpart B, requesting authority to operate scheduled passenger service as a commuter air carrier and proposes to operate service

between Lamar, CO and Denver International Airport, with twice daily service Monday through Friday, and once daily service on Saturday and Sunday.

*Applications filed during week ending:* October 24, 2003.

*Docket Number:* OST-1997-2516.

*Date Filed:* October 21, 2003.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* November 12, 2003.

*Description:* Application of Continental Airlines, Inc., pursuant to 49 U.S.C. Section 41102 and Subpart B, requesting renewal of its Route 381 certificate authorizing Continental to provide scheduled foreign air transportation of persons, property, and mail between the coterminal points New Orleans, LA; and Houston and Dallas/Ft. Worth, TX; and the coterminal points Maracaibo and Caracas, Venezuela and between Newark, NJ and Caracas, Venezuela, and to combine this authority with its other certificate and exemption authority.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

[FR Doc. 03-27654 Filed 11-3-03; 8:45 am]

**BILLING CODE 4910-62-P**

## 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 announces that 77 individuals were denied exemptions from the Federal vision standards applicable to interstate truck drivers and the reasons for the denials. 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 does not provide a level of safety that will equal or exceed the level of safety maintained without the exemptions for these commercial drivers.

#### FOR FURTHER INFORMATION CONTACT:

Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (MC-PSD), 202-366-2987, Department of Transportation, 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), FMCSA may grant an exemption from the Federal vision standard for a renewable 2-year period if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption. (49 CFR 391.41(b)(10))

Accordingly, FMCSA evaluated 77 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria established to demonstrate that granting an exemption 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.

The following 44 applicants lacked sufficient recent driving experience over three years:

Atkins, Jr., Eugene  
Baysinger, Joseph A.  
Blackwell, Deryl C.  
Bradford, Michael R.  
Brown, Richard  
Brown, Thomas D.  
Cross, Richard  
Diederich, Thomas E.  
Doney, John M.  
DuBois, Paul E.  
Gellerman, Mark W.  
Gillis, Reginal  
Goucher, Newell D.  
Johnson, Kerry  
Knaack, John S.  
Lydick, Eugene R.  
Maples, Frank  
McCormick, James M.  
McKinney II, Roy J.  
Mills, Fred  
Murtha, Barry I.  
Negulescu, Daniel S.  
Palazzolo, Vincent  
Parker, Rodney R.  
Peck, Gregory A.  
Peters, Randy W.  
Pryor, Scott A.  
Rabalais, Jason A.  
Rissler, Wayne R.  
Schwarzrock, Steve M.  
Silbernagel, Warren T.  
Somers, Michael E.  
Stambaugh, Gary W.

Stoffel, James E.  
 Tyler, Mark D.  
 Walker, Ronald L.  
 Wallencheck, Ronald J.  
 Ware, Roy J.  
 Wells, Bryson  
 Wilcox, William R.  
 Wilkinson, Sonya D.  
 Williams, Michael E.  
 Wos, Aloysius R.  
 Yoxall, Slade W.

The following 10 applicants do not have 3 years of experience driving a commercial motor vehicle (CMV) on public highways with the vision deficiency:

Clark, Edgar E.  
 Dinguss, Kenneth A.  
 Emerson, Craig M.  
 Lomison, James E.  
 Morgan, Tim R.  
 Roberson, Terry L.  
 Turner, Emerson J.  
 Vega, Rudolfo A.  
 Wojtalik, William  
 Wollam, Robert J.

The following 5 applicants do not have 3 years recent experience driving a CMV with the vision deficiency:

Carter, Jr., Jerry D.  
 Hilby, Glen G.  
 Johnson, Rufus R.  
 McCabe, William S.  
 Morgan, Paul

One applicant, Mr. Gayle G. Olson, does not have sufficient peripheral vision in the better eye to qualify for an exemption.

Four applicants' licenses were suspended during the 3-year period because of a moving violation. Applicants do not qualify for an exemption with a suspension during the 3-year period:

Gooden, Sr., Ernest H.  
 Hyatt, William D.  
 Keller, Clarence R.  
 Rodriguez, Erik J.

The following 7 applicants contributed to accidents in which applicants were operating a CMV. Applicants contributing to an accident during the 3-year period are disqualified for an exemption.

Biller, Michael R.  
 Cameron, George C.  
 McAlheney, Leland K.  
 Mero, Garth R.  
 Paschal, Eddie L.  
 Sandlin, Dwayne L.  
 Small, Edward F.

Four applicants do not hold licenses that allow operation of vehicles over 10,000 pounds for all or part of the 3-year period:

Compton, Jeffrey C.  
 Ives, Bobby J.

Jones, Elmer C.  
 McKneely, Ellis T.

Finally, 2 applicants, Mr. Juan Aldama and Mr. Zibbie Lee Dawsey were denied vision exemptions for multiple reasons.

Issued on: October 28, 2003.

**Pamela M. Pelcovits,**

*Acting Associate Administrator for Policy and Program Development.*

[FR Doc. 03-27608 Filed 11-3-03; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Cass Scenic Railroad

[Docket Number FRA-2003-15851]

The Cass Scenic Railroad (Cass) seeks a waiver of compliance from the Inspection and Maintenance Standards for Steam Locomotives, 49 CFR part 230, published November 17, 1999. As stated in section 230.3(c)(1) Petition Process, Petitions for Special Consideration were to have been filed by January 18, 2001. It was to have been accompanied by all relevant documentation for support, including a FRA Form No. 4 that was calculated in accordance with § 230.17 One thousand four hundred seventy-two service day inspection, and all records that demonstrate the number of days the locomotive has been in service.

Cass seeks this waiver for one locomotive, number (Western Maryland) 6, which had the flue tubes replaced in accordance with the requirements of 49 CFR 230.17 and was returned to service in October 1996. At that time, Cass was eligible to file a Petition for Special Consideration because their locomotive was placed into service after the September 25, 1995 cutoff date. However, Cass was not able to verify the FRA Form 4 and supporting calculations until September 18, 2001, thus missing the required January 18, 2001 filing date. The locomotive was removed from service having only used 930 service days and has remained out

of service. Therefore, Cass seeks a waiver from the January 18, 2001 filing date for their Petition for Special Consideration.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.*, Waiver Petition Docket Number FRA-2003-15851 ) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street, SW., Washington. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

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 DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on October 30, 2003.

**Grady C. Cothen,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

[FR Doc. 03-27651 Filed 11-3-03; 8:45 am]

**BILLING CODE 4910-06-P**