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Dated: October 4, 2000.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 00-25995 Filed 10-10-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: MARAD-2000-8061]

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 *Challenge Business 35*.

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 November 13, 2000.

ADDRESSES: Comments should refer to docket number MARAD-2000-8061. 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., S.W., Washington, D.C. 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:

Gordon Angell, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, S.W., Washington, DC 20590. Telephone 202-366-5129.

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: *Challenge Business 35*. Owner: Challenge Business International, Ltd.

(2) Size, capacity and tonnage of vessel. According to the applicant: "The yacht is 66.24' long, has a breadth of 17.32' and a depth of 8.6'. Under our Simplified Rules, (46 CFR Part 69), the yacht has a gross tonnage of 49.33 and a net tonnage of 44.40."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: "The yacht will be used to generate interest in a race called the New World Challenge. In that race, ordinary people, from all walks of life, often with little or no sailing experience, will become members of the crew. They will sail on 10 newer, slightly larger boats that will

depart from San Francisco and sail to Japan, Hong Kong, Singapore, Cape Town, Buenos Aires, Cape Horn, and back to San Francisco. The interest, love and excitement of sailing such boats, in difficult conditions, over a period of approximately 10 months, will be supported by a number of corporate sponsors who expect to benefit from the team building aspect of the race and the publicity that the race will generate. In addition, a selected charity will receive approximately \$1,000,000.00." "This yacht will be based in Boston, Massachusetts, and may be sailed anywhere between Maine and Florida."

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1996. Place of construction: United Kingdom.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "This activity will have absolutely no impact on any existing commercial passenger operation. The yacht we propose to use has been sailed in another race organized by Challenge Business. This yacht is very similar in size, design, living accommodations, communications capability, sail area, equipment, handling characteristics, etc. to the 10 boats that will be competing in the race. Thus, it is the most representative, "experienced", boat that could be used for the intended purposes. No existing commercially operated yacht can duplicate the feel, characteristics and overall experience of sailing in the New World Challenge race."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "Similarly, the proposed activity will have absolutely no impact on U.S. shipyards. This yacht is uniquely valuable in that it has been raced under similar conditions, in a similar race while manned by individuals who had little, if any, sailing experience before sailing aboard such a yacht. This yacht most accurately represents the look, feel and impact that the 10 yachts in the race will have on the sailors, media, press, sponsors and supporters. Given its historical connection to a similar race, no newly built U.S. yacht could preform (sic) the same role. Further, we are not aware of any similar yachts currently under construction in the U.S."

Dated: October 4, 2000.

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-00-8064]****Drowsy Driver Detection Device Laboratory Validation****AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.**ACTION:** Notice of Research Activity.

SUMMARY: The U.S. Department of Transportation (US DOT) is seeking partners who have the potential of providing non-contact eye closure monitoring sensors that can be used in a drowsy driver detection system field operational test. This notice describes criteria and tests that will be applied to each candidate sensor as part of the determination of fitness for inclusion in a field operational test. Manufacturers of devices that may meet these criteria are invited to submit a description of their device and detailed instructions on operations of the device to the US DOT.

Each device must satisfy the following criteria: (1) The device must measure the percentage of eyelid closure over time (PERCLOS) and calculate PERCLOS 1 and/or PERCLOS 3 (one-minute and three-minute running averages of PERCLOS, respectively); (2) this measurement must occur in real time; (3) the device shall be unobtrusive and have no physical contact with the driver; (4) the device shall cause no harmful emissions of any type over the duration of the experiment; and (5) the device operation shall include no moving parts that could easily fail or that would require replacement, service, or routine maintenance by the driver.

Any device that meets the above criteria may be included in a US DOT sponsored laboratory research study to evaluate the validity and reliability of its real-time drowsiness detection capability. Previous research has demonstrated the feasibility of implementing a drowsiness detection system with physical eyelid closure as a continuous input. A successful device should demonstrate that it can provide a valid measure of alertness during a vigilance task and that this detection is repeatable (reliability). In addition to being valid and reliable, this device needs to be practical, and must meet additional standards of high sensitivity and high specificity. Thus the device must detect all (or nearly all) fatigue events and fatigued vehicle operators (high sensitivity), without false alarms (high specificity.)

The offeror understands that the device, if selected to participate in the

laboratory validation study, will be provided on an as-is basis, requiring no further engineering or development and should be operationally ready. Second, the analysis that is derived from this laboratory research will be made publicly available and the device returned to the submitter, and third, the offeror shall in no way interfere with the procedures or personnel involved in conducting or managing the study. Furthermore:

1. Previous studies and research involving the device may be disclosed and provided to the government to assist in evaluating the "fitness" of the device for evaluation.

2. Selection to participate in the laboratory validation study will NOT constitute an endorsement of the device by the federal government.

3. A small budget shall exist to ensure the appropriate hookup of the device to the experimental apparatus.

4. Involvement does not constitute a promise of future relations with the federal government.

The devices will be tested in a laboratory in a double blind testing methodology. Results will be sent back to manufacturer for interpretation. The US DOT is only interested in testing devices that are operationally ready, not devices under development.

DATES: Submit device descriptions on or before November 27, 2000.

ADDRESSES: All proposals should refer to Docket No. NHTSA-00-8064 and be submitted to Docket Management, Room PL-401, 400 7th Street, SW, Washington, D.C. 20590. Docket hours are from 10 a.m. to 5 p.m. Monday through Friday. Proposals may also be sent by electronic submission. The electronic submission procedure is described in the Docket Management section of the DOT's web site: <http://www.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Paul Rau, Office of Vehicle Safety Research, NHTSA, (202) 366-0418; or Mr. Robert Carroll, Office of Research and Technology, FMCSA, (202) 366-9109, 400 Seventh Street, SW., Washington, DC 20590-0001.

SUPPLEMENTARY INFORMATION:**Background**

The DOT has created a program titled the Intelligent Vehicle Initiative (IVI). The goal of the IVI program is to increase safety on the nation's highways through the acceleration of the deployment of on-vehicle safety devices. One of the primary focus areas of the IVI is (commercial) motor vehicle driver fatigue. Further information on the IVI program may be found on:

www.its.dot.gov/ivi. Additionally, the DOT has the goal of reducing truck involved fatalities by 50% by the year 2010. Additional information concerning DOT and commercial motor vehicle safety goals may be found on: www.fmcsa.dot.gov and www.nhtsa.dot.gov.

Further, technical conferences were held in 1997 and 1999, to discuss scientific validation findings regarding PERCLOS and other eye activity measures of alertness, and the status of efforts to develop in-vehicle sensors to continuously measure PERCLOS. The conferences were the primary focus of U.S. DOT-sponsored research over the past decade demonstrating the validity of PERCLOS as a measure of driver vigilance performance and also explored related psycho physiological alertness measures and alertness monitoring-related issues. The conferences reviewed potential and appropriate uses of PERCLOS data and ways to ensure the active participation and acceptance of drivers and management. The 1999 conference report, *Ocular Measures of Driver Alertness: Technical Conference Proceedings (FHWA-MC-99-136)* is available from National Technical Information Service (NTIS) (PB2000-101412), telephone: (703) 605-6000.

The vigilance task testing will be conducted in a controlled laboratory environment, similar to the previous work sponsored by NHTSA and FMCSA. A detailed description of this previous research, as well as the findings, can be obtained from the report entitled "Evaluation of Techniques for Ocular Measurement as an Index of Fatigue and the Basis for Alertness Management" published by the US DOT/NHTSA Report #DOT HS 808-762 is also available from NTIS. A summary in the form of an FMCSA Technical Analysis Brief may be found on <http://www.fmcsa.dot.gov/safetyprogs/research/researchpubs.htm>.

Each device will be tested on sleep deprived subjects who will remain awake for 42 hours, while working on a computerized test battery every two hours. The tests include a 20 minute psychomotor vigilance task (PVT) each two hours. PVT performance lapses refer to the times when a subject fails to respond to a task in a timely manner (*i.e.* <500 msec.); lapses will be recorded for each minute for the entire 20 minutes.

PVT lapses will be used as the validation criteria variable because driving is a vigilance task requiring psychomotor reactions, and psychomotor vigilance has been previously validated in medical research to be very sensitive to fatigue