

specialists on whether a driver has sufficient vision to perform the tasks associated with operating a CMV are made only after a thorough vision examination including formal field of vision testing to identify any medical condition which may compromise the visual field such as glaucoma, stroke or brain tumor. While it is possible a practitioner may be partial, FMCSA believes requiring a signed statement on letterhead would deter doctors from making irresponsible statements. The medical information is combined with information on experience and driving records in the agency's overall determination whether exempting applicants from the vision standard is likely to achieve a level of safety equal to that existing without the exemption.

Also, Ms. Sashaw believes a driver who has only one eye would be without vision if a speck flew into his or her eye. It is not likely a driver would lose all vision from a speck in the eye, although the driver may decide to pull off the road to a safe location because of the discomfort.

### Conclusion

Based upon its evaluation of the 29 exemption applications, the FMCSA exempts Manuel A. Almeida, James C. Askin, Paul J. Bannon, Ernie E. Black, Gary O. Brady, Michael C. Branham, Stephen H. Goldcamp, Steven F. Grass, Donald E. Hathaway, Michael S. Johannsen, Mearl C. Kennedy, Wai Fung King, Christopher J. Meerten, William J. Miller, Robert J. Mohorter, James A. Mohr, Charles R. Murphy, Lacy L. Patterson, Roderick F. Peterson, Stephen P. Preslopsky, Timothy J. Sands, Donald W. Sidwell, David M. Smith, Jose M. Suarez, Robert L. Swartz, Jr., Elmer K. Thomas, Robert L. Vaughn, Richard G. Wendt, and Richard A. Yeager from the vision requirement in 49 CFR 391.41(b)(10), subject to the requirements cited above (49 CFR 391.64(b)).

In accordance with 49 U.S.C. 31315 and 31136(e), each exemption will be valid for 2 years unless revoked earlier by the FMCSA. The exemption will be revoked 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. If the exemption is still effective at the end of the 2-year period, the person may apply to the FMCSA for a renewal under procedures in effect at that time.

Issued on: May 26, 2004.

**Robert F. Proferes,**

*Director, Office of Bus and Truck Standards and Operations.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### **FTA Fiscal Year 2004 Apportionments, Allocations and Program Information; Notice of Supplemental Information and Changes**

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces further availability of apportionments for the Federal Transit Program. With only temporary extensions of our program authorization, FTA has published two previous documents identifying total annual apportionments and apportionments based on an extension of our program authorization. This notice makes fiscal year (FY) 2004 transit funds available for obligation based on program funding levels authorized by the Surface Transportation Extension Act of 2004, Part II (Pub. L. 108-224). With this notice, generally  $\frac{9}{12}$  of our annual appropriation is now available for grants. This notice also identifies changes to prior year bus and bus-related allocations, and extends the period of availability for FY 2004 funding for the Elderly and Persons with Disabilities Program (49 U.S.C. 5310).

**FOR FURTHER INFORMATION CONTACT:** The appropriate FTA Regional Administrator (see list at end of notice) or Mary Martha Churchman, Director, Office of Resource Management and State Programs, (202) 366-2053.

**ADDRESSES:** Address, telephone, and facsimile information for the FTA Regional Offices is listed at the end of this notice in Appendix A.

#### **I. Funds Available for Obligation**

The "Surface Transportation Extension Act of 2004, Part II" (Pub. L. 108-224) was signed into law by President Bush on April 30, 2004. The Act provides an extension of programs funded from the Highway Trust Fund, pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century (TEA-21), and provides contract authority for transit programs from October 1, 2003, through June 30, 2004.

FTA has revised the apportionment and allocation tables published in the supplemental **Federal Register** notice on March 29, 2004, to reflect the amount of FY 2004 funding that is currently available for obligation by grantees for the respective FTA program, in accordance with the Surface Transportation Extension Act of 2004, Part II, and the Consolidated Appropriations Act, 2004 (Pub. L. 108-199, Division F). The revised tables are posted on the FTA Web site at [[http://www.fta.dot.gov/25\\_ENG\\_HTML.htm](http://www.fta.dot.gov/25_ENG_HTML.htm)], together with this notice. The tables are also available by calling the Regional Office. Each Regional Office will also distribute the tables by e-mail to its mailing list.

FTA's program is funded by two sources of funds: the General Fund and the Highway Trust Fund. A column labeled "Apportionment" or "Allocation" in the revised tables includes both trust funds (contract authority) and general funds, and reflects the total dollar amount of obligation limitation and appropriations in the Consolidated Appropriations Act, 2004, once full year contract authority is made available. This amount does not represent the amount that is actually available for obligation at this time. The amount shown in a column labeled "Available Apportionment" or "Available Allocation" is currently available for obligation. The percentage of the full year's apportionment or allocation available to an individual State or urbanized area may vary by program. The total available for some programs included reallocated prior year funds, as shown in table 1. In the case of formula programs, the amounts available were determined by applying the formula to the total amount available for the program. In the case of Congressional allocations, the total amount available for the program was prorated to each project or activity.

#### **II. Changes to Bus and Bus-Related Project Allocations**

FTA has made changes to several bus and bus-related projects allocated in previous years based on correspondence received from Congress that clarifies the intent of the projects. The projects and clarifications are as follows:

1. *Fort Smith Bus Maintenance Facility, Arkansas.* The FY 2003 Department of Transportation and Related Agencies Act includes \$750,000 in the bus and bus facilities account for "Arkansas—Fort Smith Bus". The Conferees agree that the project description should read "Arkansas—Fort Smith Bus Maintenance Facility".

2. *Pelham Intermodal Facility, New York*. The FY 2002 Department of Transportation and Related Agencies Act includes \$260,000 in the bus and bus facilities account for the “New York—Pelham trolley”. It is the intent of the conferees that the funds shall be available for Pelham Intermodal Facility.

**III. Period of Availability for FY 2004 Section 5310 Funds Extended**

The period of availability for funds appropriated for the Elderly and Persons

with Disabilities Program (49 U.S.C. 5310) is administratively established at one fiscal year. As noted in the February 11, 2004, **Federal Register** Notice of FTA FY 2004 apportionments and allocations, FY 2004 funds allocated to States under section 5310 must be obligated by September 30, 2004.

Due to the delayed availability of the full year’s apportionment of FY 2004 section 5310 funds and the limited period during which the funds may be obligated, FTA is extending the period

of availability for FY 2004 section 5310 funds by six months. This should provide flexibility to States that may need additional time to obligate FY 2004 funds. With this six-month extension, FY 2004 funds apportioned to States under section 5310 must be obligated by March 31, 2005.

Issued on: May 27, 2004.

**Jennifer L. Dorn,**  
*Administrator.*

**BILLING CODE 4910-57-P**

## FEDERAL TRANSIT ADMINISTRATION

TABLE 1

(Appropriation amounts include a .59 percent reduction directed by Section 168 of Division H of the Consolidated Appropriations Act, 2004, Pub. L. 108-199.)

**REVISED FY 2004 APPROPRIATIONS, APPORTIONMENTS, AND AVAILABLE FUNDING FOR GRANT PROGRAMS**

(Note: Available funding is based on program funding level authorized by the Surface Transportation Extension Act of 2004, Part II: Public Law 108-224.)

| SOURCE OF FUNDS                                                      | APPROPRIATION<br>& APPORTIONMENT | AVAILABLE<br>FUNDING      |
|----------------------------------------------------------------------|----------------------------------|---------------------------|
| <b>TRANSIT PLANNING AND RESEARCH PROGRAMS</b>                        |                                  |                           |
| Section 5303 Metropolitan Planning Program                           | \$60,029,325                     | \$45,021,994              |
| Reapportioned Funds Added                                            | 1,426,868                        | 1,426,868                 |
| Total Apportioned                                                    | \$61,456,193                     | \$46,448,862              |
| Section 5313(b) State Planning and Research Program                  | \$12,539,975                     | \$9,404,981               |
| Reapportioned Funds Added                                            | 719,074                          | 719,074                   |
| Total Apportioned                                                    | \$13,259,049                     | \$10,124,055              |
| Section 5311(b)(2) Rural Transit Assistance Program (RTAP)           | \$5,219,025                      | \$3,914,269               |
| Reapportioned Funds Added                                            | 79                               | 79                        |
| Total Apportioned                                                    | \$5,219,104                      | \$3,914,348               |
| Section 5314 National Planning and Research Program                  | \$35,290,550                     | \$26,467,913              |
| <b>FORMULA PROGRAMS</b>                                              | <b>\$3,766,644,900 a/</b>        | <b>\$2,824,983,674 a/</b> |
| Alaska Railroad (Section 5307)                                       | 4,821,335                        | 3,616,001                 |
| Less Oversight (one-half percent)                                    | (24,107)                         | (18,080)                  |
| Total Available                                                      | 4,797,228                        | 3,597,921                 |
| Section 5308 Clean Fuels Formula Program                             | 0 a/                             | 0 a/                      |
| Over-the-Road Bus Accessibility Program                              | 6,908,995                        | 5,181,746                 |
| Section 5307 Urbanized Area Formula Program                          |                                  |                           |
| 91.23% of Total Available for Sections 5307, 5311, and 5310          | \$3,425,608,562                  | \$2,569,206,421           |
| Less Oversight (one-half percent)                                    | (17,128,043)                     | (12,846,032)              |
| Reapportioned Funds Added                                            | 3,039,008                        | 3,039,008                 |
| Total Apportioned                                                    | \$3,411,519,527                  | \$2,559,399,397           |
| Section 5311 Nonurbanized Area Formula Program                       |                                  |                           |
| 6.37% of Total Available for Sections 5307, 5311, and 5310           | \$239,188,058                    | \$179,391,044             |
| Less Oversight (one-half percent)                                    | (1,195,940)                      | (896,955)                 |
| Reapportioned Funds Added                                            | 508,944                          | 508,944                   |
| Total Apportioned                                                    | \$238,501,062                    | \$179,003,033             |
| Section 5310 Elderly and Persons with Disabilities Formula Program   |                                  |                           |
| 2.4% of Total Available for Sections 5307, 5311, and 5310            | \$90,117,950                     | \$67,588,462              |
| Reapportioned Funds Added                                            | 243,077                          | 243,077                   |
| Total Apportioned                                                    | \$90,361,027                     | \$67,831,539              |
| <b>CAPITAL INVESTMENT PROGRAM</b>                                    | <b>\$3,193,090,232</b>           | <b>\$2,395,946,295</b>    |
| Section 5309 Fixed Guideway Modernization                            | \$1,199,387,615                  | \$899,540,711             |
| Less Oversight (one percent)                                         | (11,993,876)                     | (8,995,407)               |
| Total Apportioned                                                    | \$1,187,393,739                  | \$890,545,304             |
| Section 5309 New Starts                                              | \$1,320,498,097 b/               | \$991,502,194 b/          |
| Less Oversight (one percent)                                         | (13,204,981)                     | (9,915,022)               |
| Reallocated Funds Added                                              | 5                                | 5                         |
| Total Allocated                                                      | \$1,307,293,121                  | \$981,587,177             |
| Section 5309 Bus and Bus-Related                                     | \$673,204,520 c/                 | \$504,903,390 c/          |
| Less Oversight (one percent)                                         | (6,732,045)                      | (5,049,034)               |
| Reallocated Funds Added                                              | 2,188,112 d/                     | 2,188,112 d/              |
| Total Allocated                                                      | \$668,660,587                    | \$502,042,468             |
| <b>JOB ACCESS AND REVERSE COMMUTE PROGRAM (Section 3037, TEA-21)</b> | <b>\$104,380,500</b>             | <b>\$78,285,375</b>       |
| <b>TOTAL APPROPRIATION (Above Grant Programs) .....</b>              | <b>\$7,177,194,507</b>           | <b>\$5,384,024,501</b>    |
| <b>TOTAL APPORTIONMENT/ALLOCATION (Above Grant Programs) .....</b>   | <b>\$7,136,040,682</b>           | <b>\$5,364,429,138</b>    |

a/ The Consolidated Appropriations Act, 2004 transfers funds appropriated for the Clean Fuels Formula Program to the Section 5309 Bus and Bus-Related category.

b/ Includes \$4,514,482 in FY 2000 and FY 2001 funds transferred from the Job Access and Reverse Commute Program.

c/ Includes funds transferred from the Clean Fuels Program and the Job Access and Reverse Commute Program in the Consolidated Appropriations Act, 2004 (Pub. L. 108-199).

d/ FY 2004 Conference Report supplements Bus funds with reallocated funds made available from projects included in previous Appropriations Acts.

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**Appendix A—FTA Regional Offices**

Region 1: Richard H. Doyle, Regional Administrator, Cambridge, MA 02142-1093, Tel. 617-494-2055, Fax 617-494-2865.

Region 2: Letitia Thompson, Regional Administrator, New York, NY 10004-1415, Tel. No. 212-668-2170, Fax 212-668-2136.

Region 3: Herman Shipman, Deputy Regional Administrator, Philadelphia, PA 19103-4124, Tel. 215-656-7100, Fax 215-656-7100.

Region 4: Hiram J. Walker, Regional Administrator, Atlanta, GA 30303, Tel. 404-562-3500, Fax 404-562-3505.

Region 5: Joel P. Ettinger, Regional Administrator, Chicago, IL 60606, Tel. 312-353-2789, Fax 312-886-0351.

Region 6: Robert C. Patrick, Regional Administrator, Fort Worth, TX 76102, Tel. 817-978-0550, Fax 817-978-0575.

Region 7: Mokhtee Ahmad, Regional Administrator, Kansas City, MO 64106, Tel. 816-329-3920, Fax 816-329-3921.

Region 8: Lee O. Waddleton, Regional Administrator, Denver, CO 80202-5120, Tel. 303-844-3242, Fax 303-844-4217.

Region 9: Leslie T. Rogers, Regional Administrator, San Francisco, CA 94105-1926, Tel. 415-744-3133, Fax 414-744-2726.

Region 10: Rick Krochalis, Regional Administrator, Seattle, WA 98174-1002, Tel. 206-220-7954, Fax 206-220-7959.

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**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2001-9663]

**Notice of Workshop on Headlamp Safety Metrics; Balancing Visibility and Glare**

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice of workshop on Headlamp Safety Metrics; Balancing Visibility and Glare.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) will conduct a technical workshop to discuss the current state of knowledge regarding the development and use of safety-related metrics for evaluating forward lighting systems. A diverse group of automotive lighting, vision, and safety experts will be invited to make presentations regarding their views and research on this topic. The presentations will focus on approaches for developing safety-related metrics as a basis for evaluating and quantifying the tradeoff between glare and visibility needed to enhance nighttime driving safety and mobility for all road users. The workshop participants will discuss what

steps can be taken in terms of research for evaluating the safety impact of new lighting technologies.

**DATE AND TIME:** The workshop will be held on July 13, 2004, from 8:30 a.m. to 5 p.m.

**ADDRESSES:** The workshop will be held at the Capitol Holiday Inn, Discovery Ball Room, 550 C Street, SW., Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** If you are interested in attending, please register for the workshop by contacting Jenny O'Rourke by July 2, 2004, at (202) 366-4850 or

*Jennifer.O'Rourke@nhtsa.dot.gov*. Please note that the attendance will be limited to the first 50 registrants due to space limitations. For technical questions, contact Michael Perel, Office of Vehicle Safety Research, at (202) 366-5675 or *Mike.Perel@nhtsa.dot.gov*.

**SUPPLEMENTARY INFORMATION:**

Technology advances in automotive forward lighting may help drivers see further, but can also increase glare that could affect the safe mobility of other drivers. This glare may be not only bothersome, but possibly detrimental to safety. Existing regulations for automotive lighting have been developed to balance the visibility benefits with the glare consequences based on older filament lamp technologies. New, more efficient light sources and advanced optics may alter this balance. To evaluate the tradeoffs between visibility and glare, metrics are needed that represent the safety impact of forward lighting photometric performance.

The workshop is primarily intended for technical experts in the fields of driving performance, vehicle lighting, and vision. Through a combination of invited lectures and group discussions among attendees, a dialogue will be started to help define glare and visibility and to identify useful approaches for developing metrics and safety limits. This workshop will not address changes to NHTSA policies or regulations regarding glare. Topics will include: Physiology of the visual system, visual requirements for driving, new forward lighting technologies, and measuring the impact of forward lighting on safety.

The handouts and other information presented at the workshop will be available for public inspection in the DOT Docket in Washington, DC, within 3 weeks after the meeting. Copies of the materials will be available at ten cents a page upon request to DOT Docket, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. The DOT Docket is open to the public from 10 a.m. to 5 p.m. The material may also be

accessed electronically at *http://dms.dot.gov*, at Docket No. NHTSA-02-13957.

The handouts and other information presented at the workshop will also be available on NHTSA's Web site at URL *http://www.nrd.nhtsa.dot.gov/departments/nrd-01/presentations/presentations.html*.

Should it be necessary to cancel the meeting due to inclement weather or any other emergencies, a decision to cancel will be made as soon as possible and posted immediately on NHTSA's Web site at URL *http://www.nhtsa.dot.gov/nhtsa.announce/meetings/*. If you do not have access to the Web site, you may call for information at the contact listed above and leave your telephone or telefax number. You will be contacted only if the meeting is canceled.

Issued on: May 26, 2004.

**Joseph N. Kanianthra,**

*Associate Administrator for Vehicle Safety Research.*

[FR Doc. 04-12500 Filed 6-2-04; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. NHTSA-2004-17901; Notice 1]

**Yokohama Tire Corporation, Receipt of Petition for Decision of Inconsequential Noncompliance**

Yokohama Rubber Co., Ltd. of Tokyo Japan has determined that certain tires that it manufactured in 2000 do not comply with S4.3(c) of 49 CFR 571.109, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, "New pneumatic tires." Yokohama Tire Corporation (Yokohama) on behalf of Yokohama Rubber Co., Ltd. has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), Yokohama has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Yokohama's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Yokohama Rubber Co., Ltd. produced size 185R14 8PR Y356 tires during 2002 whose load range is "D" but are incorrectly labeled on the tire sidewall