

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****[Summary Notice No. PE-2005-16]****Petitions for Exemption; Summary of Petitions Received**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition exemption received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of a certain petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before April 12, 2005.

ADDRESSES: Send comments on the petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2005-20582 at the beginning of your comments. If you wish to receive confirmation that the FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing the petition, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office (telephone 1-800-647-5527) is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: John Linsenmeyer (202-267-5174), Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; or Susan Lender, 202-267-8029, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on March 17, 2005.

Anthony F. Fazio,
Director, Office of Rulemaking.

Petitions For Exemption

Docket No.: FAA-2005-20582.

Petitioner: John S. Ditmars.

Section of 14 CFR Affected: § 45.21(b), (c)(2) and (c)(3).

Description of Relief Sought: To allow the petitioner to use registration marks on a PA-60 aircraft that do not meet the color contrast requirements of part 45.

[FR Doc. 05-5759 Filed 3-22-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Collaborative Decisionmaking Simulation**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Summary of the simulation of a capacity-reducing event using Chicago O'Hare International Airport as a model.

SUMMARY: This summarizes the simulation of a capacity-reducing event run by the FAA on July 13-14, 2004. This simulation was conducted by the agency in accordance with Section 423 of Public Law 108-176, codified at section 40129 of title 49 of the United States Code.

FOR FURTHER INFORMATION CONTACT: James W. Whitlow, Deputy Chief Counsel, Policy and Adjudication, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3773.

SUPPLEMENTARY INFORMATION:**Background**

In accordance with Section 423 of Public Law 108-176, the FAA sought to establish a collaborative decision making pilot program that would facilitate certain communications among participating carriers at a designated airport over their flight schedules if the airport experience or is expected to experience reduced capacity because of a capacity-reducing event. On March 23, 2004 (69 FR 13616), the FAA published a notice in the **Federal Register** requesting comments on the FAA's proposed actions to implement a program. In that notice, the FAA announced it was preparing a computer simulation of a capacity-reducing event

using Chicago O'Hare International Airport as a model. The stated purpose of the simulation was to evaluate the effectiveness of different delay-avoidance strategies that may be employed by the FAA and its customers in handling a capacity-reducing event.

The FAA scheduled the simulation for July 13-14, 2003, and issued a letter of invitation to the major airlines operating at O'Hare Airport, and to all major industry groups. The simulation was built around an actual capacity-reducing event that occurred at O'Hare Airport on March 17, 2004, when a ground delay program was implemented at the airport for 11 hours because of a snowstorm. The simulation was designed to allow carriers to review their data for that date, and compare it to the results achieved during the simulation.

This document summarizes the simulation that was conducted on July 13-14, 2004.

Summary

Participants in the simulation included seven airlines, two trade groups, and FAA and DOT personnel. The seven airlines represented 96% of the flights into O'Hare Airport. The participants first reviewed the March 17th operation at O'Hare Airport before proceeding to the simulation. In the first simulation scenario, the airlines had entered their date 12 hours in advance, without sharing their information with any other carriers.

Based on the data entered in the software, the carriers were able to accommodate 93% of their passengers on their own airline. A factor impacting this result was the airlines' lack of access during the simulation to the passenger and planning resources available at their Operation Centers. This skewed the number of non-accommodated passengers, because the Operation Centers have resources available to accommodate their passengers, including busing and the use of larger aircraft.

The next simulation reduced the airport arrival rate below the actual rate incurred on March 17, 2004 in order to explore the concept of inter-airline communication. Again the airlines affirmed their ability to accommodate passengers through mechanisms available today, using their existing online and interline flight interruption procedures.

Conclusions

The simulation did identify modifications to the ground delay program software that would enhance operations, such as earlier notification

of a ground delay program and warnings when a city-pair was left without service. The participants indicated, however, that these enhancements could be acted upon without further action by the FAA under Section 423.

Participants expressed concern about anti-trust legal issues, the costs that would be incurred to implement a formal CRE program similar to the simulation, and the lack of quantifiable benefits. The unreliability of forecasted weather was considered a detriment to changing airlines' schedules early, thereby inconveniencing passengers and disrupting the airlines' schedule. It was recommended by the participants that no additional action was necessary or should be taken by the FAA to implement a collaborative decision making program under this legislation. Accordingly, the FAA intends to take no further action on this matter at this time.

Issued in Washington, DC on March 17, 2005.

Andrew B. Steinberg,
Chief Counsel.

[FR Doc. 05-5646 Filed 3-22-05; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket Nos. FMCSA-98-4334, FMCSA-2000-7918, FMCSA-2000-8398, FMCSA-2002-12844, FMCSA-2002-13411]

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 13 individuals. 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 April 5, 2005. Comments from interested persons should be submitted by April 22, 2005.

ADDRESSES: You may submit comments identified by DOT DMS Docket Numbers FMCSA-98-4334, FMCSA-2000-7918, FMCSA-2000-8398, FMCSA-2002-12844, FMCSA-2002-13411 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.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

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: 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 online.

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), FMCSA may renew an exemption 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 13 individuals who have requested renewal of their exemptions from 49 CFR 391.41(b)(10) concerning vision requirements in a timely manner. FMCSA has evaluated these 13 applications for renewal on their merits and decided to extend each exemption for a renewable two-year period. They are: Rodger B. Anders, William E. Beckley, Richard D. Carlson, Sandy Clark, David J. Collier, Raymond G. Hayden, Mark J. Koscinski, Dexter L. Myhre, Stephanie D. Randels, Darrell L. Rohlf, Daniel J. Schaap, David A. Stafford, and Daniel R. Viscaya.

These exemptions are extended subject to the following conditions: (1) That each individual have a physical exam 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 FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions