

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Notice of Intent To Rule on Application 03-06-U-00-PNS To Use the Revenue From a Passenger Facility Charge (PFC) at Pensacola Regional Airport, Pensacola, FL**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Pensacola Regional Airport under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before January 13, 2003.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Orlando Airports District Office, Suite 400, 5950 Hazeltine National Drive, Orlando, Florida 32822.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Frank Miller, Airport Director of the City of Pensacola at the following address: Pensacola Regional Airport, 2430 Airport Blvd., Suite 225, Pensacola, Florida 32504.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Pensacola under § 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bill Farris, Program Manager, Orlando Airports District Office, Suite 400, 5950 Hazeltine National Drive, Orlando, Florida 32822, (407) 812-6331 Ext. 25. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Pensacola Regional Airport under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On December 5, 2002, the FAA determined that the application to use the revenue from a PFC submitted by City of Pensacola was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than March 20, 2003.

The following is a brief overview of the application.

*Proposed charge effective date:* December 1, 2002.

*Proposed charge expiration date:* September 1, 2007.

*Level of the proposed PFC:* \$4.50.

*Total estimated PFC revenue:* \$12,300,000.

*Brief description of proposed project(s):* Runway 8/26 Extension.

*Level of the proposed PFC:* \$4.50.

*Class or classes of air carriers which the public agency has requested not be required to collect PFCs:* Air taxi/commercial operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Federal Aviation Administration, Southern Headquarters/ASO-600, 1701 Columbia Ave., College Park, Georgia 30337.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Pensacola.

Issued in Orlando, Florida, on December 5, 2002.

**W. Dean Stringer,**

*Manager, Airports Division, Southern Region.*

[FR Doc. 02-31344 Filed 12-11-02; 8:45 am]

**BILLING CODE 4910-13-M**

**SUPPLEMENTARY INFORMATION:****Discussion**

You may download a copy from the FAA Web site at <[http://www.faa.gov/certification/aircraft/small\\_airplane\\_directorate\\_news\\_proposed.htm](http://www.faa.gov/certification/aircraft/small_airplane_directorate_news_proposed.htm)>, or request a copy by contacting the person named above under **FOR FURTHER INFORMATION CONTACT**.

This proposed policy's purpose is to clarify Federal Aviation Administration (FAA) certification policy on the application of Advisory Circular (AC) 23.1309-1C, Equipment, Systems, and Installations in Part 23 Airplanes, regarding hazardous misleading heading information.

The issue in question is specifically about the application of AC 23.1309-1C for an airplane with the certification basis under amendments 23-41 or later. This clarification is limited to installations approved for operation in Instrument Meteorological Conditions (IMC) under Instrument Flight Rules (IFR).

Issued in Kansas City, Missouri on November 18, 2002.

**Dorenda D. Baker,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 02-30052 Filed 12-11-02; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Policy Statement on Standardization of Application Regarding Hazardous Misleading Heading Information for Attitude-Heading Reference Systems (AHRS); PS-ACE100-2002-003**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed policy statement; request for comments.

**SUMMARY:** This notice announces the availability of, and request for comments for, a proposed policy statement on the standardization of application of 14 CFR part 23, § 23.1309 regarding hazardous misleading heading information for attitude-heading reference systems (AHRS); PS-ACE100-2002-003.

**DATES:** Comments sent must be received by February 10, 2003.

**FOR FURTHER INFORMATION CONTACT:** Erv Dvorak, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, room 301, Kansas City, Missouri 64106; telephone: (816) 329-4123; facsimile: (816) 329-4123.

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration**

[Policy Statement No. ANM-02-115-15]

**Certification of Passenger Seat Armrests**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of final policy.

**SUMMARY:** The Federal Aviation Administration (FAA) announces the availability of final policy that clarifies current FAA policy with respect to certification of passenger seat armrests.

**DATES:** The final policy was issued by the Transport Airplane Directorate on November 25, 2002.

**FOR FURTHER INFORMATION CONTACT:** Jayson Claar, Federal Aviation Administration, Transport Airplane Directorate, Transport Standards Staff, Airframe and Cabin Safety Branch, ANM-115, 1601 Lind Avenue SW., Renton, WA 98055-4056; telephone (425) 227-2194; fax (425) 227-1320; e-mail: [jayson.claar@faa.gov](mailto:jayson.claar@faa.gov).

**SUPPLEMENTARY INFORMATION:**

## Discussion of Comments

A notice of proposed policy was published in **Federal Register** on August 16, 2002 (67 FR 53641). Two (2) commenters responded to the request for comments.

## Background

The policy provides additional guidance with respect to compliance with § 25.785(d), Amendment, 25–88, for transport category airplane passenger seat armrests, and is specifically aimed at documenting an alternative to current policy and guidance for demonstrating compliance with that section for seat armrests which may be struck by persons seated behind them.

The final policy as well as the disposition of public comments is available on the Internet at the following address: <http://www.faa.gov/certification/aircraft/anminfo/finalpaper.cfm>. If you do not have access to the Internet, you can obtain a copy of the policy by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Issued in Renton, Washington, on November 25, 2002.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 02–31346 Filed 12–11–02; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2002–13411]

### Qualification of Drivers; Exemption Applications; Vision

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

**ACTION:** Notice of applications for exemption from the vision standard; request for comments.

**SUMMARY:** This notice publishes the FMCSA's receipt of applications from 33 individuals for an exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. If granted, the exemptions will enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce without meeting the vision standard prescribed in 49 CFR 391.41(b)(10).

**DATES:** Comments must be received on or before January 13, 2003.

**ADDRESSES:** You can mail or deliver comments to the U.S. Department of Transportation, Dockets Management

Facility, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001. You can also submit comments at <http://dms.dot.gov>. Please include the docket number that appears in the heading of this document. You can examine and copy this document and all comments received at the same Internet address or at the Dockets Management Facility from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Zywockarte, Office of Bus and Truck Standards and Operations, (202) 366–2987, FMCSA, Department of Transportation, 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), the FMCSA may grant an exemption for a 2-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 statute also allows the agency to renew exemptions at the end of the 2-year period. The 33 individuals listed in this notice have recently requested an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety.

#### Qualifications of Applicants

##### 1. Michael D. Archibald

Mr. Archibald, age 57, lost his right eye in 1967 due to trauma. The visual acuity in his left eye is 20/15 corrected. His optometrist examined him in 2002 and stated, “It is my opinion, and I will certify that the ocular health and visual condition of Michael D. Archibald, Sr. are stable and that he has demonstrated the visual competency required to perform the driving tasks of a commercial vehicle.” Mr. Archibald reported that he has 5 years and 7,000 miles of experience in operating straight trucks, and 14 years and 1.2 million miles of experience in operating tractor-trailer combinations. He holds a Class A commercial driver's license (CDL) from the State of Washington, and his driving

record for the last 3 years shows no accidents or convictions for traffic violations in a CMV.

##### 2. Howard K. Bradley

Mr. Bradley, 38, has optic nerve atrophy in his right eye due to an accident in 1983. His visual acuity is 20/400 in the right eye and 20/20 in the left. An ophthalmologist who examined him in 2002 certified, “In my medical opinion, this patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Bradley submitted that he has operated tractor-trailer combinations for 19 years, accumulating 1.7 million miles. He holds a Class AM CDL from Virginia. His driving record shows he has had one accident and no convictions for traffic violations in a CMV during the last 3 years. According to the police report, a driver following Mr. Bradley rear-ended his vehicle. The other driver was charged with “Reckless Driving”; Mr. Bradley was not cited.

##### 3. Kirk G. Braegger

Mr. Braegger, 52, has amblyopia in his left eye. His best-corrected visual acuity is 20/30 in the right eye and 20/80 in the left. An ophthalmologist examined him in 2002 and stated, “I certify that he does have sufficient vision to perform the driving tasks required to operate a commercial vehicle.” Mr. Braegger reported that he has driven tractor-trailer combinations for 20 years, accumulating 2.4 million miles. He holds a Class A CDL from Utah. His driving record for the last 3 years shows no accidents or convictions for moving violations in a CMV.

##### 4. Daniel L. Butler

Mr. Butler, 60, has amblyopia in his left eye. His best-corrected visual acuity is 20/20 in the right eye and 20/200 in the left. An ophthalmologist examined him in 2002 and stated, “In my professional opinion, this person has sufficient vision to continue to perform the driving tasks required to operate a commercial vehicle.” Mr. Butler reported that he has driven straight trucks for 18 years, accumulating 1.0 million miles, and tractor-trailer combinations for 20 years, accumulating 1.2 million miles. He holds a Class A CDL from South Carolina. His driving record for the last 3 years shows one accident and no convictions for moving violations in a CMV. According to the police report, the driver of another vehicle ran over the curb of the median. The driver stated that she was forced to move toward the median when Mr. Butler changed into her lane. Mr. Butler stated that he observed the other vehicle