

required because distances are more compact than on highways. These conditions tax visual capacity and driver response just as intensely as interstate driving conditions. The veteran drivers in this proceeding have operated CMVs safely under those conditions for at least 3 years, most for much longer. Their experience and driving records lead us to believe that each applicant is capable of operating in interstate commerce as safely as he or she has been performing in intrastate commerce. Consequently, the FMCSA finds that exempting these applicants from the vision standard in 49 CFR 391.41(b)(10) is likely to achieve a level of safety equal to that existing without the exemption. For this reason, the agency is granting the exemptions for the 2-year period allowed by 49 U.S.C. 31315 and 31136(e) to 35 of the 36 applicants listed in the June notice.

We recognize that the vision of an applicant may change and affect his/her ability to operate a commercial vehicle as safely as in the past. As a condition of the exemption, therefore, the FMCSA will impose requirements on the 35 individuals consistent with the grandfathering provisions applied to drivers who participated in the agency's vision waiver program.

Those requirements are found at 49 CFR 391.64(b) and include the following: (1) That each individual be physically examined 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, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

Discussion of Comments

The FMCSA received one comment in this proceeding. The comment was considered and is discussed below.

Advocates for Highway and Auto Safety (Advocates) expresses continued opposition to the FMCSA's policy to grant exemptions from the FMCSRs, including the driver qualification standards. Specifically, Advocates: (1)

Objects to the manner in which the FMCSA presents driver information to the public and makes safety determinations; (2) objects to the agency's reliance on conclusions drawn from the vision waiver program; (3) claims the agency has misinterpreted statutory language on the granting of exemptions (49 U.S.C. 31315 and 31136(e)); and finally (4) suggests that a recent Supreme Court decision affects the legal validity of vision exemptions.

The issues raised by Advocates were addressed at length in 64 FR 51568 (September 23, 1999), 64 FR 66962 (November 30, 1999), 64 FR 69586 (December 13, 1999), 65 FR 159 (January 3, 2000), 65 FR 57230 (September 21, 2000), and 66 FR 13825 (March 7, 2001). We will not address these points again here, but refer interested parties to those earlier discussions.

Conclusion

After considering the comments to the docket and based upon its evaluation of the 35 exemption applications, the FMCSA exempts Gene E. Adams, Morris R. Beebe, William V. Beekler, Jerry W. Branning, Dennis R. Burda, James A. Busbin, Jr., Domenic J. Carassai, Theodore W. Cozat, Todd L. Dewey, John F. Dougherty, Fred W. Duran, Paul J. Edwards, Sr., William R. Evridge, Kenneth J. Fisk, Leslie W. Good, Michael E. Grens, Rodney P. Hains, Bruce E. Hemmer, Steven P. Holden, Russell R. Inlow, Christopher G. Jarvela, Henry Joiner, Darrell D. Kropf, Brad L. Mathna, William G. McClam, Vincent P. Miller, Warren J. Nyland, Dennis M. Prevas, Terry B. Pritchett, Greg L. Riles, Jon D. Schwengel, Steven R. Smith, Calvin D. Tomlinson, Mona J. van Krieken, and Paul S. Yocum from the vision requirement in 49 CFR 391.41(b)(10), subject to the following conditions: (1) That each individual be physically examined 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, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, so it may be presented to a duly

authorized Federal, State, or local enforcement official.

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: August 11, 2003.

Robert F. Proferes,

Acting Associate Administrator for Policy and Program Development.

[FR Doc. 03-20889 Filed 8-14-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2000-7257]

Notice No. 31; Railroad Safety Advisory Committee; Notice of Meeting

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Railroad Safety Advisory Committee ("RSAC") meeting.

SUMMARY: FRA announces the next meeting of the RSAC, a Federal Advisory Committee that develops railroad safety regulations through a consensus process. The RSAC meeting topics will include updates on the Safety Reauthorization Bill, the Illinois Department of Transportation Positive Train Control Project, and the Highway-Rail Crossing Action Plan. Status reports will be given on the Event Recorder, Locomotive Crashworthiness, Passenger Safety and other active working groups. The Committee will be briefed on the International Application of Alcohol and Drug Rules, and Medical Standards for Safety Critical Employees.

DATES: The meeting of the RSAC is scheduled to commence at 9:30 a.m. and conclude at 4 p.m. on Thursday, September 18, 2003.

ADDRESSES: The meeting of the RSAC will be held at the Washington Plaza, 10 Thomas Circle, NW., Washington, DC 20005, (202) 842-1300. The meeting is open to the public on a first-come, first-served basis and is accessible to individuals with disabilities. Sign and

oral interpretation can be made available if requested 10 calendar days before the meeting.

FOR FURTHER INFORMATION CONTACT: Trish Butera or Lydia Leeds, RSAC Coordinators, FRA, 1120 Vermont Avenue, NW., Stop 25, Washington, DC 20590, (202) 493-6212/6213 or Grady Cothen, Deputy Associate Administrator for Safety Standards and Program Development, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6302.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), FRA is giving notice of a meeting of the Railroad Safety Advisory Committee ("RSAC"). The meeting is scheduled to begin at 9:30 a.m. and conclude at 4 p.m. on Thursday, September 18, 2003. The meeting of the RSAC will be held at the Washington Plaza, 10 Thomas Circle, NW., Washington, DC, 20005, (202) 842-1300. All times noted are Daylight Saving Time.

RSAC was established to provide advice and recommendations to the FRA on railroad safety matters. The Committee consists of 48 individual voting representatives and five associate representatives drawn from among 32 organizations representing various rail industry perspectives, two associate representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico and other diverse groups. Staffs of the National Transportation Safety Board and Federal Transit Administration also participate in an advisory capacity.

See the RSAC Web site for details on pending tasks at: <http://rsac.fra.dot.gov>. Please refer to the notice published in the **Federal Register** on March 11, 1996 (61 FR 9740) for more information about the RSAC.

Issued in Washington, DC on August 11, 2003.

George A. Gavalla,

Associate Administrator for Safety.

[FR Doc. 03-20922 Filed 8-14-03; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA 2003-15690; Notice 1]

General Motors North America, Inc., Receipt of Application for Decision of Inconsequential Noncompliance

General Motors North America Inc. (GM), has determined that certain 2001-

2003 Oldsmobile Silhouettes and 2003 Pontiac Azteks did not meet requirement S5.2 of Federal Motor Vehicle Safety Standard (FMVSS) 120—"Tire Selection and Rims for Motor Vehicles Other Than Passenger Cars."

Pursuant to 49 U.S.C. 30118(d) and 30120(h), GM has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports."

This notice of receipt of an application 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 application.

GM produced 55,825 model year 2001-2003 Oldsmobile Silhouettes and 15,343 model year 2003 Pontiac Azteks, totaling 71,168 vehicles. These vehicles are classified as multipurpose vehicles (MPVs). According to GM, the rims fitted to the MPVs were originally released for use on passenger cars, and meet all the requirements of FMVSS 110, "Tire Selection and Rims—Passenger Cars". FMVSS 110 does not require marking the rims with either the designation of the source of the rims' dimensions or the symbol DOT. When the rims were subsequently released for use on the subject MPVs, they were evaluated for the alternative usage with respect to performance requirements, but they inadvertently were not reviewed with respect to the marking requirements of FMVSS 120. These rims meet all rim requirements of FMVSS 120, except the marking requirements of S5.2(a) and S5.2(c), which require the designation of the source of the rims' dimensions, and use of the symbol DOT, respectively.

GM argues that this noncompliance is inconsequential to motor vehicle safety for the following reason: Apart from S5.2 (a) and S5.2(c), the subject rims meet all requirements of FMVSS 120. The tire and rim of the affected vehicles are properly matched, and are appropriate for the load-carrying characteristics of these vehicles. The missing markings have no effect on safety or the performance of the tire/rim combination.

Also, the rim markings and vehicle placard, which are used to identify the correct replacement rim, both contain the correct and complete size of rims installed on the Silhouette and Aztek MPVs.

Interested persons are invited to submit written views, arguments, and data on the application described above. Comments must refer to the docket and notice number cited at the beginning of

this notice and be submitted by any of the following methods: Mail: Docket Management Facility; U.S. Department of Transportation, Nassif Building, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-001. Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC. It is requested, but not required, that two copies of the comments be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays. Comments may be submitted electronically by logging onto the Docket Management System Web site at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically. Comments may be faxed to 1-202-493-2251, or may be submitted to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and considered to the extent possible. When the application is granted or denied, the notice is published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: September 15, 2003.

Authority: (49 U.S.C. 301118, 301120; delegations of authority at CFR 1.50 and 501.8).

Issued on: August 7, 2003.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 03-20924 Filed 8-14-03; 8:45 am]

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DEPARTMENT OF THE TREASURY

United States Mint

ACTION: Request for CCAC membership applications.

SUMMARY: The United States Mint is accepting applications for membership to the Citizens Coinage Advisory Committee (CCAC) for three positions—a representative from the general public; an individual specially qualified in numismatics by virtue of his or her education, training, or experience; and an individual specially qualified in American history. Public Law 108-15 established the CCAC to:

- Advise the Secretary of the Treasury on any theme or design proposals relating to circulating coinage,