

Patrick W. Shea
Rick N. Ulrich
Roy F. Varnado, Jr.
Larry D. Wedekind
Wonda L. Wooten
Rick A. Young

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 Each exemption will be valid for two years unless rescinded earlier by the FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was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(e).

Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. In accordance with 49 U.S.C. §§ 31315 and 31136(e), each of the 24 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (63 FR 30285, 63 FR 54519, 65 FR 77069, 67 FR 71610, 64 FR 40404, 64 FR 66962, 67 FR 10475, 65 FR 20245, 65 FR 57230, 65 FR 33406, 65 FR 57234, 67 FR 57266, 65 FR 45817, 65 FR 77066). Each of these 24 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past two years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis

for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, the FMCSA concludes that extending the exemption for each renewal applicant for a period of two years is likely to achieve a level of safety equal to that existing without the exemption.

Comments

The FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by December 8, 2004.

In the past the FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew, and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 69 FR 51346 (August 18, 2004). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on: November 3, 2004.

Rose A. McMurray,

Associate Administrator, Policy and Program Development.

[FR Doc. 04-24868 Filed 11-5-04; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms and Record Keeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for

review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with a 60-day comment period was published on June 16, 2004, (69 FR 33694). No comments were received.

DATES: Comments must be submitted on or before December 8, 2004.

FOR FURTHER INFORMATION CONTACT: John Lee, the National Highway Traffic Safety Administration, Office of Rulemaking (NVS-112), (202) 366-4924, 400 Seventh Street, SW., Room 5320, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

National Highway Traffic Safety Administration

Title: 49 CFR 571.205, Glazing Materials.

OMB Number: 2127-0038.

Type of Request: Extension of a currently approved collection.

Abstract: In order to ensure that glazing and motor vehicle manufacturers are complying with Federal Motor Vehicle Safety Standard No. 205, "Glazing Materials," NHTSA requires a certification label on each piece of glazing. As part of that certification label, the company must identify itself with a simple two or three digit number assigned by the agency. Failure to clearly identify the manufacturer would make the certification label, and therefore the safety compliance, unenforceable.

Affected Public: New prime glazing manufacturers (A prime glazing manufacturer is a manufacturer that fabricates, laminates, or tempers glazing materials).

Estimated Total Annual Burden: 10.5 hours.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 7th Street, NW., Washington, DC 20503, Attention: NHTSA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A Comment to OMB is most effective if OMB receives it within 30-days of publication.

Issued in Washington, DC, on November 3, 2004.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

[FR Doc. 04-24854 Filed 11-5-04; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

October 26, 2004.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

DATES: Written comments should be received on or before December 8, 2004 to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545-1083.

Regulation Project Number: INTL-399-88 Final.

Type of Review: Extension.

Title: Treatment of Dual Consolidated Losses.

Description: Section 1503(d) denies use of the losses of one domestic corporation by another affiliated domestic corporation where the loss corporation is also subject to the income tax of another country. The regulation allows an affiliate to make use of the loss if the loss has not been used in the foreign group to take the loss into income upon future use of the loss in the foreign country. The regulation also requires separate accounting for a dual consolidated loss where the dual resident corporation files a consolidated return.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 500.

Estimated Burden Hours Respondent: 3 hours, 14 minutes.

Frequency of response: Annually.

Estimated Total Reporting Burden: 1,620 hours.

OMB Number: 1545-1318.

Regulation Project Number: REG-209545-92 NPRM.

Type of Review: Extension.

Title: Earning and Profits of Foreign Corporations.

Description: Application of the proposed regulations may result in accounting method changes which ordinarily require the filing of Form 3115. However, the proposed regulations waive this filing requirement if certain conditions are met, with the net result that no burdens are imposed.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 1.
Estimated Burden Hours Respondent: 1 hour.

Frequency of response: On occasion.

Estimated Total Reporting Burden: 1 hour.

OMB Number: 1545-1339.

Regulation Project Number: IA-33-92 Final.

Type of Review: Extension.

Title: Information Reporting for Reimbursements of Interest on Qualified Mortgages.

Description: To encourage compliance with the tax laws relating to the mortgage interest deduction, the regulations require the reporting on form 1098 of reimbursements of interest overcharged in a prior year. Only businesses that receive mortgage interest in the course of that business are affected by this reporting requirement.

Respondents: Business or other for-profit.

Estimated Number of Respondents/Recordkeepers: 1.

Estimated Burden Hours Respondent/Recordkeeper: 1 hour.

Frequency of response: Annually.

Estimated Total Reporting/Recordkeeping Burden: 1 hour.

OMB Number: 1545-1360.

Regulation Project Number: PS-102-88 Final.

Type of Review: Extension.

Title: Income, Gift and Estate Tax.

Description: The regulation provides guidance to individuals or fiduciaries: (1) For making a qualified domestic trust election of the estate return of a decedent whose surviving spouse is not a United States citizen in order that the estate may obtain the marital deduction, and (2) for filing the annual returns that such an election may require.

Respondents: Individuals or households.

Estimated Number of Respondents: 2,300.

Estimated Burden Hours Respondent: 2 hours, 40 minutes.

Frequency of response: Annually.

Estimated Total Reporting Burden: 6,150 hours.

OMB Number: 1545-1378.

Regulation Project Number: PS-4-89 Final.

Type of Review: Extension.

Title: Disposition of an Interest in a Nuclear Power Plant.

Description: The regulations require that certain information be submitted as part of a request for a schedule of ruling amounts. The regulations also require certain taxpayers to file a request for a revised schedule of ruling amounts.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 70.

Estimated Burden Hours Respondent: 8 hours, 13 minutes.

Frequency of response: On occasion.

Estimated Total Reporting Burden: 575 hours.

OMB Number: 1545-1464.

Regulation Project Number: IA-44-94 Final.

Type of Review: Extension.

Title: Deductibility, Substantiation, and Disclosure of Certain Charitable Contributions.

Description: The regulation provides guidance regarding the allowance of certain charitable contribution deductions, the substantiation requirements for charitable contributions of \$250 or more, and the disclosure requirements for quid pro quo contributions of \$75 or more. These regulations will affect donee organizations and individuals and entities that make payments to donee organizations.

Respondents: Individuals or households, Business or other for-profit, Not-for-profit institutions.

Estimated Number of Respondents/Recordkeepers: 1,750,000.

Estimated Burden Hours Respondent/Recordkeeper: 1 hour, 8 minutes.

Frequency of response: On occasion.

Estimated Total Reporting/Recordkeeping Burden: 1,975,000 hours.

OMB Number: 1545-1774.

Regulation Project Numbers: REG-135898-04 NPRM and Temporary; REG-152524-02 NPRM and Temporary; REG-123305-02 (formerly REG-102305-02) NPRM and Temporary; and REG-102740-02 NPRM and Temporary.

Type of Review: Extension.

Title: REG-135898-04 NPRM and Temporary Regulations: Extension of Time to Elect Method for Determining Allowable Loss; REG-152524-02 NPRM and Temporary Regulations: Guidance under Section 1502; Amendment of Waiver of Loss Carryovers from Separate Return Limitation Years; REG-123305-