

<http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Les Taylor (816-329-4134), Small Airplane Directorate (ACE-111), Federal Aviation Administration, 901 Locust St., Kansas City, MO 64106; or Brenda Sexton (202-267-3644), Office of Rulemaking (ARM-200), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on January 15, 2010.

Pamela Hamilton-Powell,

Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2009-1161.

Petitioner: Cubcrafters, Inc.

Section of 14 CFR Affected: 14 CFR 23.562, Amendments 23-50.

Description of Relief Sought: This exemption, if granted, would allow for type certification of the Model CC18-181 aircraft with seats that have not shown compliance with the emergency landing dynamic conditions.

Cubcrafters proposes the use of static tests on the seat and harnesses and to equip the aircraft with a four-point harness by using a Technical Standards Order (TSO).

[FR Doc. 2010-1106 Filed 1-21-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Adrian and Blissfield Railroad

[Waiver Petition Docket Number FRA-2009-0113]

The Adrian and Blissfield Railroad (ADBF), a Class III railroad located in Lenawee County in the State of Michigan, seeks a waiver of compliance

from the requirements of 49 CFR 223.15 *Requirements for existing passenger cars*. Specifically, ADBF has petitioned FRA for a waiver for passenger coach ADBF 3370, *Columbia River*, which was built for the Union Pacific Railroad in 1949. ADBF operates this car in a dinner train exclusively on ADBF tracks in a rural area at speeds not exceeding 15 miles per hour on a 16-mile round trip.

ADBF states that passenger car ADBF 3370 is equipped with double pane safety glass. In the 15 years of operation in its present service, neither this car nor the two passenger cars it normally operates with have suffered any glazing breakage due to an accident or act of vandalism. The petitioner additionally states that preliminary estimates for upgrading this car to FRA Type I and II glazing are in the range of \$20,000 to \$30,000, which is the approximate value of the railcar.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2009-0113) and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.

- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC on January 19, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010-1228 Filed 1-21-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2009-03

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

ACTION: Notice of Safety Advisory; Identification and Handling of Highway-Rail Grade Crossings with Vertical Profile Conditions.

SUMMARY: FRA is issuing Safety Advisory 2009-03 to address Safety Recommendations H-96-01, H-96-02, and H-96-04, issued by the National Transportation Safety Board (NTSB) that relate to vertical roadway profile conditions at highway-rail grade crossings. This safety advisory reminds States of their responsibility to identify and document in the U.S. DOT National Highway-Rail Grade Crossing Inventory ("DOT Crossing Inventory") highway-rail crossings where "Low Ground Clearance" signs have been installed. This safety advisory also recommends that States implement policies and procedures to identify public highway-rail grade crossings that do not satisfy the standard for vertical profile conditions set forth in the American Association of State Highway and Transportation Officials' Policy on Geometric Design of Highways and Streets ("AASHTO Green Book") and recommends that corrective action be taken to bring them into compliance.

FOR FURTHER INFORMATION CONTACT: Ron Ries, Staff Director, Highway-Rail Grade Crossing & Trespasser Prevention Division, FRA, RRS-23, Mail Stop 25, 1200 New Jersey Avenue, SE., Washington, DC 20590 (telephone: (202) 493-6299), or Kathryn Shelton,