



Office of the Secretary
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION
DOCKETS
Washington, D.C. 20590

98-13

Weekly Summary of Orders and
Regulations

MARCH 23 – MARCH 27, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

98-3-19	OST-97-3116 R1-R-44	<p>The Department approves and grants antitrust immunity to the IATA agreement contained in this docket, subject to the conditions imposed. The department does not find that the resolutions in this docket, as set forth in Attachment A to this order and which have direct application in foreign air transportation as defined by the Code, are adverse to the public interest or in violation of the Code, provided that (a) normal economy fares for U.S. – TC31 direct service markets filed by each IATA carrier in tariffs with the Department pursuant to these resolutions shall not exceed the regulatory ceilings at the time of filing, and (b) each IATA carrier submits, at the time of filing and for comparative purposes, its SFFL base fares, proposed direct-service normal economy fares differ from the SFFL base levels for each market for which it files revised direct-service normal economy fares; the Department does not find that the resolutions in this docket, as set for in Attachment B to this order and which have indirect application in foreign air transportation as defined by the Code, are adverse to the public interest or in violation of the code relating to the agreement adopted by the Tariff Coordinating Conferences of the International Air Transport Association relating to TC31 passenger fares. Served March 24, 1998</p>	3-19-98
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Order	Docket	Summary	Date Action Taken
98-3-20	OST-98-3517 OST-98-3520 OST-98-3522 OST-98-3518 OST-98-3519 OST-98-3504 OST-98-3500 OST-98-3493 OST-98-3506	<p data-bbox="691 394 1287 800"> NINETY-DAY NOTICES OF INTENT TO TERMINATE SERVICE AT CHICO, CALIFORNIA, INYOKERN, CALIFORNIA, MODESTO, CALIFORNIA, SANTA ROSA, CALIFORNIA, VISALIA, CALIFORNIA, GUNNISON, COLORADO, MONTROSE/DELTA, COLORADO, CHEYENNE, WYOMING, SHERIDAN, WYOMING, FILED BY MESA AIR GROUP UNDER 49 U.S.C. 41734 AND 14 CFR 323.3(A)(5): </p> <p data-bbox="691 806 1287 1178"> The Department prohibits Mesa Air Group, d/b/a United Express, from suspending service at Chico, Inyokern, Modesto and Santa Rosa, California, at the end of its 90-day notice period, and require it to maintain service at the communities, as set forth in Appendix C, for the 30-day period through June 18, 1998, or until a carrier capable of providing reliable essential air service actually begins service, which occurs first. </p> <p data-bbox="691 1184 1287 1587"> The Department prohibits Mesa Air Group, d/b/a United Express, from suspending service at Gunnison and Montrose/Delta, Colorado, and Cheyenne and Sheridan, Wyoming, at the end of its 90-day notice period, and require it to maintain service at the communities, as set forth in Appendix C, for the 30-day period through June 17, 1998, or until a carrier capable of providing reliable essential air service actually begins service, which occurs first. </p> <p data-bbox="691 1593 992 1625"> Served March 25, 1998 </p>	3-19-98

Order	Docket	Summary	Date Action Taken
98-3-22	OST-98-3512 OST-98-3422 OST-98-3388 OST-97-3239 OST-97-3186 OST-96-1928 OST-95-356 OST-95-219	<p>APPLICATIONS OF VARIOUS FOREIGN AIR CARRIERS FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.</p> <p>The Department confirms the actions described in the attached Notices of Action Taken, which granted the referenced foreign air carriers (1) exemptions from the provisions of sections 41301, and where necessary 41504, and/or other sections of Title 49 of the U.S. Code; and /or (2) relief or authorizations provided for under regulations or orders of the Department, to the applicants to perform the operations described in the attached Notices of Action Taken. To the extent not granted, or explicitly deferred as noted in the attached Notices of Action Taken, these applications are denied.</p> <p>Served March 30,1998</p>	3-24-98
		<p>Intervening number has not been released.</p>	
98-3-24		<p>FITNESS DETERMINATION OF VINTAGE PROPS & JETS, INC. AS A COMMUTER AIR CARRIER UNDER 49 U.S.C. 41738:</p> <p>The Department directs all interested persons to show cause why we should not issue an order finding that Vintage Props & Jets, Inc., is fit, willing, and able under 49 U.S.C. 41738 to provide service as a commuter air carrier. In the event no one files objections, the Department will deem further procedural steps waived, and will enter an order making final the tentative findings and conclusions set out here and awarding Vintage Props and Jets, Inc., a Commuter Air Carrier Authorization, subject to the attached specimen Terms, Conditions, and Limitations. Objections due by April 8, 1998. Answers to Objections due April 17, 1998. Served March 25, 1998</p>	3-25-98

Order	Docket	Summary	Date Action Taken
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98-3-25

KIWI INTERNATIONAL AIRLINES, INC.,
 AND KIWI INTERNATIONAL
 HOLDINGS, INC. VIOLATIONS
 OF 49 U.S.C. SECTION 41708 AND 14 CFR
 PART 241:

3-25-98

The Department approves the settlement and the provisions of this order as being in the public interest. The Department finds that Kiwi International Airlines, Inc., and Kiwi International Holdings, Inc.—by virtue of its application of the certificate of Kiwi International Airlines—have violated 14 CFR Part 241 by failing to file required reports in at timely manner. The Department finds that by engaging in the conduct and violations described in ordering paragraph 2 of this order, Kiwi International Airlines, Inc., and Kiwi International Holdings, Inc.—by virtue of its acquisition of the certificate of Kiwi International Airlines—have also violated 49 U.S.C. Section 41708. The Department orders Kiwi International Airlines, Inc., Kiwi International Holdings, Inc. and all other entities owned or controlled by or under common ownership with them, and their successors and assignees, are ordered to cease and desist from violations of 49 U.S.C. Section 41708 and Part 241 of the Department’s regulations.
 Served March 25, 1998

Order	Docket	Summary	Date Action Taken
98-3-30	OST-97-3326 R-1 through R-55	<p>The Department approves and grants antitrust immunity to the agreement contained in this docket, subject to the conditions imposed. The Department does not find that the resolutions set forth in the Attachment to this order and which have direct application in foreign air transportation as defined by the Code, are adverse to the public interest or in violation of the Code, provided that (a) normal economy fares for U.S.-TC3 direct-service markets filed by each IATA carrier in tariffs with the Department pursuant to these resolutions shall not exceed the regulatory ceilings at the time of filing, and (b) each IATA carrier submits, at the time of filing and for comparative purposes, its SFFL base fares, proposed direct-service normal economy fares, and the percentages by which its proposed direct-service normal economy fares, and the percentages by which its proposed direct-service normal economy fares differ from the SFFL base levels for each market for which it files revised direct-service normal economy fares relating to the agreement adopted by the Tariff Coordinating Conferences of the International Air Transport Association relating to TC3 passenger fares. Served March 27, 1998</p>	3-27-98

Order	Docket	Summary	Date Action Taken
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OST-98-3648

REGULATIONS

3-25-98

DEPARTMENT OF TRANSPORTATION
TRANSPORTATION FOR INDIVIDUALS
WITH DISABILITIES

49 CFR PART 37 NOTICE 98-15

The Department is proposing regulations to require the accessibility of new over-the-road buses (OTRBs) and to require accessible OTRB service. The proposed rules, under the authority of the Americans with Disabilities Act (ADA), apply both to intercity and other fixed-route bus operators and to charter/tour operators. The rules would ensure that passengers with disabilities could use OTRBs, accessibility requirements.

Dates: Comments are due by May 26, 1998.

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ORDERS NOT RELEASED DURING THE
WEEK ENDING MARCH 27, 1998:

98-3-23