

\$3,250 + \$3125)) and A has an accumulated FUTA tax liability in the amount of \$137. Accordingly, the exception in paragraph (a)(2)(ii) of this section does not apply. A is, however, a *de minimis* depositor under paragraph (a)(2)(i) of this section and is, therefore, not required to deposit FUTA taxes for the second calendar quarter.

**Example 3.** On June 30, 2002, B and C quit employment with A. The following day, A hires E, a full-time employee who is paid an annual salary of \$40,000 in semi-monthly installments and who also claims single filing status with one exemption on Form W-4. During the third quarter, D is paid \$3,750 and E is paid \$10,000. The employees' share of FICA tax for the quarter is \$1,051.88 (.0765 × (\$3,750 + \$10,000)), A's matching FICA tax is also \$1,051.88, and Federal income tax withheld from D and E is \$1,609. The *de minimis* rule of § 31.6302-1(f)(4) does not apply because the amount of accumulated employment taxes for the quarter (\$3,712.76) is not less than \$2,500 and A may not satisfy its obligation to deposit employment taxes by remitting the taxes with a timely filed return. All amounts paid to D in the third quarter are subject to the FUTA tax because the total amount paid to D through the end of the quarter does not exceed the \$7,000 annual limit. The tax also applies to the first \$7,000 paid to E. A's FUTA tax liability for the third quarter is \$86 (.008 × (\$3,750 + \$7,000)) and A has an accumulated FUTA tax liability of \$223. Because A is not a *de minimis* depositor under paragraph (a)(2)(i) of this section and A's accumulated FUTA tax liability exceeds \$100, neither of the exceptions in this paragraph (a)(2) apply and A is required to deposit the accumulated FUTA tax liability on or before October 31, 2004.

(3) *Requirement for deposit in lieu of payment with return.* If the amount of tax reportable on a return on Form 940 for a calendar year beginning after December 31, 2003, exceeds by more than \$100 the sum of the amount deposited by the employer pursuant to paragraph (a)(1) of this section for such calendar year and the employer does not qualify as a *de minimis* depositor under paragraph (a)(2)(i) of this section during the last quarter of the calendar year, the employer shall, on or before the last day of the first calendar month following the calendar year for which the return is required to be filed, deposit the balance of the tax due with an authorized financial institution. If the amount of tax reportable on a return on Form 940 for a calendar year beginning after December 31, 2003, does not exceed by more than \$100 the sum of the amount deposited by the employer pursuant to paragraph (a)(1) of this section for such calendar year or if the employer qualifies as a *de minimis* depositor under paragraph (a)(2)(i) of this section during the last quarter of the calendar year, the employer may, on or before the last day of the first calendar month

following the calendar year for which the return is required to be filed, remit the balance of the tax at the time and place fixed for filing the return.

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**Robert E. Wenzel,**

*Deputy Commissioner for Services and Enforcement.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD07-03-072]

**RIN 1625-AA09**

#### **Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Boca Grande, Charlotte County, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating regulations and the name of the Gasparilla Island Causeway bridge, across the Gulf Intracoastal Waterway, mile 34.3, in Boca Grande, Florida. The proposed rule would require the bridge to open only two times an hour during the weekdays and four times an hour during certain times on the weekends and Federal holidays. This change would improve the flow of vehicular traffic while not significantly impacting navigation.

**DATES:** Comments and related material must reach the Coast Guard on or before September 15, 2003.

**ADDRESSES:** You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 SE. 1st Ave, Room 432, Miami, Florida, 33131. Comments and material received from the public, as well as documents indicated in the preamble as being available in the docket, will become part of this docket and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 SE. 1st Avenue, Room 432, Miami, Florida, 33131, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Barry Dragon, Seventh Coast Guard District, Bridge Branch, 909 SE. 1st Ave Miami, Florida, 33131, telephone number 305-415-6743.

**SUPPLEMENTARY INFORMATION:**

### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07-03-072], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

### Public Meeting

We do not now plan to hold a public meeting. However, you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, 909 SE. 1st Ave, Room 432, Miami, Florida, 33131, explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

### Background and Purpose

The Gasparilla Island Causeway bridge across the Gulf Intracoastal Waterway, mile 34.3, is a swingbridge with a vertical clearance of 9 feet at mean high water and a horizontal clearance of 81 feet. The current operating regulations published in 33 CFR 117.287(a-1), require the bridge to open on signal; except that, from January 1 to May 31, from 7 a.m. to 5 p.m., the bridge need open only on the hour, quarter hour, half hour and three quarter hour. The bridge owner requested a change to the bridge operating schedule so that the bridge must open on signal, except that from 7 a.m. to 6 p.m., Monday through Friday, except Federal holidays, the bridge need open only on the hour and half hour, and, from 7 a.m. to 6 p.m. on weekends and Federal holidays, the bridge need open only on the hour, quarter hour, half hour and three quarter hour. This regulatory proposal would ease vehicular traffic congestion while providing for the reasonable needs of navigation. The bridge currently opens less than two times per hour on both weekdays and weekends.

In addition, the owner requested that the name of the bridge be changed to the Boca Grande Swingbridge, as it is known locally. The local name is more