

rapidly should be considered to be a single flash. In a March 29, 1994 interpretation letter to the Connecticut Department of Motor Vehicles, NHTSA stated that the light emanating from a strobe lamp that flashes repeatedly in rapid succession will be considered a single flash of varying intensity and not as multiple flashes, when determining the flash rate and flash cycle for alternatively flashing lights required by Standard No. 108, Lamps, Reflective Devices, and Associated Equipment, for school buses. The agency believes that it is appropriate to apply the same principle to school bus stop arms equipped with multiple flash strobe lamps on stop arms. Accordingly, NHTSA considers strobe lamps on school bus stop arms that have multiple flashes of a single lamp and then remain off while the other lamp flashes to be a single flash cycle.

Based on the reasons set forth in the interim final rule and those set forth above, NHTSA has decided to adopt the amendments in the interim final rule on a permanent basis. NHTSA determined that there is good cause to establish an immediate effective date for the final rule to avoid disrupting compliance with the Standard as explained in the interim final rule.

Regulatory Analyses and Notices

A. Executive Order 12866 (Federal Regulation) and DOT Regulatory Policies and Procedures

This notice was not reviewed under E.O. 12866. NHTSA has analyzed this rulemaking and determined that it is not significant within the meaning of the Department of Transportation regulatory policies and procedures. The agency has determined that the economic effects of the amendment are so minimal that a full regulatory evaluation is not required. Since the amendment imposes no new requirement but simply allows for an alternative design, any cost impacts will be in the nature of slight, nonquantifiable cost savings.

B. Regulatory Flexibility Act

In accordance with the Regulatory Flexibility Act, NHTSA has evaluated the effects of this rulemaking on small entities. Based on this evaluation, I hereby certify that the amendments will not have significant economic impact on a substantial number of small entities. Few of the school bus manufacturers qualify as small entities. In addition, manufacturers of motor vehicles, small businesses, small organizations, and small governmental units that purchase motor vehicles will not be significantly affected by the slight cost savings

resulting from the amendments. Accordingly, a regulatory flexibility analysis has not been performed.

C. Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612. NHTSA has determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Nevertheless, NHTSA notes that the laws of various local jurisdictions and four States (Alaska, New Mexico, Washington, and West Virginia) require stop signal arms to be equipped with strobe lamps and thus would have been preempted without this amendment.

D. Environmental Impacts

In accordance with the National Environmental Policy Act of 1969, NHTSA has considered the environmental impacts of this rule. The agency has determined that this rule will not have a significant effect on the quality of the human environment.

E. Civil Justice Reform

This final rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the State requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 571

Imports, Incorporation by reference, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

Accordingly, the interim rule amending 49 CFR part 571 which was published at 59 FR 26759 on May 24, 1994, is adopted as a final rule without change.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166, delegation of authority at 49 CFR 1.50.

Issued on: January 23, 1995.

Ricardo Martinez,
Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 941249-4349; I.D. 012095A]

Groundfish of the Gulf of Alaska; Inseason Action

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 62 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the interim 1995 initial specification for pollock in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), January 24, 1995, until 12 noon A.l.t., April 1, 1995, unless superseded by the final 1995 specifications in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Michael L. Sloan, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

The interim specification of pollock total allowable catch in Statistical Area 62 was established by interim specifications (59 FR 65975, December 22, 1994) as 3,827 metric tons (mt), determined in accordance with § 672.20(c)(1)(ii)(A).

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the 1995 interim specification of pollock in Statistical Area 62 soon will be reached. The Regional Director established a directed fishing allowance of 2,800 mt, and has set aside the remaining 1,027 mt as bycatch to support other anticipated groundfish fisheries. Because of the low directed fishing allowance and high interest in the fishery, there will be insufficient time to collect and analyze catch data and take appropriate action to ensure the directed fishing allowance is not exceeded. Therefore, based on the best available data, the Regional Director has determined that the pollock directed

fishing allowance in Statistical Area 62 will be reached by 12 noon A.l.t., January 24, 1995. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 62.

Directed fishing standards for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 23, 1995.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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50 CFR Part 672

[Docket No. 941249-4349; I.D. 012095B]

Groundfish of the Gulf of Alaska; Inseason Action

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 63

in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the interim 1995 initial specification for pollock in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), January 24, 1995, until 12 noon A.l.t, April 1, 1995 unless superseded by the final 1995 specifications in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Michael L. Sloan, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

The interim specification of pollock total allowable catch in Statistical Area 63 was established by interim specifications (59 FR 65975, December 22, 1994) as 4,078 metric tons (mt), determined in accordance with § 672.20(c)(1)(ii)(A).

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the 1995 interim specification of pollock in Statistical Area 63 soon will be reached. The Regional Director

established a directed fishing allowance of 3,000 mt, and has set aside the remaining 1,078 mt as bycatch to support other anticipated groundfish fisheries. Because of the low directed fishing allowance and high interest in the fishery, there will be insufficient time to collect and analyze catch data and take appropriate action to ensure the directed fishing allowance is not exceeded. Therefore, based on the best available data, the Regional Director has determined that the pollock directed fishing allowance in Statistical Area 63 will be reached by 12 noon A.l.t., January 24, 1995. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 63.

Directed fishing standards for applicable gear types may be found in the regulations at § 672.20(g).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 23, 1995.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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