

Second Memorandum Opinion and Order in GN Docket 90-314 and ET Docket 92-100 filed by the Puerto Rico Telephone Company is dismissed.

33. Authority for issuance of this Report and Order is contained in §§ 4(i), 303(r) and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r) and 309(j).

**List of Subjects in 47 CFR Part 24**

Communications common carriers, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission

**William F. Caton,**  
Acting Secretary.

**Rule Changes**

Part 24 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 24—PERSONAL COMMUNICATIONS SERVICES**

1. The authority citation for part 24 continues to read as follows:

**Authority:** Secs. 4, 301, 302, 303, 309, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 301, 302, 303, 309 and 332, unless otherwise noted.

2. Section 24.132 is amended by revising paragraphs (d) and (e) to read as follows:

**§ 24.132 Power and antenna height limits.**

(d)(1) MTA and regional base stations located between 200 kilometers (124 miles) and 80 kilometers (50 miles) from their licensed service area border are limited to the power levels in the following table:

Antenna HAAT in meters (feet) (see § 24.53 for HAAT calculation method)	Effective radiated power (e.r.p.) (watts)
183 (600) and below .....	3500
183 (600) to 208 (682) .....	3500 to 2584
208 (682) to 236 (775) .....	2584 to 1883
236 (775) to 268 (880) .....	1883 to 1372
268 (880) to 305 (1000) ....	1372 to 1000
305 (1000) to 346 (1137) ..	1000 to 729
346 (1137) to 394 (1292) ..	729 to 531
394 (1292) to 447 (1468) ..	531 to 387
447 (1468) to 508 (1668) ..	387 to 282
508 (1668) to 578 (1895) ..	282 to 206
578 (1895) to 656 (2154) ..	206 to 150
656 (2154) to 746 (2447) ..	150 to 109
746 (2447) to 848 (2781) ..	109 to 80
848 (2781) to 963 (3160) ..	80 to 58
963 (3160) to 1094 (3590) ..	58 to 42
1094 (3590) to 1244 (4080) ..	42 to 31
1244 (4080) to 1413 (4636) ..	31 to 22
Above 1413 (4636) .....	16

(2) For heights between the values listed in the table, linear interpolation

shall be used to determine maximum e.r.p.

(e) MTA, BTA and regional base stations located less than 80 kilometers (50 miles) from the licensed service area border must limit their effective radiated power in accordance with the following formula:

$$PW = 0.0175 \times dkm^{**} \times 6.6666 \times hm^{**} - 3.1997$$

PW is effective radiated power in watts  
dkm is distance in kilometers  
hm is antenna HAAT in meters; see § 24.53 for HAAT calculation method

3. Section 24.320(e) is revised to read as follows:

**§ 24.320 Definitions.**

\* \* \* \* \*

(e) *Members of Minority Groups.* Members of minority groups include Blacks, Hispanics, American Indians, Alaskan Natives, Asians and Pacific Islanders.

\* \* \* \* \*

[FR Doc. 97-13148 Filed 5-20-97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 572**

[Docket No. 74-14; Notice 118]

**RIN 2127-AG75**

**Anthropomorphic Test Dummy; Occupant Crash Protection**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Interim final rule; request for comments.

**SUMMARY:** This document adopts modifications to the Hybrid III test dummy, which is specified by the agency for use in compliance testing under Standard No. 208, *Occupant crash protection*. The agency has decided to require a six axis neck transducer, thereby allowing the test dummy to measure neck flexion, extension moments and tension, compression and shear forces. The agency has determined that immediate action is in the public interest since the agency needs to ensure compliance with the recent amendment to Standard No. 208 allowing air bag depowering. NHTSA is also requesting comments on whether the agency should make permanent its amendment to the Hybrid III dummy.

**DATES: Effective Date:** The amendments made by this interim final rule are effective May 20, 1997.

**Incorporation by Reference Date:** The incorporation by reference of the material listed in this document is approved by the Director of the Federal Register as of May 20, 1997.

**Comments.** Comments must be received on or before July 7, 1997.

**ADDRESSES:** Comments should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:**

*For non-legal issues:* Mr. Stanley Backaitis, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Telephone: (202) 366-4912. Fax: (202) 366-4329.

*For legal issues:* Mr. Marvin L. Shaw, NCC-20, Rulemaking Division, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On March 19, 1997, NHTSA published a final rule that temporarily amends the agency's occupant crash protection standard to ensure that vehicle manufacturers can quickly depower all air bags so that they inflate less aggressively. (62 FR 12960) The agency took this action to provide an immediate, interim solution to the problem of the fatalities and injuries that current air bag designs are causing in relatively low speed crashes to small, but growing numbers of children, and occasionally to adult occupants.

As part of the final rule, NHTSA decided to adopt neck injury criteria. The agency stated that such criteria are necessary to ensure that a vehicle is equipped with air bags that have protective value. Absent these criteria, some vehicles could comply with the 125 ms pulse sled test without air bags. The agency further stated that neck compression loads, bending moments, and tension and shear forces can be significant sources of potential injuries in crashes. NHTSA concluded that the inclusion of neck injury criteria should aid in measuring air bag effectiveness and may ultimately improve crash protection.

In the final rule, NHTSA stated that the proposal (62 FR 807; January 6,

1997) which preceded the final rule had not made it clear how the neck injury measurements would be performed. The final rule clarified this matter by stating that the neck injury measurement is performed by the six-axis load cell mounted between the head and upper end of the neck, as specified in 49 CFR 572.33.

## II. Today's Interim Final Rule

After additional review, NHTSA has determined that to ensure adequate evaluation of the neck injury criteria adopted in the depowering final rule, it is necessary to amend Subpart E of Part 572, *Anthropomorphic Test Devices*, to specify that the Hybrid III Test Dummy is to be equipped with a six axis neck transducer. The current specifications in Subpart E for the Hybrid III dummy do not include a six axis neck transducer, although a three axis neck transducer is allowed as an option. However, the three axis transducer does not provide information about the effects of off-axis loading that may occur in air bag impacts and crash tests involving the dummy's rotational kinematics. Accordingly, the agency has decided to amend section 572.31 *General Description*, 572.32 *Head*, and 572.33 *Neck*, 572.34 *Thorax*, and 572.36 *Test conditions and instrumentation*, to specify that the Part 572 E (Hybrid III) dummy is to be equipped with a six axis neck transducer.

NHTSA notes that use of the six axis transducer, which has been commercially available for almost ten years, is a well-established practice. The agency has extensively used this transducer during its New Car Assessment Program (NCAP) tests and for nearly all of its research and development tests. Further, the agency believes that all vehicle manufacturers have used the six axis transducer in research and development and air bag testing. Moreover, vehicle certification testing has frequently been performed with dummies that were equipped with the six axis neck transducer even though measurement of neck loads were not part of the requirement.

NHTSA notes that the six axis neck transducer with appropriate head modification is identical in mass, center of gravity location, and rigidity with the currently specified head that is equipped either with the neck transducer structural replacement or the optionally available three axis neck transducer.

Nevertheless, certain modifications to the Hybrid III dummy are necessary to accommodate the six axis neck transducer, which is designated as part C-1709 revision D. The six axis neck

transducer is mounted between the Hybrid III dummy's head and the neck. As designed, the specified dummy's head is not capable of adopting the six axis neck transducer without modification of the skull structure. To accommodate mounting the six axis neck transducer, a 2.58 inch diameter hole must be machined through the transverse bulkhead of the skull (78051-77). First Technologies Safety Systems (FTSS) has designated the modified skull as part number 78051-77X (all currently used parts that are being modified to accommodate the six axis load cell will have the letter X assigned after the part number). To use the modified head without the six axis neck load cell, for tests such as the head drop, a neck transducer structural replacement (78051-383X) is needed. In either case, to attain the same accelerometer location as is presently specified, the current accelerometer mount (78051-222) must be reduced in height by 0.28 inch because the top surface of the six axis neck transducer or its structural replacement are higher by 0.28 in. than its current mounting base. Accordingly, the accelerometer mount is being revised from 78051-222 to 78051-222X to reflect these differences.

The addition of the six axis neck transducer involves changes not only to the head assembly drawing, but also requires revisions of the complete dummy assembly and a number of other drawings in which the dummy assembly is referenced, and includes the adoption of an updated Society of Automotive Engineers (SAE) Recommended Practice J211 MAR95 revision covering Instrumentation for Impact Test which reflect the channel frequency response class specifications of the six axis load cell.

To accommodate the six axis neck transducer, Part 572 E head assembly drawing 78051-61 is modified to 78051-61X and incorporates the modified skull (78051-77X), the six axis neck transducer (C-1709, revision D), the modified accelerometer mount (78051-222X), and for use in head drop tests only a six axis neck transducer structural replacement (78051-383X). It is also modified to delete the currently specified head (78051-77), the three axis neck transducer (83-5001-008) and its structural replacement (78051-383), and the accelerometer mount (78051-222X) as well as obsolete references to drawings related to test procedures and calibrations. This will include revisions of S572.31, 572.32, 572.33, 572.34, and 572.36 and of the assembly drawings of the head from 78051-61 to 78051-61X

and the complete dummy from 78051-218 revision S to 78051-218 revision T.

These changes will result in the adoption of the updated SAE J211 Recommended Practice, *Instrumentation for Impact Tests* of March 95 in place of June 80 and the incorporation by reference of SAE J1733 Information Report of 1994-12 dealing with *Sign Convention for Vehicle Crash Testing*. The Recommended Practice J211 of March 1995 and the Information Report SAE J1733 update the crash instrumentation and data acquisition and processing procedures in line with those used currently by the industry. By incorporating SAE J211 MAR95, the channel classes of the neck forces and moments are being changed from Channel Frequency Class (CFC) 60 to CFC 1000 for neck forces and CFC 600 for neck moment respectively. The agency has examined the effects of the CFC change on the moment calculation and finds that it may in some instances raise the calculated value less than one percent. NHTSA believes that such changes in magnitudes are insignificant and they will not affect most manufacturers and testers, since they already have been using the Hybrid III dummy with the six axis neck transducer and processing the data at the higher CFC levels for air bag development, evaluation and certification activities.

### *Cost and Lead Time Issues*

The list price of a six axis neck transducer is around \$10,250. However, it appears that the required use of the six axis neck transducer will not impose significant financial hardships on any of the dummy users, since most manufacturers have been conducting at least some vehicle and occupant restraints systems development work and air bag certification tests using dummies equipped with such neck transducers. NHTSA understands that well over 500 six axis neck transducers have been procured by the users. Inasmuch as their use-life expectancy is nearly infinite, neither refurbishment nor replacement issues need to be considered.

NHTSA finds that the issuance of this interim final rule without prior opportunity for comment is necessary to permit the vehicle manufacturers to begin work immediately to depower their air bags using the recently adopted alternative sled test. One element of passing that test is complying with the neck injury criteria that were also recently adopted. The agency needs to adopt the six axis transducer specified in this notice to determine compliance with those criteria. The final rule

adopting the sled test and neck criteria emphasized that there was an immediate need to allow vehicle manufacturers to depower air bags, and thus begin saving lives, as soon as possible. Any delay would be inconsistent with the public's interest in allowing safer vehicles. The agency also finds for good cause that it is in the public interest to establish an immediate effective date for the amendments made by today's notice. In the absence of an immediate effective date, the agency would not be able to immediately evaluate compliance with the neck injury criteria. The agency notes that the sled test is an alternative way to comply with Standard No. 208 and therefore does not impose any new mandatory requirement.

### Regulatory Analyses and Notices

#### A. Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." This action has been determined to be "non-significant" under the Department of Transportation's regulatory policies and procedures. The amendments do not require any vehicle design changes. Instead, they only require minor modifications in the test dummies used to evaluate a vehicle's compliance with Standard No. 208. The agency believes that most, if not all, vehicle manufacturers currently use the six axis neck load transducer. Since there is little, if any, need to procure additional neck load transducers, the incremental cost of \$10,250 per dummy, in the event additional units will be needed to meet the requirement, will still represent a negligibly small cost increment, because the transducers have nearly infinite service life. The agency concludes that the impacts of the amendments are so minimal that a full regulatory evaluation is not required.

#### B. Regulatory Flexibility Act

NHTSA has also considered the impacts of this notice under the Regulatory Flexibility Act. I hereby certify that this rule does not have a significant economic impact on a substantial number of small entities. Under 5 U.S.C. § 605(b), NHTSA believes that modifications to dummy designs affect motor vehicle manufacturers and manufacturers of air bags, few of which are small entities. The agency notes that the Small

Business Administration's regulations at 13 CFR Part 121 define a small business, in part, as a business entity "which operates primarily within the United States." (13 CFR § 121.105(a)). The agency estimates that there are at most five small manufacturers of passenger cars in the U.S., producing a combined total of at most 500 cars each year. The agency does not believe small businesses manufacture even 0.1 percent of total U.S. passenger car and light truck production each year.

NHTSA notes that today's final rule will not impose any new requirements or costs on vehicle manufacturers, but instead will permit evaluation by manufacturers using the optional sled test to evaluate depowered air bags. Therefore, no vehicle manufacturer, regardless of its size, will be required to take any action as a result of the rule. Accordingly, the agency believes that the rule will have no significant impact on small vehicle manufacturers. Further, since no price increases are associated with the rule, small organizations and small governmental units will not be affected in their capacity as purchasers of new vehicles.

#### C. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), there are no requirements for information collection associated with this rule.

#### D. National Environmental Policy Act

NHTSA has also analyzed this rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

#### E. Executive Order 12612 (Federalism)

NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

#### F. Civil Justice Reform

This rule has no 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.

#### Submission of Comments

Interested persons are invited to submit comments on the notice. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above for the notice will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the notice will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

#### List of Subjects in 49 CFR Part 572

Incorporation by reference, Motor vehicle safety.

In consideration of the foregoing, 49 CFR Part 572 is amended as follows:

**PART 572—[AMENDED]**

1. The authority citation for Part 572 of Title 49 continues to read as follows:

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

**Subpart E—Hybrid III Test Dummy**

2. Section 572.30 is amended by revising paragraph (b) to read as follows:

**§ 572.30 Incorporated materials.**

\* \* \* \* \*

(b) The materials incorporated by reference are available for examination in the general reference section of docket 74-14, Docket Section, National

Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, SW., Washington, DC 20590. Copies of Society of Automotive Engineers (SAE) publications may be obtained from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, Pennsylvania 15096. Copies of all other publications may be obtained from Reprographic Technologies, 9000 Virginia Manor Road, Beltsville, MD 20705, Telephone (301) 210-5600, Facsimile (301) 419-5069, Attn. Mr. Jay Wall. Drawings and specifications are also on file in the reference library of the Office of the Federal Register, 800 N. Capitol Street, NW., suite 700, Washington, DC.

3. Section 572.31 is amended by revising paragraphs (a)(1) through (a)(5)

and the introductory text of (b) to read as follows:

**§ 572.31 General description.**

(a) \* \* \*

(1) The Anthropomorphic Test Dummy Parts List, April 22, 1986 with revisions through April 9, 1997.

(2) A listing of Hybrid III Dummy Transducers-reference document AGARD-AR-330, "Anthropomorphic Dummies for Crash and Escape System Testing", Chapter 6, Table 6-2, North Atlantic Treaty Organization, July, 1996.

(3) A General Motors Drawing No. 78051-218, revision T, titled "Hybrid III Anthropomorphic Test Dummy," dated May 20, 1978, the following component assemblies, and subordinate drawings:

Drawing No.	Revision
78051-61X head assembly—complete, (March 28, 1997)	(C)
78051-90 neck assembly—complete, dated May 20, 1978	(A)
78051-89 upper torso assembly—complete, dated May 20, 1978	(K)
78051-70 lower torso assembly—complete, dated August 20, 1996, except for drawing No. 78051-55, "Instrumentation Assembly—Pelvic Accelerometer," dated August 2, 1979.	(E)
86-5001-001 leg assembly—complete (LH), dated March 26, 1996	(A)
86-5001-002 leg assembly—complete (RH), dated March 26, 1996	(A)
78051-123 arm assembly—complete (LH), dated May 20, 1978	(D)
78051-124 arm assembly—complete (RH), dated May 20, 1978	(D)

(4) Disassembly, Inspection, Assembly and Limbs Adjustment Procedures for the Hybrid III dummy, dated April 1997.

(5) Sign Convention for signal outputs—reference document SAE J1733 Information Report, titled "Sign Convention for Vehicle Crash Testing", dated 1994-12.

\* \* \* \* \*

(b) Any specifications and requirements set forth in this part supersede those contained in General Motors Drawing No. 78051-218.

\* \* \* \* \*

4. Section 572.32 is amended by revising paragraphs (a) and (b) to read as follows:

**§ 572.32 Head.**

(a) The head consists of the assembly shown in drawing 78051-61X, revision C, and conforms to each of the drawings subtended therein.

(b) When the head (Drawing number 78051-61X, titled "head assembly—complete," dated March 28, 1997 (Revision C) with six axis neck transducer structural replacement (Drawing number 78051-383X, Revision P, titled "Neck Transducer Structural Replacement," dated November 1, 1995) is dropped from a height of 14.8 inches in accordance with paragraph (c) of this section, the peak resultant accelerations at the location of the accelerometers

mounted in the head in accordance with § 572.36(c) shall not be less than 225g, and not more than 275g. The acceleration/time curve for the test shall be unimodal to the extent that oscillations occurring after the main acceleration pulse are less than ten percent (zero to peak) of the main pulse. The lateral acceleration vector shall not exceed 15g (zero to peak).

\* \* \* \* \*

5. Section 572.33 is amended by revising paragraphs (a) and (b) and Figures 20 and 21 (which should be placed after paragraph (b)(2)(ii)) to read as follows:

**§ 572.33 Neck.**

(a) The neck consists of the assembly shown in drawing 78051-90, revision A and conforms to each of the drawings subtended therein.

(b) When the head and neck assembly (consisting of the parts 78051-61X, revision C; -90, revision A; -84; -94; -98; -104, revision F; -303, revision E; -305; -306; -307, revision X) which has a six axis neck transducer (Drawing number C-1709, Revision D, titled "Neck transducer," dated February 1, 1993), installed in conformance with § 572.36(d), is tested in accordance with paragraph (c) of this section, it shall have the following characteristics:

(1) *Flexion.* (i) Plane D, referenced in Figure 20, shall rotate between 64 degrees and 78 degrees, which shall occur between 57 milliseconds (ms) and 64 ms from time zero. In first rebound, the rotation of Plane D shall cross 0 degrees between 113 ms and 128 ms.

(ii) The moment measured by the six axis neck transducer (drawing C-1709, revision D) about the occipital condyles, referenced in Figure 20, shall be calculated by the following formula: Moment (lbs-ft) = My - 0.058 × Fx, where My is the moment measured in lbs-ft by the "Y" axis moment sensor of the six axis neck transducer and Fx is the force measured in lbs by the "X" axis force sensor (Channel Class 600) of the six axis neck transducer. The moment shall have a maximum value between 65 lbs-ft and 80 lbs-ft occurring between 47ms and 58 ms, and the positive moment shall decay for the first time to 0 lb-ft between 97 ms and 107 ms.

(2) *Extension.* (i) Plane D, referenced in Figure 21, shall rotate between 81 degrees and 106 degrees, which shall occur between 72 ms and 82 ms from time zero. In first rebound, rotation of Plane D shall cross 0 degrees between 147 ms and 174 ms.

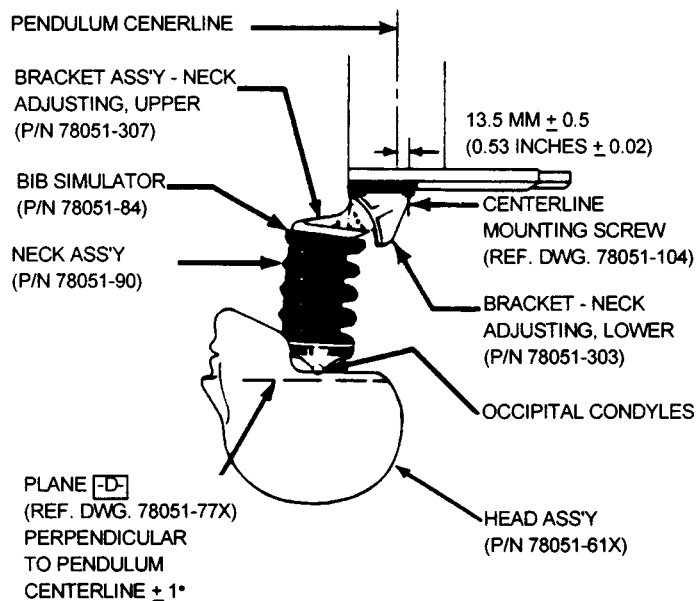
(ii) The moment measured by the six axis neck transducer (drawing C-1709, revision D) about the occipital condyles,

referenced in Figure 21, shall be calculated by the following formula:  
Moment (lbs-ft) =  $M_y - 0.058 \times F_x$ ,  
where  $M_y$  is the moment measured in lbs-ft by the "Y" axis moment sensor of the six axis neck transducer and  $F_x$  is the force measured in lbs by the "X" axis force sensor (Channel Class 600) of the six axis neck transducer. The moment shall have a maximum value between -39 lbs-ft and -59 lbs-ft, occurring between 65 ms and 79 ms, and the negative moment shall decay for the first time to 0 lb-ft between 120 ms and 148 ms.

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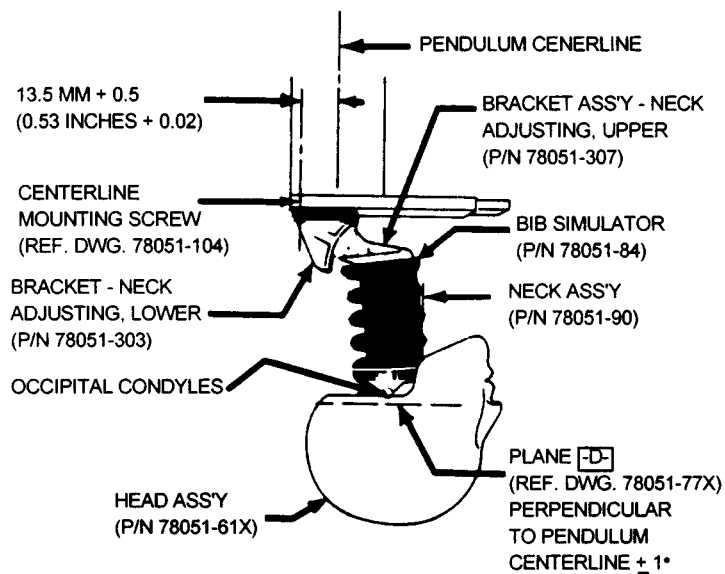
### FIGURE 20

## FLEXION - TEST SET-UP SPECIFICATIONS



NOTE: PENDULUM SHOWN AT TIME ZERO POSITION

**FIGURE 21**  
**EXTENSION - TEST SET-UP SPECIFICATIONS**



NOTE: PENDULUM SHOWN AT TIME ZERO POSITION

\* \* \* \* \*  
 6. Section 572.34 is amended by revising paragraph (b) to read as follows:

**§ 572.34 Thorax.**

\* \* \* \* \*  
 (b) When impacted by a test probe conforming to 572.36(a) at 22 fps ± 0.40 fps in accordance with paragraph (c) of this section, the thorax of a complete dummy assembly (78051-218, revision T) with left and right shoes (78051-294 and -295) removed, shall resist with a force of 1242.5 pounds +/- 82.5 pounds measured by the test probe and shall have a sternum displacement measured relative to spine of 2.68 inches ± 0.18 inches. The internal hysteresis on each impact shall be more than 69% but less than 85%. The force measured is the product of pendulum mass and deceleration.  
 \* \* \* \* \*

7. Section 572.36 is amended by revising paragraphs (c), (d), (e), (f), (h), and (i) to read as follows:

**§ 572.36 Test conditions and instrumentation.**

\* \* \* \* \*  
 (c) Head accelerometers shall have dimensions and response characteristics specified in drawing 78051-136, revision A, or its equivalent, and the location of their seismic mass as mounted in the skull are shown in drawing C-1709, revision D.

(d) The six axis neck transducer shall have the dimensions, response characteristics, and sensitive axis locations specified in drawing C-1709, revision D and be mounted for testing as shown in Figures 20 and 21 of § 572.33, and in the assembly drawing 78051-218, revision T.

(e) The chest accelerometers shall have the dimensions, response characteristics, and sensitive mass locations specified in drawing 78051-136, revision A or its equivalent and be mounted as shown with adaptor assembly 78051-116, revision D for assembly into 78051-218, revision T.

(f) The chest deflection transducer shall have the dimensions and response characteristics specified in drawing 78051-342, revision A or its equivalent and be mounted in the chest deflection transducer assembly 78051-317, revision A for assembly into 78051-218, revision T.  
 \* \* \* \* \*

(h) The femur load cell shall have the dimensions, response characteristics, and sensitive axis locations specified in drawing 78051-265 or its equivalent and be mounted in assemblies 78051-46 and -47 for assembly into 78051-218, revision T.

(i) The outputs of acceleration and force-sensing devices installed in the dummy and in the test apparatus specified by this part are recorded in individual data channels that conform to requirements of Society of Automotive Engineers (SAE) Recommended Practice J211 Mar95, Instrumentation for Impact Tests, Parts 1 and 2. SAE J211 Mar95 sets forth the following channel classes:

- (1) Head acceleration—Class 1000
- (2) Neck forces—Class 1000
- (3) Neck moments—Class 600
- (4) Neck pendulum acceleration—Class 60
- (5) Thorax and thorax pendulum acceleration—Class 180
- (6) Thorax deflection—Class 180
- (7) Knee pendulum acceleration—Class 600
- (8) Femur force—Class 1000

\* \* \* \* \*  
 Issued on May 12, 1997.  
**Ricardo Martinez,**  
*Administrator.*  
 [FR Doc. 97-13183 Filed 5-19-97; 8:45 am]  
**BILLING CODE 4910-59-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 285**

[Docket No. 960816226-7115-02; I.D. 050797B]

RIN 0648-AJ04

**Atlantic Tuna Fisheries; Regulatory Adjustments**

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

**ACTION:** Interim final rule.

**SUMMARY:** NMFS amends the regulations governing the Atlantic bluefin tuna fisheries to suspend for 1997 only, the deadline for Atlantic Tunas permit category changes. This regulatory amendment is necessary to provide vessel owners the opportunity to consider category changes after the effective date of a final rule currently under review by NMFS. Because comments were received on the proposed rule that indicated that the rule could affect the allowable operations of several fishing categories, it is not possible for vessel owners to make final choices prior to the previously established deadline of May 15.

**DATES:** The interim final rule is effective May 15, 1997.

**ADDRESSES:** Rebecca Lent, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282.

**FOR FURTHER INFORMATION CONTACT:** John Kelly, 301-713-2347.

**SUPPLEMENTARY INFORMATION:** The Atlantic tuna fisheries are managed under the authority of the Atlantic Tunas Convention Act (ATCA). ATCA authorizes the Secretary of Commerce (Secretary) to issue regulations as may be necessary to carry out the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The authority to issue regulations to carry out ICCAT recommendations has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA).

This interim final rule responds to certain comments received in response to a proposed rulemaking (62 FR 9726, March 4, 1997) and proposed quota specifications (62 FR 19296, April 21, 1997). Background information about the need for revisions to Atlantic tunas fishery regulations was provided in the proposed rule and specifications and is not repeated here. Certain aspects of the proposed rule, if implemented, would affect catch limits and gear restrictions in several permit categories. Also, final category quotas will affect fishing opportunities available to each category. NMFS received comment that because current regulations require a vessel owner to obtain a permit in the appropriate gear category and allow changes to permit categories only prior to May 15 each calendar year, it would be impossible to make a rational choice of permit category in 1997 until a final rule and final quotas are issued.

This interim final rule suspends indefinitely the deadline to change Atlantic tunas permit categories for calendar year 1997. This regulatory change will allow vessel owners to weigh any impacts of the final rule, when issued, on the operations and restrictions for each permit category. By allowing vessel owners to choose the most appropriate category, this measure will further the domestic management objectives for the Atlantic tuna fisheries.

NMFS is undertaking this action as an interim final rule because of the immediate need to postpone the deadline. This interim action will be superseded when a deadline for 1997 is specified in a final rule to be published at a later date.

Under NOAA Administrative Order 205-11, 7.01, dated December 17, 1990,