NHTSA has some concerns about how closely the ABWS group matched the control group. The Israeli study mentions that vehicle attributes (make, model, and year) were matched precisely in the ABWS group and the control group. However, no mention is made of important vehicle use patterns, such as the driving environment and the typical driver. It appears that vehicle use patterns were not considered, since no mention was made in the study of any correlation in these areas.

The report of the Israeli study also presents apparently conflicting data regarding one important matching vehicle attribute, the presence of a center high-mounted stop lamp (CHMSL). The report of the Israeli study states on page 11 that the CHMSL became mandatory in Israel ''at the end of 1994, for all 1995 passenger vehicles'' and that ''94 of the 764 vehicles had CHMSL.'' However, on page 6, the report indicates that 153 vehicles were 1995 and 1996 model years. NHTSA would like to learn from the authors of the report how to explain this apparent inconsistency.

NHTSA also notes that the analysis of the results appears unusual. The data collected in the field study showed that there were 417 crashes for the ABWS-equipped vehicles and 464 crashes for the control group, or 9 percent fewer crashes for the ABWS group. This 9 percent reduction in crashes for the ABWS-equipped vehicles was found for:

- All crashes
- Rear-end crashes, and
- Crashes other than rear-end crashes

In other words, the ABWS-equipped vehicles in this field study were just as likely to avoid a frontal or side crash as they were to avoid a rear crash. Since ABWS would not be visible to the driver of the other vehicle in a frontal or side crash, there is no apparent reason to believe that ABWS would have any effect on those types of crashes. Thus, the data from this study do not appear to show any significant positive effect for ABWS. However, this simple analysis, which would be a conventional starting point for many analysts, was not reported in the study. NHTSA would like to learn why the authors of the report on the Israeli field study did not include this analysis in the report. The agency is also interested in commenters' views on how much weight and significance should be given to the fact that the simplest use of the data does not indicate any significant effect for ABWS in rear-end crashes relative to all other types of crashes.

Before making its analyses of ABWS effectiveness, the study normalized the exposure of the ABWS-equipped vehicles and the control group of vehicles using just the total miles traveled and time in service of the vehicles that had experienced rear impacts. Again, the standard analytical approach is to normalize using the total travel of the subject groups (all ABWS-equipped vehicles and all the control group vehicles), which avoids introducing any biases in the results. The agency is concerned that normalizing only for vehicles in rear-end crashes may give an unwarranted increase in the observed effectiveness of ABWS. NHTSA would like to learn why the authors of the study chose not to use the standard approach and why they believe their alternative approach avoids any biases. In addition, the agency would like commenters' views on this technique.

Further, as noted in the study, there was a large difference in the ''relevant'' rear-end crashes for the two groups—18 relevant rear-end crashes for the control group, but only eight relevant rear-end crashes for the ABWS group. However, the total rear-end crashes reported were substantially identical—41 for the control group and 37 for the ABWS group. The difference of four crashes in this sample size is not statistically significant. Thus, one interpretation of the data is that ABWS shifts rear-end crashes from the relevant to the irrelevant classification without reducing significantly the number of rear-end crashes. NHTSA would like comments on the appropriate interpretation of the data.

As part of the public review of the Israeli field study, NHTSA would like to repeat its previous statements that there are positive benefits from the current standardization of vehicle signaling systems. The current signal from stop lamps is a uniform, unambiguous signal that the driver of the vehicle has applied the brakes. However, the agency has also indicated that it is conceptually possible that using a different action to activate stop lamps or having stop lamps send different signals might offer net safety gains. NHTSA will consider amending Federal Motor Vehicle Safety Standard No. 108 if it is shown that a change from the current standardized vehicle signaling systems would yield a net safety benefit. The agency would like commenters to address expressly whether the Israeli field study is sufficiently definitive about net positive safety effects of ABWS that permitting ABWS can be said to enhance safety even if it detracts from standardization of vehicle signaling systems.

On September 9, 1997, Baran also submitted an article published in the journal Human Factors that described a computer simulation study performed to test the effectiveness of ABWS devices. The principal author of this article is also the principal author of the report on the Israeli field study of ABWS. In addition, Baran stated that the Czech Republic now permits ABWS to be installed on vehicles operating in that country.

NHTSA is reopening the comment period for an additional 30 days. The agency would like commenters to focus on ABWS and the materials that were not available for comment during the previous comment period, most notably the Israeli field study of ABWS, but also the Human Factors article. It is not necessary for commenters to resubmit views and data provided in previous comments to Docket No. 96–41, Notice 1.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8

Issued on: October 22, 1997.

James R. Hackney,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 97–28417 Filed 10–24–97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AB73

Endangered and Threatened Wildlife and Plants; Notice of Reopening of Comment Period on Proposed Endangered Status for the Peninsular Ranges Population of Desert Bighorn Sheep

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule, notice of reopening of comment period.

SUMMARY: The Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), provides notice of reopening of the comment period for the proposed endangered status for the Peninsular Ranges population of desert bighorn sheep (*Ovis canadensis*). The comment period has been reopened to acquire additional information on the status, distribution, and management of bighorn sheep in the Peninsular Ranges of Baja California, Mexico.

DATES: The comment period closes November 12, 1997. Any comments received by the closing date will be considered by the Service.

ADDRESSES: Written comments, materials and data, and available reports and articles concerning this proposal should be sent directly to the Field Supervisor, Carlsbad Field Office, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Pete Sorensen, at the address listed above (telephone 760/431–9440, facsimile 760/431/9618).

SUPPLEMENTARY INFORMATION:

Background

The Peninsular Ranges population of the desert bighorn sheep occurs along the desert slopes of the Peninsular Ranges from the vicinity of Palm Springs, California, into northern Baja California, Mexico. Depressed recruitment, habitat loss and degradation, disease, loss of dispersal corridors, and random events (e.g., drought) affecting small populations threaten the desert bighorn sheep in the Peninsular Ranges.

On May 8 ,1992, the Service published a rule proposing endangered status for the Peninsular Ranges population of the desert bighorn sheep (57 FR 19837). The original comment period closed on November 4, 1992. The Service was unable to make a final listing determination regarding the bighorn sheep because of limited budget, other endangered species assignments driven by court orders, and higher listing priorities. In addition, a moratorium on listing actions (Pub. L. 104–6), which took effect on April 10, 1995, stipulated that no funds could be used to make final listing or critical habitat determinations. Now that funding has been restored, the Service is proceeding with a final determination for the Peninsular Ranges population of desert bighorn sheep.

Due to government reorganization in Mexico, appropriate officials were apparently not made aware of the Service's proposed listing of the Peninsular bighorn sheep. As a result, no comments were received from the Mexican government during the initial comment period on the period rule nor during the subsequent two extended comment periods (62 FR 16518, April 7, 1997, and 62 FR 32733, June 17, 1997). Recently the Service became award of apparent Mexican interest in providing comment on the proposed rule. Therefore, to ensure that the final listing decision is based on the best available information, and abide by the requirement that foreign countries be involved regarding listing decisions that may affect conservation of species in their area, the comment period is being reopened.

Written comments may now be submitted until November 12, 1997, to the Service office in the **ADDRESSES** section.

Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: October 14, 1997.

Michael J. Spear,

Regional Director, Region 1.

[FR Doc. 97–28346 Filed 10–24–97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No. 970725179–7237–02; I.D. 071497A]

RIN 0648–AK33

Taking and Importing Marine Mammals; Taking Ringed Seals

Incidental to On-Ice Seismic Activities

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

ACTION: Proposed rule; request for comment and information.

SUMMARY: NMFS has received an application for renewal of a small take exemption and implementing regulations from BP Exploration (Alaska) (BPXA), on behalf of itself and several other oil exploration companies, for a small take of marine mammals incidental to winter seismic operations in the Beaufort Sea, AK. As a result of that application, NMFS is proposing regulations that would renew an authorization for the incidental taking of a small number of marine mammals. In order to grant the exemption and issue the regulations, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals. NMFS invites comment on the application and the proposed regulations.

DATES: Comments and information must be postmarked no later than November 26, 1997.

ADDRESSES: Comments should be addressed to Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910–3226. A copy of the application and Environmental Assessment (EA) may be obtained by writing to the above address, or by telephoning one of the persons below (see **FOR FURTHER INFORMATION CONTACT**).

Comments regarding the burden-hour estimate or any other aspect of the collection of information requirement contained in this rule should be sent to the above individual and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: NOAA Desk Officer, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead (301) 713–2055 or Brad Smith, Western Alaska Field Office, NMFS, (907) 271–5006.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted for periods of 5 years or less if NMFS finds that the taking will have a negligible impact on the species or stock(s) of marine mammals, will not have an unmitigable adverse impact on the availability of these species for subsistence uses, and regulations are prescribed setting forth the permissible methods of taking and the requirements pertaining to the monitoring and reporting of such taking. Specific regulations governing the taking of ringed seals incidental to on-ice seismic activity, which were published on January 13, 1993 (58 FR 4091), expire on December 31, 1997.

Summary of Request

On July 11, 1997, NMFS received an application for an incidental, small take exemption under section 101(a)(5)(A) of the MMPA from BPXA, on behalf of itself, ARCO Alaska, Inc., Northern Geophysical of America, Inc. and Western Geophysical Co. to renew the incidental take regulations found in 50 CFR part 216, subpart J (previously 50 CFR part 228, subpart B), that govern the taking of ringed seals (*Phoca hispida*) incidental to seismic activities on the ice, offshore Alaska, for a period of 5 years. The applicants state that these activities are not likely to result in physical injuries to, and/or death of, any individual seals. Because seals are