approximately 21.4 to 33 nautical miles, thus fully encompassing the new SIAP.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9E, dated September 10, 1997, and effective September 16, 1997, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

## PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

* * * * *

**ANM WY E5 Big Piney, WY [Revised]**

Big Piney-Marbleton Airport, WY
(Lat. 42°35′06″N, long. 110°06′40″W)
Big Piney VOR/DME
(Lat. 42°34′46″N, long. 110°06′33″W)

That airspace extending upward from 700 feet above the surface within 4.8 miles southwest and 8.3 miles northeast of the Big Piney VOR/DME 134° and 314° radials extending from 4 miles northwest to 16.6 miles southeast of the VOR/DME; that airspace extending upward from 1,200 feet above the surface within 7.9 miles southwest and 11.8 miles northeast of the Big Piney 134° and 314° radials extending from 10.1 miles northwest to 33 miles southeast of the VOR/DME.

* * * * *

Issued in Seattle, Washington, on November 13, 1997.

**Glenn A. Adams III,**

*Assistant Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 97–31928 Filed 12–4–97; 8:45 am]

BILLING CODE 4910–13–M

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## DEPARTMENT OF TRANSPORTATION

## Federal Highway Administration

## 23 CFR Part 655

**[FHWA Docket No. FHWA–97–3032]**

**RIN 2125–AE25**

## Revision of the Manual on Uniform Traffic Control Devices: General Provisions and Traffic Control for School Areas

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of proposed amendments to the Manual on Uniform Traffic Control Devices (MUTCD); Request for Comments.

**SUMMARY:** The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, approved by the Federal Highway Administrator, and recognized as the national standard for traffic control on all public roads. The FHWA announced its intent to rewrite and reformat the MUTCD on January 10, 1992, at 57 FR 1134. This document proposes new text for the MUTCD in Part 1, General Provisions, and Part 7, Traffic Control for School Areas. The purpose of this effort is to reformat the text for clarity of intended meanings, to include metric dimensions and values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the MUTCD. The proposed changes to the MUTCD are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.

**DATES:** Submit comments on or before September 8, 1998.

**ADDRESSES:** Signed, written comments should refer to the docket number that appears at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL–401, 400 Seventh Street, SW., Washington, DC 20590–0001. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the notice of proposed amendments contact Ms. Linda Brown, Office of Highway Safety, Room 3414, (202) 366–2192, or Mr. Raymond Cuprill, Office of Chief Counsel, Room 4217, (202) 366–0834, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. The proposed text for Parts 1 and 7 of the MUTCD is available from the FHWA Office of Highway Safety (HHS–10). It is also available on the FHWA home page at the following Internet address: http://www.ohs.fhwa.dot.gov/devices/mutcd.html.

**SUPPLEMENTARY INFORMATION:** The 1988 MUTCD is available for inspection and copying as prescribed in 49 CFR Part 7, appendix D. It may be purchased for $44.00 from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250–7954, Stock No. 650–001–00001–0. This notice is being issued to provide an opportunity for public comment on the desirability of proposed amendments to the MUTCD. Based on the comments submitted and upon its own experience, the FHWA will issue a final rule concerning the proposed changes included in this notice.

The National Committee on Uniform Traffic Control Devices (NCUTCD) has taken the lead in this effort to rewrite and reformat the MUTCD. The NCUTCD is a national organization of individuals from the American Association of State Highway and Transportation Officials (AASHTO), the Institute of Transportation Engineers (ITE), the National Association of County Engineers (NACE), the American Public Works Association (APWA), and other organizations that have extensive

experience in the installation and maintenance of traffic control devices.

Although the MUTCD will be revised in its entirety, it will be done in phases due to the enormous volume of text. The FHWA reviewed the NCUTCD's recommendations for MUTCD Part 3—Markings, Part 4—Signals, and Part 8—Traffic Control for Roadway-Rail Intersections. The proposed text for Parts 3, 4, and 8 was published as Phase 1 of the MUTCD rewrite effort in a previous notice of proposed amendment dated January 6, 1997, at 62 FR 691.

This notice of proposed amendment is Phase 2 of the MUTCD rewrite effort and includes the proposed text for MUTCD Part 1, General Provisions, and MUTCD Part 7, Traffic Control for School Areas. The public will have an opportunity to review and comment on the remaining parts of the MUTCD in a future notice of proposed amendment. The FHWA invites comments on the proposed text for Part 1 and Part 7 of the MUTCD. A summary of the significant changes contained in these sections of the Manual is provided in this notice of proposed amendment.

The proposed new style of the MUTCD would be a 3-ring binder with 8½ x 11 inch pages. Each part of the MUTCD would be printed separately in a bound format and then included in the 3-ring binder. If someone needed to reference information on a specific part of the MUTCD, it would be easy to remove that individual part from the binder. The proposed new text would be in column format and contain four categories as follows: (1) Standards—representing ''shall'' conditions; (2) Guidance—representing ''should'' conditions; (3) Options— representing ''may'' conditions; and (4) Support—representing descriptive and/or general information. This new format would make it easier to distinguish standards, guidance, and optional conditions for the design, placement, and application of traffic control devices. For review purposes during this rewrite effort, dimensions will be shown in both metric and English units. This will make it easier to compare text shown in the 1988 Edition with the proposed new edition. However, the adopted final version of the new MUTCD will be solely in metric units.

This effort to rewrite and reformat the MUTCD will be an ongoing activity over the next 2–3 years. Some of the other issues which will be addressed in future notices of proposed amendment are: minimum retroreflectivity standards for signs and pavement markings; signing for low-volume rural roads; and traffic control for light-rail grade crossings. These proposed changes to the MUTCD are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.

**Discussion of Proposed Amendments to Part 1—General Provisions**

The following items are the most significant proposed revisions to Part 1.

*Introduction*

Under the category heading STANDARD, the FHWA proposes to include the definition of ''traffic control devices'' which is also included in the proposed Section 1A.14, Definition of Words and Phrases. Also proposed is a discussion of 23 CFR part 655, subpart F, related to the MUTCD and the FHWA policies and procedures. Under the category heading SUPPORT, the FHWA proposes to include a discussion of the FHWA role and additional history regarding the MUTCD.

*Purpose of Traffic Control Devices*

In Section 1A.1, the FHWA proposes to use the term ''road users'' since it encompasses both motorized and non-motorized traffic.

*Principles of Traffic Control Devices*

In Section 1A.2, under the category heading GUIDANCE, the FHWA proposes to include ''speed'' as a consideration that should govern the design, operation, placement, and location of various traffic control devices since the traveling speed of road users can affect their ability to appropriately respond to the driving task.

In this same section, the FHWA proposes to include a reference to 23 CFR part 655, subpart F, which contains the policies and procedures that address the requirement for national uniformity of traffic control devices on all streets and highways. The last paragraph in this same section is new. The FHWA proposes to include this new discussion to make sure that the minimum capabilities of the road users as described in the Uniform Vehicle Code are considered when selecting, installing, and maintaining traffic control devices.

*Design of Traffic Control Devices*

In Section 1A.3, under the category heading STANDARD, the FHWA proposes to add the word ''colors'' to the statement that all signs shall be adopted using the procedures described in Section 1A.11. The FHWA also proposes adding a statement under the category heading OPTION to explain that State and local highway agencies may develop word message signs to notify road users of special regulations or to warn of special situations or hazards.

*Maintenance of Traffic Control Devices*

In Section 1A.5, the FHWA proposes to include language to explain the difference between functional and physical maintenance. Functional maintenance is required to determine if a certain traffic control device needs to be updated to meet current and changing traffic conditions. In addition, physical maintenance is recommended to ensure that the device is legible, visible, and operating properly.

*Responsibility of Traffic Control Devices*

In Section 1A.7, the FHWA proposes to reference 23 CFR 655.603 which adopts the MUTCD as the national standard for all traffic control devices on any street, highway, or bicycle trail open to public travel and which requires that any State or other Federal agency MUTCD shall be in substantial conformance with the national MUTCD.

*Placement Authority*

The 1988 MUTCD states that all traffic control devices must only be installed by a public authority or other official jurisdiction. The FHWA proposes to expand the wording in this sentence to cover not only traffic control devices but other signs and messages within the highway right-of-way. The 1988 MUTCD also states that any unauthorized sign placed on the highway right-of-way by a private organization or individual constitutes a public nuisance. The FHWA proposes to expand this wording to cover not only signs but any unauthorized traffic control device.

*Engineering Study or Judgment Required*

In the 1988 MUTCD the terms engineering judgment and engineering study were used interchangeably. The FHWA proposes to include distinct definitions in Section 1A.14 to explain the difference between these two terms.

*Meaning of Standard, Guidance, Option, and Support*

In Section 1A.10, the FHWA proposes to more clearly identify standards, guidance, option, and support information discussed in the new edition of the MUTCD by providing appropriate headings for all text. The FHWA also proposes to include a sentence explaining that figures, tables, and illustrations either complement the text and/or can constitute a standard, guidance, option, or support.

*Manual Changes, Interpretations, and Authority to Experiment*

In Section 1A.11, the FHWA proposes to include a new standard to indicate that devices that do not conform to the provisions of the MUTCD shall be prohibited unless the procedures discussed in this section are followed.

*Definition of Words and Phrases*

In Section 1A.14 under the category heading STANDARDS, the FHWA proposes to include a consolidated list of terms and their definitions which are used in and considered important for the uniform use of the MUTCD. This amendment contains a partial list which will be modified and completed in the future amendments for the proposed MUTCD. The amendments will also consider the need to repeat the definitions of some terms in applicable Parts of the MUTCD. The last two versions of the MUTCD defined most terms only in the text of applicable Parts, although previous editions contained a list similar to the list proposed. Only the term ''roadway'' was defined in Section 1A–9 Definition of Words and Phrases of the 1988 MUTCD. As in previous MUTCD editions, the terms which are not defined in the MUTCD shall be defined as in the MUTCD referenced documents.

In Section 1A–14, definitions are proposed for the following terms. These terms are used throughout the 1988 and proposed versions of the MUTCD but were not specifically defined in the 1988 version: ''approach, engineering judgment, engineering study, highway (road and street), intersection, major roadway, minor roadway, median, network, retroreflectivity, road user, traffic, traffic control device, train, traveled way, vehicle, and warrant.''

In Section 1A–14 the definition of ''roadway'' is proposed to be changed from the definition in the 1988 version of the MUTCD. The change would exclude sidewalks and shoulders used by bicycles from being part of the roadway. Also, the change would exclude, through the definition of vehicle, portions of the highway where trains, including some light rail, operate.

In Section 1A–14, definitions are proposed for the terms ''arterial highway'' and ''collector highway.'' The definitions of these terms would refine the proposed standards for the center line and edge line warrants contained in two previous proposed amendments: one dated August 2, 1996, at 61 FR 40484 and one dated January 6, 1997, at 62 FR 691.

In Section 1A–14, the term ''bicycle path'' is proposed to replace the term ''bicycle trail.'' This term will also be proposed in the future amendment for the rewrite of Part 9, Traffic Control for Bicycle Facilities.

In Section 1A–14, the definition for the term ''average day'' would be changed in order to provide more specific detail. ''Average day'' is used in Parts 2 and 4 and is defined in Part 4 of the 1988 MUTCD and in the proposed text for the rewrite of Part 4.

In Section 1A–14, the term ''traffic gate'' is proposed to replace the terms ''resistance gate,'' ''second gate,'' and ''warning gate.''

**Discussion of Proposed Amendments to Part 7—Traffic Controls for School Areas**

The following items are the most significant revisions to Part 7.

*Need for Standards*

In section 7A.1, a new Typical School Route Plan Map is proposed. Paragraph 5 of this same section would be modified to include middle and high schools in the development plans for school routes. Also, paragraph 7 would be modified to indicate that the various types of school area traffic control devices should also be included in a traffic control plan.

The discussions contained in the following sections of the 1988 MUTCD are proposed for deletion: Sections 7A–5 through 7A–10, 7B–1 through 7B–4, 7B–7 and 7B–8. The information contained in these sections can be found in Parts 1 and 2 of the MUTCD or in the Standard Alphabets for Highway Signs and Pavement Markings.

The new heading proposed for Section 7B–1 is ''Size of School Signs'' and a new Table 7B.1 would be added to show the dimensions and sizes as shown in the Standard Highway Signs Book. This eliminates the need to show the dimensions and sizes in the associated text discussion.

In section 7B.7, a new Figure 7–2 is proposed to provide guidance on the proper placement of the School Advance Warning Sign (S1–1).

In section 7B.8 under the GUIDANCE category, it is proposed that an engineering study should be conducted before installing the School Crosswalk Warning sign (S2–1).

In section 7B.10, the FHWA proposes changing the title to ''Alternate Plates for School Speed Limit Assembly Signs'.

In section 7B.11, the FHWA proposes a new section to allow the option of installing a School Speed Zone Ahead Assembly Sign in advance of a School Speed Limit Sign or a School Speed Limit Assembly Sign. The School Speed Zone Ahead Assembly Sign would consist of the Reduced Speed Ahead Sign (R5–2a) with a SCHOOL plate (S4–3) mounted directly above it.

In section 7C–4, the following new guidance information is proposed: ''In the absence of a marked crosswalk, the Stop line should be placed at the desired stopping point but should be placed no more than 9m (30 feet) nor less than 1.2m (4 feet) from the nearest edge of the intersecting traveled way.''

The FHWA proposes deleting the discussion in Chapter 7D for school traffic signals and including a reference to the proposed text in the rewrite of Part 4.

The FHWA proposes to modify Chapter 7E, ''Crossing Supervision'' by deleting the discussion on legal authority for adult guards and student patrols since the States and local agencies are responsible for establishing laws regarding these crossing supervisors. For increased safety, the FHWA has also added a discussion in section 7E.4 to include guidance which provides that the uniforms they use should be of high-visibility material which may be seen during daytime, nightime, and twilight hours.

**Rulemaking Analyses and Notices**

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable, but the FHWA may issue a final rule at any time after the close of the comment period. In addition to late comments, the FHWA will also continue to file in the docket relevant information that becomes available after the comment closing date, and interested persons should continue to examine the docket for new material.

*Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures*

The FHWA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation regulatory policies and procedures. It is anticipated that the economic impact of this rulemaking would be minimal. The new standards and other changes proposed in this notice are intended to improve traffic operations and provide additional guidance, clarification, and optional applications for traffic control devices.

The FHWA expects that these proposed changes will create uniformity and enhance safety and mobility at little additional expense to public agencies or the motoring public. Therefore, a full regulatory evaluation is not required.

*Regulatory Flexibility Act*

In compliance with the Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601–612), the FHWA has evaluated the effects of this proposed action on small entities. This notice of proposed rulemaking adds some new and alternative traffic control devices and traffic control device applications. The proposed new standards and other changes are intended to improve traffic operations, expand guidance, and clarify application of traffic control devices. As noted previously, any expenses to public entities or the motoring public to implement the proposed changes would be minimal. Therefore, the FHWA hereby certifies that these proposed revisions would not have a significant economic impact on a substantial number of small entities.

*Executive Order 12612 (Federalism Assessment)*

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action would not have sufficient federalism implications to warrant the preparation of a federalism assessment. The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, which requires that changes to the national standards issued by the FHWA shall be adopted by the States or other Federal agencies within two years of issuance. The proposed amendment is in keeping with the Secretary of Transportation's authority under 23 U.S.C. 109(d), 315, and 402(a) to promulgate uniform guidelines to promote the safe and efficient use of the highway. To the extent that this amendment would override any existing State requirements regarding traffic control devices, it does so in the interests of national uniformity.

*Executive Order 12372 (Intergovernmental Review)*

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

*Paperwork Reduction Act*

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

*National Environmental Policy Act*

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

*Regulation Identification Number*

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

**List of Subjects in 23 CFR 655**

Design standards, Grant programs—transportation, Highways and roads, Incorporation by reference, Signs, Traffic regulations.

(23 U.S.C. 109(d), 114(a), 315, and 402(a); 23 CFR 1.32, 655.601, 655.602, and 655.603; 49 CFR 1.48)

Issued: November 25, 1997.

**Kenneth R. Wykle,**

*Federal Highway Administrator.*

[FR Doc. 97–31911 Filed 12–4–97; 8:45 am]

BILLING CODE 4910–22–P

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## DEPARTMENT OF THE INTERIOR

## Office of Surface Mining Reclamation and Enforcement

## 30 CFR Part 926

**[SPATS No. MT–017]**

## Montana Regulatory Program and Abandoned Mine Land Reclamation Plan

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; reopening and extension of public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of revisions and additional explanatory information pertaining to a previously proposed amendment to the Montana regulatory program (hereinafter, the ''Montana program'') and abandoned mine land reclamation plan (hereinafter, the ''Montana plan'') under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revisions and additional explanatory information for Montana's proposed statutes consist of revisions to statutes pertaining to the designation of the Montana State Regulatory Authority and reclamation agency under SMCRA, a statutory definition of ''prospecting,'' revegetation success criteria for bond release, and prospecting under notices of intent. The amendment is intended to revise the Montana program to be consistent with the corresponding Federal regulations and SMCRA, and to improve program efficiency.

**DATES:** Written comments must be received by 4:00 p.m., m.s.t., December 22, 1997.

**ADDRESSES:** Written comments should be mailed or hand delivered to Guy Padgett at the address listed below.

Copies of the Montana program, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Casper Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East ''B'' Street, Room 2128, Casper, WY, 82601–1918, Telephone: (307) 261–5776.

Steve Welch, Chief, Industrial and Energy Minerals Bureau, Montana Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620–0901, Telephone: (406) 444–4964.

**FOR FURTHER INFORMATION CONTACT:** Guy Padgett, Telephone: (307) 261–5776.

**SUPPLEMENTARY INFORMATION:**

### I. Background on the Montana Program and Montana Plan

On April 1, 1980, the Secretary of the Interior conditionally approved the Montana program as administrated by the Department of State Lands. General background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program can be found in the April 1, 1980, **Federal Register** (45 FR 21560). Subsequent actions concerning Montana's program and program amendments can be found at 30 CFR 926.15, 926.16, and 926.30.

On October 24, 1980, the Secretary of the Interior conditionally approved the