

final version of the functional specifications would be used by the States as guidelines to determine whether the purchase of a specific brake tester would be an eligible expense item under the MCSAP.

On June 5, 1998, the FHWA published a notice in the **Federal Register** requesting public comment on the functional specifications (63 FR 30678). The comments from the participants in the December 8, 1997, public meeting were incorporated to the extent practicable prior to the publication of the June 5, 1998, notice. The FHWA will discuss the comments received and present the final version of the function specifications in a separate notice to be published in the **Federal Register** at a later date.

Development of In-Service Brake Performance Standards

Currently, vehicles that fail a brake performance test must be inspected to determine the reason for the poor test results. Motor carriers cannot be cited for brake-related violations of the FMCSRs solely on the basis of the results from a performance-based brake tester because the current regulations do not make reference to the specific aspects of brake performance that are evaluated by the brake testers. Therefore citations are based upon the specific defects or deficiencies found during the in-depth inspection.

The FHWA is considering the development of pass/fail criteria for braking force that could be enforced by Federal and State officials using performance-based brake testing technologies. As inspection criteria or regulations are developed through the rulemaking process, the use of the performance-based brake testing machines could be expanded to include enforcement of the new Federal brake performance standards. The new standards would be an alternative to the stopping distances from 32.2 kilometers per hour (20 miles per hour) currently specified in 49 CFR 393.52 but rarely enforced by Federal and State officials because of difficulties in performing such tests at roadside. If brake force standards are developed through the rulemaking process, Federal, State, and local government inspectors would be able to issue citations based upon the output from the brake testers. The public meeting will provide interested parties with the opportunity to discuss with the FHWA and the researchers, recommendations for brake force standards.

In addition to a discussion about brake force standards, there will be a presentation and discussion of the

results from recently completed round-robin tests of performance-based brake testers. During the tests, a variety of performance-based brake testers were used to evaluate the same test vehicles, a five-axle tractor-semitrailer combination vehicle and a two-axle single-unit truck. The results from the round-robin tests will enable the researchers and the FHWA to make direct comparisons between the force measurements from certain brake testers and stopping distances from 32.2 km/hr, and help resolve concerns about using the brake testers for enforcement purposes.

List of Subjects in 49 CFR Part 393

Highways and roads, Motor carriers, Motor vehicle equipment, Motor vehicle safety.

Authority: 49 U.S.C. 31136, 31502; 49 CFR 1.48.

Issued on: August 20, 1998.

Jill L. Hochman,

Acting Associate Administrator for Motor Carriers.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 082098B]

Mid-Atlantic Fishery Management Council; Public Hearings

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

ACTION: Public hearings, request for comments.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public hearings to allow for input on Amendment 12 to the Fishery Management Plan (FMP) for Summer Flounder, Scup, and Black Sea Bass; Amendment 8 to the Atlantic Mackerel, Squid, and Butterfish FMP; and Amendment 12 to the Atlantic Surf Clam and Ocean Quahog FMP. These amendments are intended to comply with the new and revised national standards and other required provisions of the Sustainable Fisheries Act (SFA).

DATES: Written comments on the amendments will be accepted until September 25, 1998. The public hearings are scheduled to be held September 8 and 9, 1998, 6 to 10 p.m.

ADDRESSES: Send comments to the Mid-Atlantic Fishery Management Council, 300 South New Street, Dover, DE 19904.

The hearings will be held in Rhode Island, New York, New Jersey, Maryland, and Virginia. See **SUPPLEMENTARY INFORMATION** for specific times and locations of the hearings.

FOR FURTHER INFORMATION CONTACT: Christopher Moore, Ph.D., Acting Executive Director, Mid-Atlantic Fishery Management Council, 302-674-2331, ext. 16.

SUPPLEMENTARY INFORMATION:

Background

These FMP amendments are proposed to bring the Summer Flounder, Scup, and Black Sea Bass FMP; the Atlantic Mackerel, Squid, and Butterfish FMP; and the Atlantic Surf Clam and Ocean Quahog FMP into compliance with the new and revised national standards and other required provisions of the SFA. Specifically, these amendments propose to revise the overfishing definitions for summer flounder, scup, black sea bass, Atlantic mackerel, *Loligo pealei*, *Illex illecebrosus*, butterfish, surf clam and ocean quahog; identify essential habitat for these species; and address the new and revised national standards of the SFA relative to existing management measures. These amendments also propose to add a framework adjustment procedure that would allow the Council to add or modify management measures through a streamlined public review process. In addition, Amendment 12 to the Atlantic Surf Clam and Ocean Quahog FMP proposes to implement an operator permit requirement. Also, Amendment 8 to the Atlantic Mackerel, Squid, and Butterfish FMP proposes to include vessel length, weight, and horsepower restrictions for domestic harvesting vessels in the Atlantic mackerel fishery.

Public Hearings

The dates and locations of the hearings are scheduled as follows:

1. Tuesday, September 8, 1998, 6-10 p.m.—Comfort Inn, 1940 Post Road, Warwick, RI;

2. Tuesday, September 8, 1998, 6-10 p.m.—Quality Inn Lake Wright, 6280 Northampton Boulevard, Norfolk, VA;

3. Wednesday, September 9, 1998, 6-10 p.m.—Holiday Inn MacArthur Airport, 3845 Veterans Memorial Highway, Ronkonkoma, NY;

4. Wednesday, September 9, 1998, 6-10 p.m.—Cape May Extension Office, Dennisville Road, Cape May Courthouse, NJ; and

5. Wednesday, September 9, 1998, 6-10 p.m.—Sheraton Fountainebleau,

10100 Coastal Highway, Ocean City,
MD.

The hearings will be tape recorded
with the tapes filed as the official
transcript of the hearings.

Special Accommodations

The hearings are physically accessible
to people with disabilities. Requests for
sign language interpretation or other
auxiliary aids should be directed to
Joanna Davis at the Council at least 5
days prior to the hearing date (see
ADDRESSES).

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

Dated: August 21, 1998.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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