

List of Subjects**49 CFR Part 571**

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

49 CFR Part 572

Motor vehicle safety.

In consideration of the foregoing, 49 CFR Chapter V is amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for part 571 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.

2. Section 571.201 is amended by revising S5.1(b) to read as follows:

§ 571.201 Standard No. 201; Occupant protection in interior impact.

* * * * *

S5.1 * * *

(b) A relative velocity of 19 kilometers per hour for vehicles that meet the occupant crash protection requirements of S5.1 of 49 CFR 571.208 by means of inflatable restraint systems and meet the requirements of S4.1.5.1(a)(3) by means of a Type 2 seat belt assembly at the right front designated seating position, the deceleration of the head form shall not exceed 80 g continuously for more than 3 milliseconds.

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3. Section 571.208 is amended by revising the last sentence of S3 to read as follows:

§ 571.208 Standard No. 208; Occupant crash protection.

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S3. * * * Compliance with S13 shall, for purposes of Standards No. 201, 203 and 209, be deemed as compliance with the unbelted frontal barrier requirements of S5.1 of this section.

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The interim final rule amending 49 CFR part 572 which was published at 62 FR 27514 on May 20, 1997 is adopted as a final rule with the following change:

PART 572—ANTHROPOMORPHIC TEST DEVICES

4. 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

5. Section 572.36 is amended by revising paragraph (i)(8) to read as follows:

§ 572.36 Test conditions and instrumentation.

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(i) * * *

(8) Femur Force—Class 600

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Issued: August 25, 1998.

Ricardo Martinez,

Administrator.

[FR Doc. 98-23240 Filed 8-27-98; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 980724194-8194-01; I.D. 072098B]

RIN 0648-AL37

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Cultivator Shoal Whiting Fishery

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to modify the regulations implementing the Northeast Multispecies Fishery Management Plan (FMP). This rule adds herring to the list of species that may be fished for, possessed on board or landed incidental to whiting in the Cultivator Shoal Whiting Fishery Exemption Area. The intent of this action is to maximize fishing opportunities in a manner that is consistent with the conservation objectives of the FMP.

DATES: Effective August 25, 1998.

ADDRESSES: Copies of Amendment 7 to the FMP (Amendment 7), its regulatory impact review (RIR), and the final regulatory flexibility analysis contained within the RIR, and its final supplemental environmental impact statement, are available upon request from Paul J. Howard, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097. Copies of the RIR supporting this action may be obtained from Dr. Andrew A. Rosenberg, Regional Administrator, NMFS, One Blackburn Drive, Gloucester, MA 01930.

Comments regarding the burden-hour estimates for collection-of-information requirements contained in this interim final rule should be sent to the Regional Administrator and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Bonnie L. VanPelt, Fishery Management Specialist, 978-281-9244.

SUPPLEMENTARY INFORMATION:

Regulations implementing Amendment 7 to the FMP became effective on July 1, 1996 (61 FR 27710, May 31, 1996). These regulations implemented a comprehensive set of measures to control fishing mortality and rebuild the primary stocks of regulated multispecies. Among the specific measures is a bycatch control measure that prohibits prosecution of any fishery that has not been determined to have a minimal bycatch of regulated multispecies.

The bycatch control restriction is applied on a fishery basis in each of two specific regulated mesh areas: Gulf of Maine/Georges Bank Regulated Mesh Area and Southern New England Regulated Mesh Area. A vessel may not fish in these areas unless it is fishing under a multispecies or scallop days-at-sea allocation, is fishing with exempted gear, is fishing under the handgear or party/charter permit restrictions, or is fishing in an exempted fishery.

The procedure for adding, deleting, or modifying exempted fisheries is found in 50 CFR 648.80. Additions, deletions, or modifications to the list of exempted fisheries may be authorized by the Administrator, Northeast Region, NMFS (Regional Administrator) after consultation with the New England Fishery Management Council (Council), if the Regional Administrator determines, based on available data or information, that the percentage of regulated species, caught as bycatch is, or can be reduced to, less than 5 percent by weight of the total catch and that such exemption will not jeopardize the fishing mortality objectives of the FMP.

In August 1996, the Regional Administrator received a request from the Council to add herring to the list of species that may be fished for, possessed on board or landed incidental to whiting in the existing Cultivator Shoal Whiting Fishery Exemption Area. This request consists of adding herring as incidental catch to the list of approved species that can be retained under the constraints of that program. Several members of the industry have spoken in support of this request stating

that it would provide economic relief, while reducing the incidence of regulatory discards for vessels fishing in the Cultivator Shoal Whiting Fishery Exemption Area.

Based on the analysis of the available data regarding regulated species bycatch for the gear, area, and time periods specified for the Cultivator Shoal Whiting Fishery Exemption Area, and for any other relevant factors, the Regional Administrator has determined that the request to add herring to the list of species that may be retained incidental to whiting in the Cultivator Shoal Whiting Fishery Exemption Area meets the exemption requirements specified in § 648.80(a)(7).

This rule allows vessels fishing in the existing Cultivator Shoal Whiting Fishery Exemption Area under the exemption to retain an incidental catch of herring, in addition to an incidental catch of the species already listed in § 648.80(a)(4)(i)(A). Based on the analysis, a directed bottom trawl fishery is not likely to occur, and, thus, no catch limits on the amount of herring to be retained are imposed by this rule.

Classification

The Assistant Administrator for Fisheries, NOAA (AA), finds there is good cause to waive prior notice and opportunity for comment under 5 U.S.C. 553(b)(B). Provisions under the FMP give the Regional Administrator authority to add, delete, or modify exempted fisheries based on the percentage of regulated species caught. Public meetings held by the Council to discuss this modification to the Cultivator Shoal Whiting Fishery Exemption Area, provided prior notice and opportunity for public comment to be made and considered, making additional opportunity for public comment unnecessary.

The AA also waives the 30-day delay in effectiveness of this regulation under 5 U.S.C. 553(d)(1) because this rule relieves a restriction.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid OMB control number.

This rule restates an information collection requirement subject to the PRA that has been approved by the OMB under control number 0648-0202. The estimated response time for a request for a Cultivator Shoal Whiting Fishery Certificate is estimated to take 2 minutes per call.

This estimated response time includes the time needed for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing the burden, to NMFS and to OMB (see ADDRESSES).

This final rule has been determined to be not significant for purposes of E.O. 12866.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: August 24, 1998.

Rolland A. Schmitten,
Assistant Administrator for Fisheries,
National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

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

2. In § 648.80, paragraph (a)(4)(i)(A) is revised as follows:

§ 648.80 Regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

- (a) * * *
- (4) * * *
- (i) * * *

(A) A vessel fishing in the Cultivator Shoal Whiting Fishery Exemption Area under this exemption must have a letter of authorization issued by the Regional Administrator on board and may not fish for, possess on board, or land any species of fish other than whiting, except for the following, with the restrictions noted, as allowable incidental species: Herring; longhorn sculpin; squid; butterfish; mackerel; monkfish and monkfish parts, dogfish, and red hake—up to 10 percent each, by weight, of all other species on board; and American lobster—up to 10 percent by weight of all other species on board or 200 lobsters, whichever is less.

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[FR Doc. 98-23169 Filed 8-25-98; 12:52 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 971229312-7312-01; I.D. 081498B]

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Cumulative Limit Period Changes

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

ACTION: Fishing restrictions; request for comments.

SUMMARY: NMFS announces a change from 2-month cumulative trip limits to 1-month cumulative trip limits for all groundfish species caught in the limited entry fisheries, except for sablefish caught with fixed gear, beginning September 1, 1998. This change, which is authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), is intended to allow more flexible inseason management during the final months of the year.

DATES: Effective 0001 hours local time (l.t.) September 1, 1998; except effective 0001 hours l.t. September 16, 1998 for vessels operating in the "B" platoon. These changes remain in effect, unless modified, superseded, or rescinded, until the effective date of the 1999 annual specifications and management measures for the Pacific Coast groundfish fishery, which will be published in the **Federal Register**. Comments will be accepted through September 14, 1998.

ADDRESSES: Submit comments to William Stelle, Jr., Administrator, Northwest Region (Regional Administrator), NMFS, 7600 Sand Point Way NE., Bldg. 1, Seattle WA 98115-0070; or William Hogarth, Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

FOR FURTHER INFORMATION CONTACT: Katherine King or Yvonne deReynier, Northwest Region, NMFS, 206-526-6140; or Svein Fougner, Southwest Region, NMFS, 562-980-4000.

SUPPLEMENTARY INFORMATION: The following change to current management measures was recommended by the Pacific Fishery Management Council (Council) at its June 23-26, 1998, meeting in Seattle, WA, in consultation with the States of Washington, Oregon, and California.