

engine is described in Appendix 6 to ICAO Annex 16 (incorporated by reference in § 87.8). Other methods of demonstrating compliance may be approved by the Secretary with the concurrence of the Administrator.

#### Subpart H—[Amended]

■ 7. Section 87.82 is revised to read as follows:

##### § 87.82 Sampling and analytical procedures for measuring smoke exhaust emissions.

The system and procedures for sampling and measurement of smoke emissions shall be as specified by Appendix 2 to ICAO Annex 16 (incorporated by reference in § 87.8).

■ 8. Section 87.89 is revised to read as follows:

##### § 87.89 Compliance with smoke emission standards.

Compliance with each smoke emission standard shall be determined by comparing the plot of SN as a function of power setting with the applicable emission standard under this part. The SN at every power setting must be such that there is a high degree of confidence that the standard will not be exceeded by any engine of the model being tested. An acceptable alternative to testing every engine is described in Appendix 6 to ICAO Annex 16 (incorporated by reference in § 87.8).

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Part 1820

[WO 630–1610–EI–25–2Z]

RIN 1004–AD77

#### Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the regulations pertaining to execution and filing of forms in order to reflect the new address of the Arizona State Office of the Bureau of Land Management (BLM), which moved on October 5, 2005. All filings and other documents relating to public lands in Arizona must

be filed at the new address of the State Office.

**EFFECTIVE DATE:** November 17, 2005.

**FOR FURTHER INFORMATION CONTACT:** Diane Williams, Regulatory Affairs Group, (202) 452–5030. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, 24 hours a day, 7 days a week.

**ADDRESSES:** You may send inquiries or suggestions to Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153; Attention: RIN 1004–AD77.

#### SUPPLEMENTARY INFORMATION:

- I. Background
- II. Procedural Matters

##### I. Background

This final rule reflects the administrative action of changing the address of the Arizona State Office of the BLM. It changes the street address for the personal filing of documents relating to public lands in Arizona, but makes no other changes in filing requirements. The BLM has determined that it has no substantive impact on the public, imposes no costs, and merely updates a list of addresses included in the Code of Federal Regulations for the convenience of the public. The Department of the Interior, therefore, for good cause finds under 5 U.S.C. 553 (b)(B) and 553 (d)(3) that notice and public comment procedures are unnecessary and that the rule may take effect upon publication.

##### II. Procedural Matters

#### *Regulatory Planning and Review* (Executive Order 12866)

This final rule is an administrative action to change the address for one BLM State Office. This rule was not subject to review by the Office of Management and Budget under Executive Order 12866. It imposes no costs, and merely updates a list of addresses included in the Code of Federal Regulations for the convenience of the public.

#### *National Environmental Policy Act*

This final rule is a purely administrative regulatory action having no effect upon the public or the environment, it has been determined that the rule is categorically excluded from review under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

#### *Regulatory Flexibility Act*

Congress enacted the Regulatory Flexibility Act of 1980 (5 U.S.C. 601, *et seq.*) to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. This final rule is a purely administrative regulatory action having no effects upon the public or the environment, it has been determined that the rule will not have a significant effect on the economy or small entities.

#### *Small Business Regulatory Enforcement Fairness Act*

This final rule is a purely administrative regulatory action having no effects upon the public or the economy. This is not a major rule under Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)). It should not have an annual effect on the economy of \$100 million or more. The rule will not cause a major increase in costs of prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. It will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises.

#### *Unfunded Mandate Reform Act of Act*

The BLM has determined that the final rule is not significant under the Unfunded Mandates Reform Act of 1995 because it will not result in the expenditure by State, local, and tribal governments, in the aggregates, or by the private sector, of \$100 million or more in any one year.

Further, the final rule will not significantly or uniquely affect small governments. It does not require action by any non-federal government entity. Therefore, the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*), is not required.

#### *Executive Order 12630, Government Action and Interference With Constitutionally Protected Property Rights (Takings)*

As required by Executive Order 12630, the Department of the Interior has determined that the rule would not cause a taking of private property. No private property rights would be affected by a rule that merely reports an address change for the Arizona State Office. The Department therefore certifies that this final rule does not represent a governmental action capable of interference with constitutionally protected property rights.

*Executive Order 13132, Federalism*

In accordance with Executive Order 13132, the BLM finds that the rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. The final rule does not have substantial direct effects on the States, on the relationship between the national governments and the States, or the distribution of power and the responsibilities among the various levels of government. This final rule does not preempt State law.

*Executive Order 12988, Civil Justice Reform*

This final rule is a purely administrative regulatory action having no effects upon the public and will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Executive Order.

*Executive Order 13175, Consultation and Coordination With Indian Tribal Governments*

In accordance with the Executive Order 13175, the BLM finds that the rule does not include policies that have tribal implications. This final rule is a purely an administrative action having no effects upon the public or the environment, imposing no costs, and merely updating the BLM, Arizona State Office address included in the Code of Federal Regulations.

*Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*

In accordance with the Executive Order 13211, the BLM has determined that the final rule will not have substantial direct effects on the energy supply, distribution or use, including a shortfall in supply or price increase. This final rule is a purely administrative action and has no implications under Executive Order 13211.

*Paperwork Reduction Act*

The Paperwork Reduction Act does not apply because the rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

*Author*

The principal author of this rule is Diane O. Williams, Regulatory Affairs Group (WO 630).

**List of Subjects in 43 CFR Part 1820**

Administrative practice and procedure; Archives and records; Public lands.

Dated: October 28, 2005.

**Chad Calvert,**

*Acting Assistant Secretary, Land and Minerals Management.*

■ For the reasons discussed in the preamble, the Bureau of Land Management amends 43 CFR part 1820 as follows:

**PART 1820—APPLICATION PROCEDURES**

■ 1. The authority citation for part 1820 continues to read as follows:

**Authority:** 5 U.S.C. 552, 43 U.S.C. 2, 1201, 1733, and 1740.

**Subpart 1821—General Information**

■ 2. Amend section 1821.10 by amending paragraph (a) by revising the location and address of the Bureau of Land Management State Office in Arizona to read as follows:

**§ 1821.10 Where are BLM offices located?**

(a) \* \* \*

STATE OFFICES AND AREAS OF JURISDICTION

\* \* \* \* \*

Arizona State Office, One North Central Avenue, Phoenix, Arizona 85004-2203—Arizona.

\* \* \* \* \*

[FR Doc. 05-22780 Filed 11-16-05; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Parts 541, 543, and 545**

[Docket No. NHTSA-05-21233; Notice 2]

**Federal Motor Vehicle Theft Prevention Standard**

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

**ACTION:** Denial of petition for reconsideration.

**SUMMARY:** This document denies a petition for reconsideration of the agency's newly expanded parts marking requirements. The Anti Car Theft Act of 1992 required NHTSA to conduct a rulemaking to extend the parts marking requirements of that Standard to all passenger cars and multipurpose passenger vehicles with a gross vehicle weight rating of 6,000 pounds or less regardless of theft rate, unless the Attorney General found that such a requirement would not substantially

inhibit chop shop operations and motor vehicle thefts. The initial final rule extending the parts marking requirement was published in April of 2004. In May 2005, NHTSA responded to petitions for reconsideration of the April 2004 final rule and established a phase in schedule for the new requirements. We also decided to exclude vehicle lines with annual production of not more than 3,500 vehicles from the parts marking requirements because the benefits of marking these vehicle lines would be trivial or of no value.

The agency received a petition for reconsideration of the May 2005 final rule from International Association of Auto Theft Investigators. The petition asked the agency to reconsider the phase-in and small volume exclusion as it applied to large volume vehicle manufacturers. This document denies that petition because it did not provide sufficient information in support of their request to reconsider the May 2005 final rule.

**FOR FURTHER INFORMATION CONTACT:** For technical and policy issues, you may call Rosalind Proctor, Office of International Policy, Fuel Economy and Consumer Programs, (Telephone: 202-366-0846) (Fax: 202-493-2290).

For legal issues, you may call George Feygin, Office of Chief Counsel (Telephone: 202-366-2992) (Fax: 202-366-3820).

**SUPPLEMENTARY INFORMATION:** On April 6, 2004, the agency published a final rule extending the anti-theft parts marking requirements (Part 541) to (1) all below median theft rate passenger cars and multipurpose passenger vehicles (MPVs) that have a gross vehicle weight rating (GVWR) of 6,000 pounds or less, and (2) all below median theft rate light duty trucks with a GVWR of 6,000 pounds or less and major parts that are interchangeable with a majority of the covered major parts of passenger cars or MPVs subject to the parts marking requirements.<sup>1</sup> (69 FR 17960) The Anti Car Theft Act of 1992 required this final rule unless the Attorney General made a finding that the extension would not substantially inhibit chop shop operations and motor vehicle thefts. The final rule is effective September 1, 2006.

On May 19, 2005, the agency published a final rule responding to petitions for reconsideration of the 2004

<sup>1</sup> Above median theft rate LDTs are still subject to the parts marking requirements. Below median theft rate LDTs which do not have major parts that are interchangeable are not subject to the requirements.