PART 176—CARRIAGE BY VESSEL

14. The authority citation for part 176 continues to read as follows:


15. In §176.905, paragraph (j) is revised to read as follows:

§176.905 Stowage of motor vehicles or mechanical equipment.

(j) Except as provided in §173.220(f) of this subchapter, the provisions of this subchapter do not apply to items of equipment such as fire extinguishers, compressed gas accumulators, airbag inflators and the like which are installed in the vehicle or mechanical equipment if they are necessary for the operation of the vehicle or equipment, or for the safety of its operator or passengers.

Issued in Washington, DC, on December 20, 2011, under authority delegated in 49 CFR part 1.

Cynthia L. Quartermann, Administrator.

50 FR 33358 Filed 12–29–11; 8:45 am

BILLING CODE 4910–60–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 390

Drivers of CMVs: Restricting the Use of Cellular Phones

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule; correction.

SUMMARY: FMCSA is correcting a Final Rule that appeared in the Federal Register on December 2, 2011 (76 FR 75470), which restricted the use of
hand-held mobile telephones by drivers of commercial motor vehicles. That rule was jointly issued by FMCSA and Pipeline and Hazardous Materials Safety Administration (PHMSA), but this correction only affects an FMCSA regulation.


FOR FURTHER INFORMATION CONTACT: Mr. Brian Routhier, Transportation Specialist, Federal Motor Carrier Safety Administration, Vehicle and Roadside Operation Division, at (202) 366–4325 or FMCSA_MCPSV@dot.gov.

SUPPLEMENTARY INFORMATION: For FMCSA and PHMSA’s Final Rule published on December 2, 2011 (76 FR 75470), the following correction is made:

§ 390.3 [Corrected]

■ On page 75487, in § 390.3, paragraph (f)(1), correct “(g)(2)” to “(f)(2)”.

Issued on: December 21, 2011.
Larry Minor,
Associate Administrator for Policy, Federal Motor Carrier Safety Administration.

[FR Doc. 2011–33198 Filed 12–29–11; 8:45 a.m.]
BILLING CODE 4910–EX–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 111207732–1745–01]
RIN 0648–BB73

International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions for Bigeye Tuna and Yellowfin Tuna in Purse Seine Fisheries for 2012

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

ACTION: Interim rule; request for comments.

SUMMARY: This interim rule extends the dates of applicability of existing regulations applicable to U.S. purse seine vessels operating in the western and central Pacific Ocean (WCPO) through December 31, 2012. NMFS issues this rule under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFC Implementation Act) to implement a decision of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC). The WCPFC decision, made December 20, 2011, extends the effectiveness of the WCPFC’s “Conservation and Management Measure for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean” (CMM 2008–01), originally scheduled to expire on December 31, 2011. CMM 2008–01 is the basis for the existing regulations whose dates of applicability are being extended by this interim rule. Under this rulemaking, these regulations now apply through December 31, 2012, and include limits on fishing effort, restrictions on the use of fish aggregating devices (FADs), closed areas, catch retention requirements, and requirements to carry observers. This action is necessary for the United States to satisfy its international obligations under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), to which it is a Contracting Party.

DATES: Effective on December 30, 2011, comments must be submitted in writing by February 28, 2012.

ADDRESSES: Comments on this interim rule, identified by NOAA–NMFS–2011–0296, and the regulatory impact review (RIR) prepared for this interim rule may be sent to either of the following addresses:

• Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking portal, at http://www.regulations.gov; or
• Mail: Mail written comments to Michael D. Tosatto, Regional Administrator, NMFS, Pacific Islands Regional Office (PIRO), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814–4700.

Instructions: Comments must be submitted to one of the two addresses to ensure that the comments are received, documented, and considered by NMFS. Comments sent to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are part of the public record and generally will be posted on http://www.regulations.gov without change. All personal identifying information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the relevant required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the RIR prepared for this interim rule are available from http://www.regulations.gov or may be obtained from Michael D. Tosatto, NMFS PIRO (see address above).

FOR FURTHER INFORMATION CONTACT: Tom Graham, NMFS PIRO, (808) 944–2219.

SUPPLEMENTARY INFORMATION:

Electronic Access

This interim rule is also accessible at http://www.gpoaccess.gov/fr.

Background on the Convention and the WCPFC

The Convention Area comprises the majority of the western and central Pacific Ocean (WCPO). A map showing the boundaries of the Convention Area can be found on the WCPFC Web site at: http://www.wcpfc.int/doc/convention-area-map. The Convention focuses on the conservation and management of highly migratory species (HMS) and the management of fisheries for HMS. The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of HMS in the WCPO. As a Contracting Party to the Convention and a Member of the WCPFC, the United States is obligated to implement the decisions of the WCPFC. The WCPFC Implementation Act (16 U.S.C. 6901 et seq.), authorizes the Secretary of Commerce, in consultation with the Secretary of State and the Secretary of the Department in which the United States Coast Guard is operating (currently the Department of Homeland Security), to promulgate such regulations as may be necessary to carry out the obligations of the United States under the Convention, including the decisions of the WCPFC. The Secretary of Commerce has delegated the authority to promulgate regulations to NMFS.

Existing Regulations To Implement WCPFC Decision for Bigeye Tuna and Yellowfin Tuna in Purse Seine Fisheries

At its Fifth Regular Session, in December 2008, the WCPFC adopted CMM 2008–01. The CMM, available with other decisions of the WCPFC at http://www.wcpfc.int/decisions.htm, places certain obligations on the WCPFC Members, Participating Territories, and Cooperating Non-members (collectively, CCs). The CMM was based in part on the findings by the WCPFC that the stock of bigeye tuna (Thunnus obesus) in the WCPO was experiencing a fishing