

418–1647; or Joyce Bernstein, Media Bureau, at [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** In support of its channel substitution request, the Petitioner states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service. According to the Petitioner, it has received many complaints from viewers unable to receive a reliable signal on channel 10 and that its channel sharing partner, WMFP(TV), Foxborough, Massachusetts, which is also owned by RNN, has similarly received complaints and would benefit from the proposed channel change. While an analysis using the Commission’s TVStudy software indicates that WWDP’s proposed channel substitution is predicted to create areas where viewers may lose service, all viewers in the loss area will continue to be served by at least five other full power television stations and no viewers will lose service from one of the four major television networks.

This is a synopsis of the Commission’s *Notice of Proposed Rulemaking*, MB Docket No. 22–376; RM–11934; DA 22–1132, adopted October 27, 2022, and released October 27, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs/>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in Section 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a).

*See* Sections 1.415 and 1.420 of the Commission’s rules for information

regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Television.

Federal Communications Commission.

**Thomas Horan,**

*Chief of Staff, Media Bureau.*

**Proposed Rule**

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

**PART 73—Radio Broadcast Service**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

**§ 73.622 Table of allotments.**

■ 2. In § 73.622 in paragraph (j), amend the Table of Allotments under Massachusetts by revising the entry for Norwell to read as follows:

* * * * *				
(j) Table of TV Allotments.				
Community				Channel No.
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
<b>MASSACHUSETTS</b>				
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Norwell .....				36
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
* * * * *				

[FR Doc. 2022–24753 Filed 11–14–22; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**49 CFR Part 350**

[Docket No. FMCSA–2022–0079]

**State Inspection Programs for Passenger-Carrier Vehicles**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Confirmation of withdrawn advance notice of proposed rulemaking.

**SUMMARY:** FMCSA confirms its May 1, 2017, decision to withdraw its April 27, 2016, advance notice of proposed rulemaking (ANPRM) concerning the establishment of requirements for States

to implement annual inspection programs for commercial motor vehicles (CMVs) designed or used to transport passengers (passenger-carrying CMVs). On November 15, 2021, the Infrastructure Investment and Jobs Act (IIJA) was enacted, directing FMCSA to solicit additional comment on the 2016 ANPRM. The Agency solicited additional comments for 30 days, ending June 9, 2022. After reviewing the additional public comments received, FMCSA has determined there is not enough data and information available to support moving forward with a rulemaking action.

**DATES:** FMCSA confirms the withdrawal of the ANPRM as of November 15, 2022.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sarah Stella, Chief, Regulatory Development Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 493–0192, [Sarah.Stella@dot.gov](mailto:Sarah.Stella@dot.gov). If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366–9826.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 27, 2016, in accordance with section 32710 of the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112–141, 126 Stat. 405, 815), FMCSA published in the **Federal Register**, an ANPRM titled “State Inspection Programs for Passenger-Carrier Vehicles” (Docket No. FMCSA–2014–0470, 81 FR 24769). The ANPRM announced that FMCSA was considering a requirement that States establish a program for annual inspections of passenger-carrying CMVs. FMCSA requested information from all interested parties that would enable the Agency to assess the risks associated with improperly maintained or improperly inspected passenger-carrying CMVs. The ANPRM also sought public comments concerning the effectiveness of the current FMCSA annual inspection standards, and data on the potential costs and benefits of a Federal requirement for each State to implement a mandatory inspection program. FMCSA inquired about how the Agency might incentivize States to adopt such programs.

The comment period closed on June 27, 2016, and 22 comments were received, with a plurality (10 of 22) of commenters expressing general opposition to the mandatory State inspection requirement discussed in the ANPRM. After reviewing all the public comments, FMCSA determined there was not enough data and information available to support moving forward

with a rulemaking action. As a result, on May 1, 2017, the Agency withdrew the ANPRM.<sup>1</sup> (82 FR 20311)

On November 15, 2021, the IIJA was enacted, Public Law 117–58, 135 Stat. 429 (H.R. 3684, Nov. 15, 2021). Section 23008(a) directed the Agency, within 1 year after the date of enactment, to solicit additional comments on the ANPRM to determine if data and information exist to support moving forward with a rulemaking. The Agency published the request for additional comments on May 10, 2022. (87 FR 29781) The comment period closed on June 9, 2022.

### Discussion of Comments

The Agency received 21 public comments, with 9 commenters expressing general opposition to the mandatory State inspection requirement discussed in the 2016 ANPRM. Four commenters supported the establishment of such a requirement and the remaining commenters neither wholly supported nor opposed a possible requirement. Many commenters indicated that the existing standards for annual inspections prescribed in the Federal Motor Carrier Safety Regulations, or their own programs, were sufficient. Commenters also indicated that current standards are effective at mitigating risk when properly enforced. Several commenters made their support contingent on factors such as uniformity in inspection standards, standardization of inspector training, a self-inspection option, and required reciprocity, whereby States would be required to recognize inspections conducted outside their States.

Many commenters, including State agencies in Arizona, Kentucky, Minnesota, Montana, New York, Virginia, and Wisconsin, addressed questions aimed at measuring the effectiveness of inspection programs. However, none of these commenters was able to determine whether the establishment of an inspection program reduced the number of safety violations detected.

Several commenters suggested that FMCSA incentivize States to establish mandatory inspection programs by providing Federal funding. The American Association of Motor Vehicle Administrators, the Commercial Vehicle Safety Alliance, and the Kentucky Transportation Cabinet noted that a mandate would be a strain on States' resources, particularly considering the ongoing financial challenges associated

with the coronavirus disease 2019 pandemic.

### FMCSA Decision

After considering all the comments, FMCSA has concluded that the rationale for withdrawal of the 2016 ANPRM remains sound. The Agency is not aware of any new data or information that supports the development of a notice of proposed rulemaking to require the States to establish mandatory annual inspection programs for passenger-carrying vehicles. FMCSA therefore confirms withdrawal of the 2016 ANPRM referenced above. The concerns and recommendations of all the commenters will be considered if any new proposed regulations regarding annual inspections of passenger-carrying CMVs are developed.

Issued under authority delegated in 49 CFR 1.87.

**Robin Hutcheson,**  
*Administrator.*

[FR Doc. 2022–24708 Filed 11–14–22; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 221103–0231; RTID 0648–XC422]

#### Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2023 Bluefish Specifications

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes specifications for the 2023 Atlantic bluefish fishery, as recommended by the Mid-Atlantic Fishery Management Council. This action is necessary to establish allowable harvest levels for the stock that will prevent overfishing and promote rebuilding, using the best scientific information available. This rule is intended to inform the public of the proposed fishery specifications and provide an opportunity for comment on the proposed action.

**DATES:** Comments must be received by November 30, 2022.

**ADDRESSES:** You may submit comments on this document, identified by NOAA–NMFS–2022–0102, by the following method:

**Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal.

1. Go to <https://www.regulations.gov>, and enter “NOAA–NMFS–2022–0102” in the Search box;

2. Click the “Comment” icon, complete the required fields; and

3. Enter or attach your comments.  
**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). If you are unable to submit your comment through [www.regulations.gov](http://www.regulations.gov), contact Cynthia Ferrio, Fishery Policy Analyst, [Cynthia.Ferrio@noaa.gov](mailto:Cynthia.Ferrio@noaa.gov).

Copies of the Supplemental Information Report (SIR) and other supporting documents for this action are available upon request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. These documents are also accessible via the internet at <https://www.mafmc.org/action-archive>.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Ferrio, Fishery Policy Analyst, (978) 281–9180.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) jointly manage the Atlantic Bluefish Fishery Management Plan (FMP). The FMP requires the specification of annual regulatory limits for up to three years at a time, including: an acceptable biological catch (ABC), commercial and recreational annual catch limits (ACL), commercial and recreational annual catch targets (ACT), a commercial quota, a recreational harvest limit (RHL), and other management measures. This action proposes adjusted bluefish specifications for the 2023 fishing year, based on Council and Commission recommendations.

The bluefish fishery is operating under multi-year specifications for

<sup>1</sup> The ANPRM and the ANPRM withdrawal are available in the docket for this action.