

and Review." This document is part of an action that was determined to be "significant" under the Department of Transportation's regulatory policies and procedures. However, this notice does not impose any new requirements on manufacturers. It simply corrects an error.

#### *Regulatory Flexibility Act*

NHTSA has also considered the impacts of this final rule under the Regulatory Flexibility Act. I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. As explained above, this rule will not have an economic impact on any manufacturer.

#### *Paperwork Reduction Act*

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), there are no requirements for information collection associated with this final rule.

#### *National Environmental Policy Act*

NHTSA has also analyzed this final rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

#### *Executive Order 12612 (Federalism)*

NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

#### *Civil Justice Reform*

This final rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the State requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

#### *List of Subjects in 49 CFR Part 571*

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, 49 CFR Part 571 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 571.208 is amended by revising the introductory text of S4.5.1(b)(2) and S4.5.1(c)(2) and by adding new S4.5.1(b)(2)(iv) and S4.5.1(c)(2)(iii) to read as follows:

#### **§ 571.208 Standard No. 208, Occupant Crash Protection.**

\* \* \* \* \*

S4.5.1 *Labeling and owner's manual information.*

\* \* \* \* \*

(b) *Sun visor warning label.*

\* \* \* \* \*

(2) *Vehicles manufactured on or after February 25, 1996.* Each vehicle shall have a label permanently affixed to either side of the sun visor, at the manufacturer's option, at each front outboard seating position that is equipped with an inflatable restraint. The label shall conform in content to the label shown in either Figure 6a or 6b of this standard, as appropriate, and shall comply with the requirements of S4.5.1(b)(2)(i) through S4.5.1(b)(2)(iv).

\* \* \* \* \*

(iv) If the vehicle does not have an inflatable restraint at any front seating position other than that for the driver, the label shown in Figure 6a may be modified by omitting the pictogram and changing the message text to read:

DEATH OR SERIOUS INJURY can occur.

- Sit as far back as possible from the air bag.

- ALWAYS use SEAT BELTS and CHILD RESTRAINTS.

- The BACK SEAT is the SAFEST place for children.

\* \* \* \* \*

(c) *Air bag alert label.*

\* \* \* \* \*

(2) *Vehicles manufactured on or after February 25, 1996.* If the label required by S4.5.1(b)(2) is not visible when the sun visor is in the stowed position, an air bag alert label shall be permanently affixed to that visor so that the label is visible when the visor is in that position. The label shall conform in content to the sun visor label shown in figure 6c of this standard, and shall comply with the requirements of S4.5.1(c)(2)(i) through S4.5.1(c)(2)(iii).

\* \* \* \* \*

(iii) If the vehicle does not have an inflatable restraint at any front seating

position other than that for the driver, the pictogram may be omitted from the label shown in Figure 6c.

\* \* \* \* \*

L. Robert Shelton,

*Associate Administrator for Safety Performance Standards.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 679**

[Docket No. 960502124-6190-02; I.D. 112796B]

### **Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Closure in District 16 of Registration Area D**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the scallop fishery in District 16 of Scallop Registration Area D (Yakutat). This action is necessary to prevent exceeding the scallop total allowable catch (TAC) in this area.

**EFFECTIVE DATE:** Effective 1200 hrs, Alaska local time (A.l.t.), November 29, 1996, until 2400 hrs, A.l.t., December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Andrew Smoker, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The scallop fishery in the exclusive economic zone off Alaska is managed by NMFS according to the Fishery Management Plan for the Scallop Fishery off Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing for scallops is governed by regulations appearing at 50 CFR parts 600 and 679.

In accordance with § 679.62(b), the 1996 scallop TAC for District 16 of Scallop Registration Area D was established by the Final 1996 Harvest Specifications of Scallops (61 FR 38099, July 23, 1996) as 27,000 lb (12,247 kg) shucked meat.

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.62(c), that the scallop TAC for District 16 of Scallop Registration Area D has been reached. Therefore,

NMFS is prohibiting the taking and retention of scallops in District 16 of Scallop Registration Area D from 1200 hrs, A.l.t., November 29, 1996, through 2400 hrs, A.l.t., December 31, 1996.

#### Classification

This action is taken under § 679.62 and is exempt from review under E.O. 12866.

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

Dated: November 27, 1996.

Gary Matlock,

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

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#### 50 CFR Part 679

[Docket No. 961126333-6333-01; I.D. 110496A]

RIN 0648-xx73

#### Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Interim 1997 Harvest Specifications

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

**ACTION:** Interim 1997 harvest specifications for groundfish; associated management measures; and closures.

**SUMMARY:** NMFS issues interim 1997 total allowable catch (TAC) amounts for each category of groundfish and specifications for prohibited species bycatch allowances for the groundfish fishery of the Gulf of Alaska (GOA). NMFS is closing certain fisheries as specified in the interim 1997 groundfish specifications. The intended effect is to conserve and manage the groundfish resources in the GOA.

**EFFECTIVE DATE:** 0001 hrs, Alaska local time (A.l.t.), January 1, 1997, until the effective date of the Final 1997 Harvest Specifications for Groundfish, which will be published in the Federal Register.

**ADDRESSES:** The preliminary Stock Assessment and Fishery Evaluation (SAFE) Report, dated September 1996, is available from the North Pacific Fishery Management Council, 605 West 4th Avenue, Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Kaja Brix, 907-586-7228.

#### SUPPLEMENTARY INFORMATION:

##### Background

The domestic and foreign groundfish fisheries in the exclusive economic zone of the GOA are managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The FMP was prepared by the North Pacific Fishery Management Council (Council) and approved by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The FMP is implemented by regulations at 50 CFR part 679. General regulations that also pertain to the U.S. fisheries appear at 50 CFR part 600.

The Council met September 18-22, 1996, to review scientific information concerning groundfish stocks. The preliminary specifications are based on the current stock assessments contained in the preliminary GOA Groundfish SAFE Report, dated September 1996, as well as recommendations by the GOA Groundfish Plan Team, Advisory Panel, and Scientific and Statistical Committee. The preliminary SAFE Report was prepared and presented to the Council by the GOA Groundfish Plan Team and summarizes the best available scientific information. Copies of the SAFE Report are available from the Council (see **ADDRESSES**). The Council recommended a preliminary total TAC amount of 267,940 metric tons (mt) and a preliminary total acceptable biological catch (ABC) amount of 546,720 mt for the 1997 fishing year. NMFS adjusted the total TAC amount to 265,692 mt to accommodate a revision to the Central Gulf Regulatory Area (CG) "other rockfish" TAC amount. NMFS reduced the CG "other rockfish" TAC amount to 960 mt, which is equal to the 1997 ABC, because the Council's recommended TAC of 1,170 mt for this area exceeded the CG 1997 ABC. This reduced the "other species" category TAC to 12,652 mt, as well as the overall TAC amount.

Under § 679.20(c)(1)(ii), NMFS is publishing in the Proposed Rules section of this issue of the Federal Register for review and comment proposed initial harvest specifications for groundfish and associated management measures in the GOA for the 1997 fishing year. Those proposed specifications contain detailed information on the 1997 specification process and provide a discussion of the preliminary ABCs, proposed establishment of the 1997 annual TAC amounts and apportionments thereof

and reserves for each target species and the "other species" category, apportionments of pollock and Pacific cod TAC, apportionments of the sablefish TAC to vessels using hook-and-line and trawl gear, halibut prohibited species catch (PSC) limits, and seasonal allocations of the halibut PSC limits.

Regulations at § 679.20(c)(2) require that one-fourth of the proposed specifications, not including the reserves and the first seasonal allowance of pollock, one-fourth of the inshore and offshore allocations of Pacific cod in each regulatory area, the proposed first seasonal allowance of pollock, and one-fourth of the halibut PSC amounts become effective at 0001 hours, A.l.t., January 1, on an interim basis and remain in effect until superseded by the final harvest specifications, which will be published in the Federal Register. This action provides interim TAC specifications and apportionments thereof for the 1997 fishing year, which will become available on January 1, 1997, on an interim or preliminary basis. Background information concerning the 1997 groundfish harvest specification process upon which this interim action is based is provided in the proposed initial harvest specifications appearing in the Proposed Rules section of this Federal Register issue.

The reserves for the GOA are 20 percent of the TAC amounts for pollock, Pacific cod, flatfish species, and the "other species" category. Given that the GOA groundfish TAC amounts have been utilized fully since 1987, and NMFS expects the same to occur in 1997, NMFS proposes reapportioning all the reserves to TAC. The interim TAC amounts contained in Table 1 reflect the reapportionment of reserves back to the TAC.

#### 1. Interim TAC Amounts and Apportionments Thereof

Table 1 provides interim TAC amounts, interim TAC allocations of Pacific cod to the inshore and offshore components, the first seasonal allowance of pollock in the combined Western and Central regulatory areas, and interim sablefish TAC apportionments to hook-and-line and trawl gear. These interim TAC amounts and apportionments thereof become effective at 0001 hours, A.l.t., January 1, 1997.