

(MCSIP—Motor Carrier Safety Improvement Process) through the application of a carrier identification and prioritization algorithm referred to as the Safestat Identification Algorithm (Safestat). Safestat identifies "At Risk" motor carriers by producing a safety score for every interstate motor carrier. Motor carriers are ranked on a worst-first basis. Motor carriers with the lowest scores are considered to be "At Risk" and are scheduled for a compliance review (on-site visit), while motor carriers with less severe safety scores receive "warning letters." Once a motor carrier has been identified for entry into the MCSIP, its safety performance is monitored using a second algorithm called the Safestat Monitoring Algorithm. The MCSIP process has been designed to provide numerous opportunities for motor carriers to improve their safety performance. Failure to improve safety performance, however, will result in progressively more severe penalties leading eventually to suspension or revocation of vehicle registration privileges.

The PRISM could be used to identify hazardous materials (HM) carriers that are "At Risk" by modifying the Safestat Identification Algorithm to include additional information about HM motor carriers. In fact, it has been suggested that a separate safety evaluation area relating to HM be included in the SafeStat Identification Algorithm. Under this proposal, HM carriers that have been identified for entry into the MCSIP process and continue to score poorly may have their HM permits denied or suspended.

IV. Interstate Commerce Commission's (ICC) Carrier Registration and Insurance Requirements

On December 29, 1995, the President signed the ICC Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803), which eliminates the ICC and transfers certain motor carrier regulatory functions from the ICC to the FHWA. The principal functions transferred were the licensing and registration activities, insurance tracking, Mexican motor carrier oversight, and responsibilities for brokers, freight forwarders, and household goods carriers. All past operating authority licenses and financial responsibility filings remain valid, and all new applications and financial responsibility filings are processed by the FHWA. The ICCTA provides that registration generally remains in effect for up to five years unless it is suspended, amended, or revoked. Reasons for suspension or revocation may include unsafe operations, lack of the required financial responsibility coverage, or failure to comply with regulatory requirements.

The FHWA's motor carrier programs are intended to ensure that motor carriers are properly identified, have adequate levels of financial responsibility, and operate in a safe manner. Under the present programs, for-hire motor carriers are registered and must show proof of financial responsibility and familiarity with the FHWA's safety regulations. The financial responsibility coverage of for-hire motor carriers is continuously monitored. Policy pre-expiration notices obtained from the

insurance companies, as well as internal audits, are used to determine compliance. Prior to an insurance policy lapsing, the carrier is contacted. An enforcement action, including litigation, can be used to stop the carrier from operating without financial responsibility. A motor carrier's operating authority can be revoked if financial responsibility is not obtained. A similar procedure applies to motor carriers that have been authorized to self-insure their operations.

The Single State Registration System (SSRS) program was created to succeed the "bingo card" program administered by the ICC. The SSRS program is a base-State system whereby a motor carrier registers its interstate operating authority with, and provides proof of financial responsibility coverage to one State (a base-State) instead of multiple States. The base-State then distributes the collected fees to other participating States in which the motor carrier's vehicles operate. State participation in the System was limited to those States participating in the bingo card program prior to January 1991. Fee amounts were limited to those imposed prior to November 1991, not to exceed \$10 per vehicle.

Under the ICCTA, the SSRS will continue to operate. However, the Department of Transportation (the Department) is required to consolidate the current USDOT identification number system, the SSRS, the former ICC registration system (including financial responsibility registration) into a single, on-line Federal system. The new system will contain information on, and identification of, all foreign and domestic motor carriers, brokers, and freight forwarders (as well as others required to register with the Department) as well as information on safety fitness and compliance with the required levels of financial responsibility coverage. The Secretary may establish fees to fully operate the system, including any personnel to support the overall registration and financial responsibility filing system.

On August 26, 1996, the FHWA published an advance notice of proposed rulemaking (ANPRM) requesting comments on the development of the motor carrier replacement information and registration system (61 FR 43816). The agency is preparing a notice of proposed rulemaking for issuance in 1998.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 031898B]

Magnuson-Stevens Act Provisions; Essential Fish Habitat (EFH); Preparation Schedule for EFH Provisions of Fishery Management Plans

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

ACTION: Notice of availability.

SUMMARY: NMFS announces the availability of the schedules and updates for amending fishery management plans (FMPs) to incorporate EFH provisions, in compliance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Magnuson-Stevens Act requires the Secretary of Commerce to set forth a schedule to amend FMPs to identify EFH and to revise and update EFH based on new scientific evidence or other relevant information. The Secretary's EFH amendment schedule requires all FMP amendments to be submitted to the Secretary by October 11, 1998. This document announces the availability of the fishery management councils' (Councils) schedules for preparing EFH provisions including the identification, description, conservation, and enhancement of EFH. The FMP amendments will contain the schedule to revise and update the EFH provisions.

ADDRESSES: Requests for copies of these schedules and updates should be made to the Director, Office of Habitat Conservation; Attention: EFH Schedule, NMFS; 1315 East-West Highway, Silver Spring, MD 20910-3282. These schedules and additional information and updates of the schedules will also be available from the Councils or regional NMFS offices (see

SUPPLEMENTARY INFORMATION) and will be posted on the NMFS Office of Habitat Conservation Internet website at: <http://kingfish.ssp.nmfs.gov/rschreib/habitat.html>.

FOR FURTHER INFORMATION CONTACT: Lee Crockett, 301/713-2325.

SUPPLEMENTARY INFORMATION: The creation of these schedules is required by section 305(b)(1)(A) of the Magnuson-Stevens Act (16 U.S.C. 1855(b)(1)(A)). Section 303(a) of the

Magnuson-Stevens Act (16 U.S.C. 1853(a)) lists the required provisions of FMPs, including EFH provisions that describe and identify EFH, minimize, to the extent practicable, adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat. NMFS issued interim final regulations (62 FR 66531, December 19, 1997) to assist the Councils in meeting these requirements. Information on the required EFH provisions is included in those regulations. The Councils' schedules for amending FMPs with EFH provisions will inform the public of opportunities for involvement, input, and comment during the preparation of EFH provisions. These schedules are subject to change and will be updated as appropriate.

The statutory deadline for FMP amendments to include EFH provisions, as established by the Sustainable Fisheries Act, is October 11, 1998, and all FMP amendments must be submitted to the Secretary for approval by that date. Within 5 days of submittal, the Secretary will publish a notice of availability for each amendment with a 60-day comment period. Within 30 days of the closure of the comment period, the Secretary will approve or disapprove the amendment. If the amendment contains regulations, the Secretary will also publish the draft regulations as a proposed rule with a 45-day comment period. The Secretary is required to publish a final rule within 30 days of the closure of the comment period.

For further information and copies of the schedule contact the following offices:

NMFS Regional Offices

Northeast Regional Office, Attention: Habitat Conservation Division, One Blackburn Drive, Gloucester, MA 01930-2298; 978/281-9102.

Southeast Regional Office, Attention: Habitat Conservation Division, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; 813/570-5317.

Southwest Regional Office, Attention: Habitat Conservation Division, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; 562/980-4041.

Northwest Regional Office, Attention: Habitat Conservation Division, 525 NE. Oregon St., Suite 500, Portland, OR 97232-2737; 503/230-5421.

Alaska Regional Office, Attention: Habitat Conservation Division, 709 West 9th Street, Federal Bldg., Room 461, P.O. Box 21668, Juneau, AK 99802-1668; 907/586-7235.

Regional Fishery Management Council Offices

New England Fishery Management Council; Suntaug Office Park, 5 Broadway (Rte. 1); Saugus, MA 01906; Phone: (781)231-0422; FAX: (781)565-8937.

Mid-Atlantic Fishery Management Council; Federal Bldg., Rm. 2115; 300 S. New St.; Dover, DE 19901; Phone: (302)674-2331; FAX: (302)674-5399.

South Atlantic Fishery Management Council; Southpark Building, Ste. 306; 1 Southpark Circle; Charleston, SC 29407; Phone: (803)571-4366; FAX: (803)769-4520.

Gulf of Mexico Fishery Management Council; Lincoln Center, Ste. 331; 5401 W. Kennedy Blvd.; Tampa, FL 33609; Phone: (813)228-2815; FAX: (813)225-7015.

Caribbean Fishery Management Council; 268 Ave. Munoz Rivera, Ste. 1108; San Juan, PR 00918; Phone: (787)766-5926; FAX: (787)766-6239.

Pacific Fishery Management Council; 2130 SW. 5th Ave., Ste. 224; Portland, OR 97201; Phone: (503)326-6352; FAX: (503)326-6831.

North Pacific Fishery Management Council; 605 W. 4th Ave., Rm. 306; Anchorage, AK 99501; Phone: (907)271-2809; FAX: (907)271-2817.

Western Pacific Fishery Management Council; 1164 Bishop St., Rm. 1405; Honolulu, HI 96813; Phone: (808)522-8220; FAX: (808)522-8226.

Highly Migratory Species Division, NMFS; 1315 East-West Highway; SSMC#3, 14th Floor, F/SF; Silver Spring, MD 20910; Phone: (301)713-2347; FAX: (301)713-1917.

Dated: March 24, 1998.

James P. Burgess,

Director, Office of Habitat Conservation, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 032398B]

RIN 0648-AJ51

Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery off Alaska; Amendment 3

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted Amendment 3 to the Fishery Management Plan for the Scallop Fishery off Alaska for Secretarial review. Amendment 3 would delegate to the State of Alaska (State) the authority to manage all aspects of the scallop fishery, except limited access, and would repeal all Federal regulations governing the scallop fishery off Alaska, except for the scallop vessel moratorium program. This action is necessary to eliminate duplicate regulations and management programs for the scallop fishery at the State and Federal levels. Comments from the public are requested.

DATES: Comments on Amendment 3 must be submitted on or before June 1, 1998.

ADDRESSES: Comments on Amendment 3 should be submitted to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th. Street, Juneau, AK. Copies of Amendment 3 and the Environmental Assessment/Regulatory Impact Review prepared for the amendment are available from NMFS at the above address, or by calling the Alaska Region, NMFS, at 907-586-7228.

FOR FURTHER INFORMATION CONTACT: Kent Lind, 907-586-7228 or kent.lind@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each Regional Fishery Management Council submit any fishery management plan (FMP) or plan amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or amendment, immediately publish a document announcing that the FMP or amendment is available for public review and comment. NMFS will consider the public comments received during the comment period in determining whether to approve the FMP or amendment. Public comments on the proposed rule must be received by the end of the comment period on the FMP/amendment to be considered in the approval/disapproval decision on the FMP/amendment.

NMFS will consider the public comments received during the comment